

ORDINANCE NO. 690

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CUDAHY APPROVING AN AMENDMENT TO THE CITY'S ZONING CODE FOR THE COMPREHENSIVE UPDATE TO THE CITY'S DEVELOPMENT (ZONING) CODE AND A ZONE CHANGE AMENDING THE CITY'S ZONING MAP TO REFLECT THE RECENTLY UPDATED AND ADOPTED CITY OF CUDAHY 2040 GENERAL PLAN (APPLICANT: CITY OF CUDAHY; LOCATION: CITYWIDE; CASE NO.: AZC 18-01 AND ZC 90-11)

WHEREAS, the City is proposing a comprehensive update to the Zoning Code, Case No. AZC 18-01, to achieve consistency with the General Plan 2040 and state law, by restating and amending Title 20 of the City's Municipal Code, in its entirety, as set forth in Exhibit A of this Ordinance.

WHEREAS, the City is proposing a comprehensive update to the Zoning Map designations, Case No. ZC 90-11, to achieve consistency with the General Plan 2040, by restating and amending the current zoning map, in its entirety, as set forth in Exhibit B of this Ordinance.

WHEREAS, a duly noticed public hearing was held by the Planning Commission of the City of Cudahy on June 18, 2018 to receive comments and consider an amendment to Title 20 of the City's Municipal Code and to the Zoning Map.

WHEREAS, based on oral testimony and documentary evidence during the duly noticed public hearing on June 18, 2018, the Planning Commission adopted Resolution No. 18-18 recommending City Council approval of the proposed comprehensive update to Title 20 of the City's Municipal Code and Zoning Map.

WHEREAS, the City Council conducted a duly noticed public hearing on July 3, 2018 to receive comments and consider an amendment to Title 20 of the City's Municipal Code and to the Zoning Map.

NOW THEREFORFE, THE CITY COUNCIL OF THE CITY OF CUDAHY DOES ORDAIN AS FOLLOWS:

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

SECTION 2. The City Council hereby finds and determines the amendments to Title 20 of the City's Municipal Code and to the Zoning Map are consistent with the General Plan's objectives, policies and programs.

SECTION 3. The City Council hereby finds and determines the amendments to Title 20 of the City's Municipal Code and to the Zoning Map are required by public interest, convenience and necessity.

SECTION 4. The City Council, based upon its public review, approves and adopts the comprehensive update to the Zoning Code by restating and amending Title 20 of the City's Municipal Code, in its entirety, as set forth in Exhibit A.

SECTION 5. The City Council, based upon its public review, approve and adopt the comprehensive update to the Zoning Map designations by restating and amending the current zoning map, in its entirety, as set forth in Exhibit B.

SECTION 5. The City Clerk shall certify to the adoption of this Ordinance and shall cause a copy of the same to be published in a manner prescribed by law, and shall forward a copy of the same to the Secretary of the Planning Commission.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Cudahy at the regular meeting of this 17th day of July, 2018.



Chris Garcia
Mayor

ATTEST:



Richard Iglesias
Deputy City Clerk

CERTIFICATION

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

I, Richard Iglesias, Deputy City Clerk of the City of Cudahy, hereby certify that the foregoing Ordinance No. 690 was introduced for a first reading on the 3rd day of July, 2018 and approved for a second reading and adopted by said Council at its regular meeting held on the 17th day of July, 2018 by the following vote, to-wit:

- AYES: Gonzalez, Sanchez, Hernandez, and Garcia
- NOES: None
- ABSTAIN: None
- ABSENT: Markovich


Richard Iglesias
Deputy City Clerk

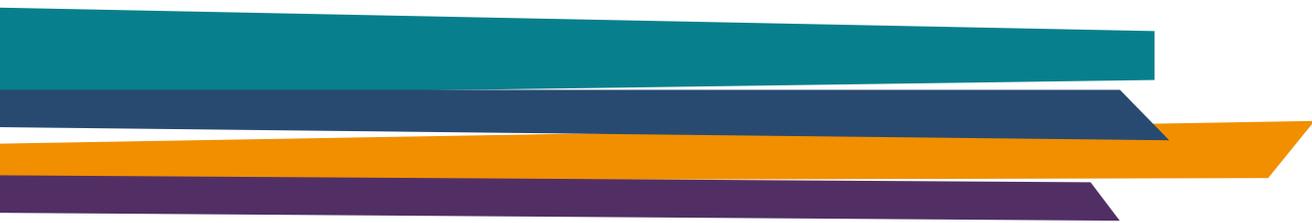
EXHIBIT "A"
TITLE 20
CITY OF CUDAHY ZONING CODE

CITY OF CUDAHY ZONING MAP

Title 20

Zoning Code

City of Cudahy

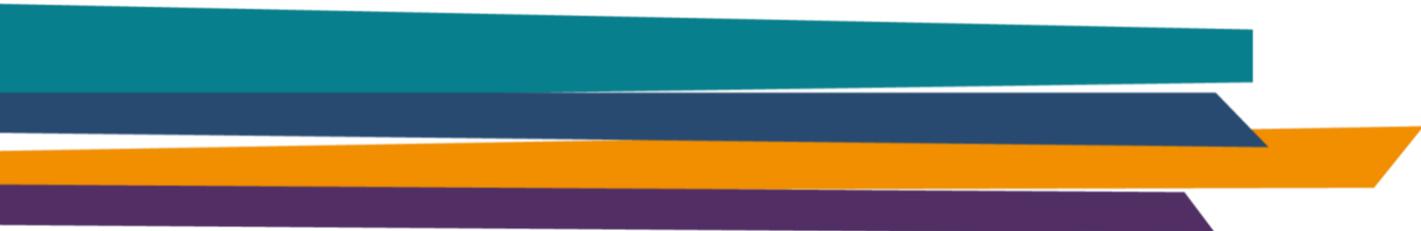


Adopted July 17, 2018

Prepared by



537 S. Raymond Avenue
Pasadena, CA 91105



ACKNOWLEDGEMENTS

City of Cudahy

City Council

Chris Garcia; Mayor
Christian Hernandez; Vice Mayor
Jack Guerrero
Christian Markovich
Baru Sanchez

Planning Commission

Martin Fuentes; Chair
Elizabeth Alcantara; Chair Pro Tem
Richard Corvera-Hernandez
Leslie Mendoza
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Jose Pulido; City Manager
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Title 20: City of Cudahy Zoning Code

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CHAPTER 20.04 – GENERAL PROVISIONS

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§ 20.04.010 – Title

CMC Title 20 shall be known as the City of Cudahy zoning ordinance or the zoning code.

§ 20.04.020 – Purpose

The purpose of the regulations contained in this zoning code is to classify, designate, regulate, and restrict the use of buildings, land, and structures to permit the optimal use of land within Cudahy. Another use of this zoning code is to assist in the implementation of the Cudahy General Plan and the expeditious processing of development applications to protect and promote the public health, safety, comfort, convenience, prosperity, and general welfare. More specifically, this zoning code is intended to achieve the following objectives:

- A. To serve as a precise guide for the physical development of Cudahy;
- B. To achieve the arrangement of land uses envisioned in the Cudahy General Plan;
- C. To facilitate the revitalization of areas in the community that require enhancement and/or improvement;
- D. To protect all areas of the community from intrusion by incompatible or harmful land uses;
- E. To prevent excessive population densities and the attendant impacts related to overcrowding;

- F. To ensure the provision of adequate open space for light, air circulation, and visual relief;
- G. To establish reasonable standards and guidelines that promote high-quality and well-designed development, while at the same time, accommodating the processing of development applications in an expedient manner;
- H. To reduce the risk of injury or exposure to hazards for persons and property;
- I. To permit and promote the development of a full range of land uses in appropriate locations in accordance with the Cudahy General Plan;
- J. To ensure that adequate off-street parking spaces and loading facilities in concert with their need are provided;
- K. To promote a safe and efficient traffic system and to ensure that new development will not overtax the capacity of existing streets, utilities, or community facilities and services;
- L. To outline a comprehensive and thorough public review process for new development;
- M. To establish development regulations in an understandable and easy-to-use format; and
- N. To maintain and enhance property values in the community.

§ 20.04.030 – Terminology

Words, terms, and phrases used in this chapter shall have the meanings usually ascribed to them, or as defined or used in state planning and zoning laws, or as defined in Chapter 20.88 CMC, Definitions, of the zoning code. For the purposes of this chapter, unless the context clearly indicates otherwise, the following shall apply:

- A. **Tense.** Words in the present tense include the future.
- B. **Singular number.** Words in the singular number include the plural.
- C. **Plural number.** Words in the plural number include the singular.
- D. **Mandatory terms.** The terms "shall", "will," and "must" are mandatory.
- E. **Gender-neutral terms.** The term "his" is gender neutral and means his or her.

§ 20.04.040 - Authority for the Zoning Code

This zoning code is enacted pursuant to the authority vested in the City of Cudahy by the State of California, including, but not limited to the state constitution, the Planning and Zoning Development Laws (Government Code Sections 65000 et seq.), the Subdivision Map Act

(Government Code Sections 66510 et seq.) and the California Health and Safety Code. The City of Cudahy zoning code consists of the following components:

- A. **Zoning Code.** The “zoning code” establishes various classes of zoning districts (or “zones”) that govern the use of land, indicates standards for structures and improvements within the various zones, and establishes procedures for the granting of permits and entitlements.
- B. **Zoning Map.** The “zoning map” delineates the boundaries of the zone districts as they are applicable to specific properties.

§ 20.04.050 - Applicability of Zoning Code

This zoning code applies to all land uses, structures, subdivisions, and development within Cudahy. The provisions of this zoning code apply to the following:

- A. **Real property.** The regulations contained in this zoning code shall apply to all land within Cudahy, except for public streets and rights-of-way, and land owned by state or federal agencies. The geographic application of the zones contained in this zoning code to specific lots shall also be governed by the zoning map.
- B. **Compliance with regulations.** No land shall be used, and no structure shall be constructed, occupied, enlarged, altered, demolished, or moved unless such activities have been undertaken in accordance with the provisions of this zoning code.
- C. **Remedies.** Nothing stated in this zoning code shall relieve the conviction and punishment of any person found to be in violation of this zoning code.
- D. **Public nuisance.** Neither the provisions of this zoning code, nor the approval of any permit authorized by this zoning code, shall authorize the maintenance of any public nuisance.
- E. **Compliance with public notice requirements.** Compliance with public notice requirements prescribed under the zoning code shall be deemed sufficient notice to allow the City of Cudahy to proceed with a public hearing and take action on an application, regardless of actual receipt of mailed, posted, delivered, or published notice.
- F. **Conflict with other regulations.** Where conflict occurs between the provisions of this zoning code and any other City of Cudahy code or regulation, the more restrictive provision shall be applicable unless otherwise specified in this zoning code.
- G. **Relation to private agreements.** The implementation of any provision of this zoning code shall not interfere with, or annul, any easement, covenant, or other agreement now in effect, unless this zoning code imposes greater restrictions than those imposed by an easement, covenant, or agreement.

- H. **Relation to prior ordinances.** The provisions of this zoning code supersede all prior ordinances of the City of Cudahy related to zoning, except that no provision of this title shall validate or legalize any land use or structure established, constructed, or maintained in violation of the prior zoning code, as amended, unless specifically authorized by this title.
- I. **New land uses or structures, changes to land uses or structures.** Compliance with the requirements of this zoning code is necessary for any person or entity to lawfully establish, construct, reconstruct, alter, or replace any land use, structure, or improvement.
- J. **Continuation of an existing land use.** All land uses permitted under variances and conditional use permits or special use permits issued by the City shall remain in effect under this zoning code. These uses shall be subject to the provisions relative to the issuance, revocation, or expiration of applicable variances or conditional/special use permits as established in this title.
- K. **Continuation of existing nonconforming uses.** Existing buildings, improvements, or uses that were in violation of the former zoning regulations of the City, though judged as legal nonconforming uses, shall be deemed to have acquired a legal nonconforming status through the adoption of this zoning code.
- L. **Effect of zoning ordinance changes on projects in progress.** If, as of the effective date of these regulations, legislative or administrative action is in process pursuant to the provisions of the former zoning regulations of the City, such action shall be deemed to have been taken pursuant to the provisions of this zoning code. Any such actions shall be processed in accordance with the provisions herein.
- M. **Other requirements may still apply.** Nothing in this zoning code eliminates the need for obtaining any permit, approval, or entitlement required by other provisions of the zoning code or complying with the regulations of any City department, or any county, regional, state, or federal agency.
- N. **Conflicting Requirements.** Any conflicts between different requirements of this zoning code, or between this zoning code and other regulations, shall be resolved in compliance with Section 20.04.050.
- O. **Minimum requirements.** The regulations contained in the zoning code shall be deemed to represent the minimum requirements necessary for the promotion of the public health, safety, interest, and welfare, unless another applicable specific regulation clearly indicates otherwise.
- P. **Reference to other laws.** Whenever reference is made herein to other provisions of this zoning code or other laws and regulations, that reference shall be deemed to apply to all subsequent amendments to the zoning code.

- Q. **Application during local emergency.** The City Council may authorize deviations from any provisions of this title during a local emergency. Such deviations may be authorized by resolution of the City Council without notice or public hearing.
- R. **Land uses not identified in the zoning code.** This zoning code includes provisions for the consideration and review of land uses and activities not specifically identified as permitted, conditionally permitted, or prohibited in Chapter 20.52 and Chapter 20.56 CMC.
- S. **Severability.** If any section, sentence, or phrase of this title is for any reason held to be invalid or unconstitutional, the remaining portions of this zoning code shall not be affected.

§ 20.04.060 – Relationship to General Plan

This chapter provides the legislative framework to enhance and implement the goals, policies, plans, principles, and standards of the Cudahy General Plan.

§ 20.04.070 – Relationship to California Environmental Quality Act

When a project is determined to be subject to the provisions of the California Environmental Quality Act (CEQA), the application shall be reviewed in accordance with the provisions of this zoning code, CEQA (California Public Resources Code §§ 21000 et seq.), the CEQA Guidelines (California Government Code §§ 15000 et seq.), and any environmental guidelines adopted by the City.

§ 20.04.080 - Interpretation of the Zoning Code

- A. In the interpretation and application of the zoning code, the provisions of the zoning code shall be held to be minimum requirements. No provision of the zoning code is intended to repeal, abrogate, annul, impair, or interfere with any existing City ordinance and/or regulation, except for those specifically repealed with the adoption of this zoning code. However, where this zoning code imposes greater restrictions, the corresponding regulation imposed or required by an existing law shall apply.
- B. Where uncertainty exists regarding the interpretation of any provision of this zoning code or its application to a specific case or situation, the Director of Community Development shall have the authority to interpret the intent of any provision by written decision. Thereafter, the Director of Community Development's interpretation shall apply in all similar situations, unless modified by the Planning Commission or City Council on appeal.

§ 20.04.090 - Authorization for Levying Fees

The City Council establishes, by resolution, a schedule of processing fees (fee schedule) for the various applications required by this zoning code. All required fees shall be paid at the time of filing, and no processing of the application shall commence until such fees are paid. The fee schedule may be revised at the discretion of the City Council.

§ 20.04.100 - Partial Invalidation of Zoning Code

If any provision of this zoning code or its application to any person or property is held invalid for any reason, the remaining provisions contained within this zoning code shall not be affected.

§ 20.04.110 - Assumption of Power or Duty of Public Officer

Whenever a power is granted to, or a duty imposed upon, a public officer by this zoning code, the power may be exercised, or the duty may be performed by the City Manager, or designee, unless this zoning code expressly provides otherwise.

§ 20.04.120 - Reference to Any Portion of this Zoning Code

Whenever reference is made to any portion of this zoning code, or of any other law or ordinance, the reference applies to all amendments and additions made to this zoning code.

§ 20.04.130 - Conviction of Crime Continued

Any conviction for a crime under any ordinance that is repealed by this zoning code will continue to be considered as a public offense.

CHAPTER 20.08 – ADMINISTRATION AND ENFORCEMENT

Section	Contents:
§20.08.010	Purpose and Authority
§20.08.020	Responsibilities of the City Council
§20.08.030	Responsibilities of the Planning Commission
§20.08.040	Responsibilities of the Director of Community Development
§20.08.050	Interpretation of Zoning Code Provisions
§20.08.060	Enforcement of Permits, Certificates, and Licenses
§20.08.070	Voidable Conveyances
§20.08.080	Violations
§20.08.090	Validity of this Zoning Code

§20.08.010 Purpose and Authority

The purpose of this chapter is to outline the authorities and responsibilities of each Cudahy reviewing and approval authority as they relate to the administration and enforcement of the zoning code.

- A. **Approving authority.** Table 20.84 – 1 in Chapter 20.84 CMC sets forth all permits and approvals that may be necessary as required by this zoning code, as well as approving authority and appeal body.
- B. **Environmental review.** The designated approving authority shall be the approving/certifying authority for environmental assessments, with the exception that any Director-level permit or action that requires a negative declaration/mitigated negative declaration or environmental impact report pursuant to the requirements of CEQA shall be heard by the Planning Commission.

§20.08.020 Responsibilities of the City Council

The City Council shall have the following responsibilities with respect to the implementation of this chapter:

- A. **Appoint Planning Commission.** Appoint members of the Planning Commission.
- B. **Planning Commission appeals.** Act as the appeal body on decisions made by the Planning Commission.
- C. **Applications.** Hear and act upon applications for specific plans, zoning code text and map amendments, general plan amendments, development agreements, and other matters outlined in Table 20.84-1, including accompanying CEQA documents.

- D. **Amendments.** Direct planning-related policy amendments and special studies as necessary or desired.
- E. **Other powers and duties.** Exercise other powers and duties as are prescribed by state law or local ordinance.

§20.08.030 Responsibilities of the Planning Commission

- A. **Authority.** The Planning Commission shall have all planning authority as set forth in the state planning, zoning, and development laws. The Planning Commission is vested with the duty of administering this zoning code. Whenever an administrative power is granted to, or an administrative duty imposed upon, the Planning Commission, the Commission may instruct the Director of Community Development to exercise such administrative duty.
- B. **Applications.** The Planning Commission shall have the authority to decide on such matters as outlined in Table 20.08-1, including major development review, conditional use permits, variances, lot line adjustments, and tentative maps, including accompanying CEQA documents.
- C. **Appeals.** The Planning Commission has the authority to act upon an appeal of any order, requirement, permit, decision, or determination concerning land use under this zoning code made by an administrative or appointed official or body, such as the Director of Community Development.
- D. **Recommendations to the City Council.** The Planning Commission has the authority to consider and make recommendations to the City Council regarding General Plan amendments, zone changes, zone ordinances, specific plans, development agreements, and any other items listed on Table 20.84-1.
- E. **Zoning code amendment studies and recommendations.** Initiate studies of amendments to the zoning code and make recommendations to the City Council for amendments to the zoning code.
- F. **Conduct of meetings.** The Planning Commission shall adopt rules as necessary to conduct its affairs and in keeping with the provisions of this chapter. Planning Commission meetings shall be held on a regular basis and shall be open to the public. The Planning Commission shall keep minutes of its proceedings, indicating the vote of each member upon each question via a roll call vote, or if a commissioner is absent or abstains from voting, and shall keep records of its own examinations and other official actions, which shall be filed in the Office of the City Clerk.

§20.08.040 Responsibilities of the Director of Community Development

- A. **Authority.** The Director of Community Development shall have the authority granted under the planning, zoning, and development laws of the State of California. Whenever an

administrative power is granted to, or an administrative duty imposed upon, the Planning Commission, the Commission may instruct the Director of Community Development to exercise such administrative duty.

- B. **Recommendations to the Planning Commission and City Council.** Review and make recommendations to the Planning Commission and the City Council on all planning applications, land use and planning issues, zoning interpretations, and other activities as may be directed by the City Council, the Planning Commission, or the city manager.
- C. **Record and maintain.** Maintain the zoning code, zoning map, and records of zoning actions and interpretations.
- D. **Administrative functions.** Conduct administrative functions authorized by the zoning code, including distribution and receipt of permit applications and corresponding fees, application review and public noticing, determination and issuance of administrative permits, and approvals as listed on Table 20.84-1 and preparation of staff reports.
- E. **Public participation.** Provide information to the public and facilitate public participation on planning matters.
- F. **Enforcement.** The Director of Community Development shall be responsible for the enforcement of the zoning code. The Director of Community Development may serve notice requiring the removal of any structure or use in violation of the zoning code on the owner or authorized agent, on a tenant, or on an architect, builder, contractor, or other person who commits or participates in any violation. The Director of Community Development may call upon the City Attorney or City Prosecutor to institute necessary legal proceedings to enforce the provisions of the zoning code, and the City Attorney or City Prosecutor is authorized to institute appropriate actions to that end. The Director of Community Development may call upon the building official, the Los Angeles County Sheriff's Department, or the Los Angeles County Fire Department and their authorized agents to assist in the enforcement of the zoning code.
- G. **Other powers and duties.** Exercise other powers and duties as are prescribed by state law or local ordinance, or as directed by the City Council.

§20.08.050 Interpretation of Zoning Code Provisions

A. Procedures for interpretation.

1. The Director of Community Development, where reasonably necessary, shall interpret the provisions of this zoning code to assure adherence to the provisions contained in the code. Any person who is aggrieved by any such interpretation may submit in writing, within 10 days after the date of the Director's decision, a request that such interpretation be reviewed by the Planning Commission.

2. Upon receipt of such a request, the Planning Commission shall in a timely manner review the interpretation as made, and shall approve, modify, or disapprove the Director of Community Development's interpretation.
3. Any person aggrieved by the decision of the Planning Commission may, in writing, within 10 days after the date of the Planning Commission's decision, request that the decision be reviewed by the City Council.
4. Upon receipt of such request, the City Council, at its next regularly scheduled meeting, shall review the decision and approve, modify, or disapprove the Planning Commission's determination. The interpretation by the City Council shall be final and conclusive.

B. Rules of interpretation.

1. **Terminology.** When used in this chapter, the following rules apply to all provisions of this zoning code:
 - a. **Language.** When used in this zoning code, the words "shall," "must," "will," "is to," and "are to" are mandatory. "Should" is not mandatory but is strongly recommended, and "may" is permissive.
 - b. **Tense.** The present tense includes the past and future tense, and the future tense includes the present.
 - c. **Number.** The singular number includes the plural number, and the plural the singular, unless the natural construction of the words indicates otherwise.
 - d. **Calculations**
 - i. **Residential density.** When the calculation of residential density results in a fraction, the number of allowed units is rounded up to the whole number. For projects eligible for a density bonus pursuant to Government Code Section 65915 or any successor statute and Chapter 20.52 PART 10 CMC (Housing Incentives), any fractional number of permitted density bonus units shall be rounded up to the next whole number.
 - ii. **Other calculations.** For calculations other than residential density, the fractional/decimal results of calculations of one-half (0.5) or greater shall be rounded up to the nearest whole number and fractions of less than one-half (0.5) shall be rounded down to the nearest whole number, except as otherwise provided.
 - e. **Conjunctions.** "And" indicates that all connected items or provisions shall apply. "Or" indicates that the connected items or provisions may apply singly or in any combination. "Either...or" indicates that the connected items and provisions shall

apply singly but not in combination. “Includes” and “including” shall mean “including but not limited to.”

- f. **Local reference.** “City” as used in this zoning code means the City of Cudahy, and all public officials, bodies, and agencies referenced are those of the City unless otherwise stated.
 - g. **Definitions.** As defined in Chapter 20.88 CMC and/or as determined/interpreted by the Director.
3. **Number of days.** Whenever the number of days is specified in this zoning code, or in any permit, condition of approval, or notice issued or given as provided in this zoning code, the number of days shall be construed as calendar days, unless otherwise specified. When the last of the specified number of days falls on a weekend or City holiday, time limits shall extend to the end of the next working day.
 4. **Minimum requirements.** When interpreting and applying the regulations of this zoning code, all provisions shall be minimum requirements, unless specifically stated otherwise.

C. Uses not classified.

1. **Use not listed is not allowed.** If a use of land is not specifically listed in the zoning code, the use shall not be allowed, except as provided below.
2. **Director’s determination.** Based on the authority granted in subsection (A), the Director may determine that a land use that is not listed in this zoning code may be allowed. In making this determination, the Director shall first make all of the following findings:
 - a. The characteristics of, and activities associated with, the use are equivalent to those of one or more of the uses listed in the zone as allowable, and will not involve a greater level of activity, population density, intensity, traffic generation, parking, dust, odor, noise, emissions, or similar impacts than the uses listed in the zone;
 - b. The use will meet the purpose/intent of the zone that is applied to the location of the use; and
 - c. The use will be consistent with the goals, objectives, and policies of the general plan.
3. **Applicable standards and permit requirements.** When the Director determines that an unlisted land use is equivalent to a listed use, the unlisted use will be treated in the same manner as the listed use in determining where the use is allowed, what permits are required, and what other standards and requirements of this zoning code apply.

§20.08.060 Enforcement of Permits, Certificates and Licenses

All officials, departments, and employees of the City of Cudahy vested with the authority or duty to issue permits, certificates, or licenses shall comply with the provisions of the zoning code and shall issue no permit, certificate, or license which conflicts with the provisions of this zoning code. Any permit, certificate, or license issued in conflict with the provisions of this zoning code shall be null and void.

§20.08.070 Voidable Conveyances

Any deed or conveyance, sale, or contract to sell that is made contrary to the provisions of this zoning code shall be voidable at the sole option of the grantee, buyer, or person contracting or purchasing, or their heirs, personal representative, or trustee in insolvency, or bankruptcy, within one year after the date of the execution of the deed of conveyance, sale, or contract to sell. Otherwise, the deed of conveyance, sale, or contract to sell shall be binding upon any assignee or transferee of the grantee, buyer, or person contracting to purchase and upon the grantor, vendor, or person contracting to sell or his assignee, heir, or devisee.

§20.08.080 Violations

Any person violating any provision of the zoning code shall be punishable as set forth in the Chapter 1.36 CMC. Any violation of the provisions of this zoning code shall be deemed to be a continuing violation until such violation has been abated.

§20.08.090 Validity of this Zoning Code

If any provision of this zoning code is declared to be invalid by a decision of any court of competent jurisdiction, it is hereby declared that the effect of such decisions shall be limited to that provision or those provisions that are expressly stated in the decision to be invalid, and such decision shall not affect, impair, or nullify this zoning code as a whole, or any part thereof, and the remainder of this zoning code shall continue in full force and effect.

If the application of any provision of this zoning code to any area, property, or site is declared to be invalid by a decision of any court of competent jurisdiction, it is hereby declared that the effect of such decision shall be limited to that area, property, or site immediately involved in the controversy, action, or proceeding in which the judgment or decree of invalidity was rendered. Any such decision shall not affect, impair, or nullify this zoning code as a whole or in the application of any provision to any other areas, property, or site.

CHAPTER 20.12 – ESTABLISHMENT OF ZONES

Section	Contents:
§20.12.010	Zones Established
§20.12.020	Official Zoning Map
§20.12.030	Uncertainty of Boundaries

§20.12.010 – Zones Established

The following zones are established to carry out the purposes of this zoning code:

Zone Designation	Zone Symbol	Corresponding General Plan Land Use Designation
Low Density Residential	LDR	Low Density Residential
Medium Density Residential	MDR	Medium Density Residential
High Density Residential	HDR	High Density Residential
Neighborhood Commercial	NC	Neighborhood Commercial
Entertainment	Ent	Entertainment
Innovative Industrial	I-Ind	Innovative Industrial
Light Industrial	LI	Light Industrial
Commercial Mixed-Use	CMU	Commercial Mixed Use
Civic Mixed-Use	CivicMU	Civic/Mixed Use
Riverfront Overlay	RO	River Overlay
Urban Agriculture Overlay	UA	Urban Agriculture Overlay
Planned Development	PD	Various
City Parks/Parklets	P	City Parks/Parklets
Schools	S	School
Los Angeles River	LAR	Los Angeles River

§20.12.020 – Official Zoning Map

- A. There is hereby adopted the official zoning map of the City as attached to the ordinance codified in this title and set forth herein as Exhibit “A” to this zoning code. All property within the City is hereby placed in such zones as indicated on this map, and no property shall be used except in accordance with the zoning designations on this map and the provisions of this zoning code. This map shall be maintained in the City offices by the Director of Community Development and shall be duly certified by him or her.

- B. All amendments to the official zoning map shall be noted on the official map, with the date of the amendment and references to the amending ordinance. With this section, the official zoning map is incorporated by reference into this zoning code.

§20.12.030 – Uncertainty of Boundaries

Where uncertainty exists as to the boundaries of any zone shown upon the official zoning map, or any part thereof or amendment thereto, the following provisions shall apply:

- A. **Centerline of streets.** Where boundaries are indicated as approximately following the centerline of streets or alleys or the lot lines, such lines shall be construed to be such boundaries.
- B. **Unsubdivided property.** In the case of unsubdivided property and where a zone boundary divides a lot, the location of such boundaries, unless the same are indicated by dimensions or legal description, shall be determined by use of the scale appearing on the official zoning map.
- C. **Vacated street.** Where a public street or alley, or any portion of the same, is officially vacated or abandoned, the area comprising such vacated street or alley shall acquire the zone classification of the property to which it reverts.
- D. **Streets and railroad rights-of-way.** Areas of dedicated streets or alleys and railroad rights-of-way, other than as designated on the official zoning map as being classified in one of the zones provided in this zoning code, shall be deemed to be in the adjacent zone, and in the case of streets or alleys, permitted to be used only for purposes lawfully allowed, and in the case of railroad rights-of-way, permitted to be used solely for the purpose of accommodating tracks, signals, other operative devices, and the movement of rolling stock.
- E. **Divided lots.** If a zone boundary divides a lot into two parts and the portion in one zone is of such size and shape that no part of the portion is more than 50 feet from the nearest point on the zone boundary, then that portion may be used for any purpose permitted in the zone established on the remaining portion of the lot provided:
1. The lot is shown as a single lot on a final subdivision map that was recorded in the office of the county recorder after the effective date of the ordinance or amendment establishing the zone boundary; and
 2. The lot is held in undivided ownership at all times since the recording of the final map.

CHAPTER 20.16 – RESIDENTIAL ZONES

Section	Contents
§20.16.010	Intent and Purpose
§20.16.020	Use Regulations
§20.16.030	Development Standards
§20.16.040	Special Provisions
§20.16.050	Special Requirements for New Development in the HDR Zone; Development Agreement Required
§20.16.060	Required Open Space
§20.16.070	Home Occupations
§20.16.080	Manufactured Housing
§20.16.090	Accessory Structures and Uses
§20.16.100	Accessory Dwelling Units
§20.16.110	Vehicle Storage and Repair
§20.16.120	Fences, Walls, and Hedges in Residential Districts
§20.16.130	Design Standards for New Buildings in Any Residential Zone
§20.16.140	Other Applicable Regulations

§20.16.010 – Intent and Purpose

Residential zones are established to provide for the establishment of residential districts of varying population densities that are compatible within each category for the purpose of people living permitted therein, including the necessary appurtenant and accessory facilities and uses associated with such living areas. The intent and purpose of the individual residential zone districts are as follows:

A. Low Density Residential Zone (LDR)

The Low Density Residential Zone accommodates detached and attached residential units, including small-lot subdivisions, duplexes and triplexes, townhouses with private open space, and lower-density multi-unit structures that comprise a cohesive development incorporating common open space areas, and that are developed at a maximum density of 15 units per acre. Additional uses necessary and incidental to single-family development shall also be permitted.

B. Medium Density Residential Zone (MDR)

The Medium Density Residential Zone allows for a variety of housing types at varying heights and densities, but not to exceed a maximum density of 25 units per acre. The Medium Density Zone accommodates single structures or a collection of cohesive structures that house multiple units, with common open space areas and amenities. Residential development types may include row houses, townhouses, stacked flats,

apartments, and similar housing types. Also permitted are uses accessory to the principal permitted residential uses.

C. High Density Residential Zone (HDR)

The High Density Residential designation provides for higher-density, multi-story residential development, with a focus on providing an urban intensity and function at locations within easy walking distance to transit, recreation and community facilities, employment centers, and commercial services. Multi-story structures have creative common areas and centrally located parking. The housing types can occur as row houses, townhomes, or stacked flats. The maximum permitted density is 40 units per acre.

§20.16.020 – Use Regulations

- A. **Permitted uses.** Table 20.16-1 identifies the permitted uses in all residential zones. Residential uses represent the primary permitted use, and only those additional uses that are complementary to and can exist in harmony with the residential character of each zone may be allowed as accessory or conditionally permitted uses, as indicated in Table 20.16-1.
- B. **Conditional uses.** Certain uses may be subject to special conditions regarding the location, operation, or design of the use. References to these provisions are made in Table 20.16-1.
- C. **Prohibited uses.** If a use is not specifically listed in Table 20.16-1, that use is prohibited. However, the Director of Community Development shall have the authority to determine whether the proposed use shall be permitted based on the finding that the use is similar to and no more detrimental than a particular use permitted in the zone, pursuant to Section 20.08.050 (C).

TABLE 20.16-1 Permitted and Conditionally Permitted Uses within Residential Zones	P	Permitted use		
	CUP	Conditional Use Permit		
	A	Accessory use		
	--	Use not allowed		
Land Use Category	LDR	MDR	HDR	Specific Regulations
Residential Uses				
Accessory Dwelling Units	A	--	--	20.16.090
Accessory Structures and Uses	A	A	A	20.16.080
Boardinghouses	--	--	CUP	
Condominiums, New and Conversions	CUP	P	P	20.52 PARTS 5 and 6 (Condominiums and Condominium Conversions)

TABLE 20.16-1 Permitted and Conditionally Permitted Uses within Residential Zones	P	Permitted use		
	CUP	Conditional Use Permit		
	A	Accessory use		
	--	Use not allowed		
Land Use Category	LDR	MDR	HDR	Specific Regulations
Dwellings, Duplex and Triplex	CUP	P	P	
Dwellings, Multi-Family	CUP	P	P	20.16.030
Dwellings, Single-Family, including manufactured homes	P	P	P	
Home Occupations	P	P	P	20.16.060
Manufactured or prefabricated homes	P	P	P	20.16.070
Mobile Home Parks	--	--	CUP	20.52 PART 13 (Mobile Home Parks)
Transitional and Supportive Housing	P	P	P	20.16.040 (F)
Agricultural Uses				
Urban Agriculture	P	P	P	20.52 PART 17 (Urban Agriculture)
Education				
Schools, colleges and universities	--	--	CUP	20.32 PART 2 (Urban Agriculture Overlay Zone)
Schools, private (elementary and secondary)	CUP	CUP	CUP	20.32 PART 2 (Urban Agriculture Overlay Zone)
Schools, public (elementary and secondary)	P	P	P	20.32 PART 2 (Urban Agriculture Overlay Zone)
Medical – Related and Care Uses				
Day Care Center, children	--	CUP	CUP	20.32 PART 2 (Urban Agriculture Overlay Zone) 20.52 PART 4 (Child Day Care Facilities)
Child Day Care Homes – Large Family	P	P	P	20.52 PART 4 (Child Day Care Facilities) 20.32 PART 2 (Urban Agriculture Overlay Zone)
Child Day Care Homes – Small Family	P	P	P	20.32 PART 2 (Urban Agriculture Overlay Zone)
Hospitals	--	--	CUP	

TABLE 20.16-1 Permitted and Conditionally Permitted Uses within Residential Zones	P	Permitted use		
	CUP	Conditional Use Permit		
	A	Accessory use		
	--	Use not allowed		
Land Use Category	LDR	MDR	HDR	Specific Regulations
Residential Care Facilities – Seven or more occupants	--	CUP	CUP	
Group Homes (6 or fewer occupants)	P	P	P	
Transportation, Communications, Government, Assembly and Infrastructure				
Antennas and Wireless Communication Facilities	CUP	CUP	CUP	20.52 PART 18 (Wireless Facilities)
Utility Structures and Service Facilities	CUP	CUP	CUP	
Government, Community and Utility Facilities, Public	CUP	CUP	CUP	
Parking Lots (associated with nonresidential use)	CUP	CUP	CUP	20.52 PART 16 (Transitional Uses)
Places of Religious Assembly	CUP	CUP	CUP	
Recreational Facilities (including Youth Centers)	--	CUP	CUP	20.32 PART 2 (Urban Agriculture Overlay Zone)

§20.16.030 – Development Standards

Table 20.16-2 identifies the development standards applicable to all development in residential zones. Certain developments may be subject to special conditions, as described here as Additional Regulations.

TABLE 20.16-2 Development Standards for Residential Zones				
Development Standards	LDR	MDR	HDR	Additional Regulations
Lot Area – Minimum	5,000 sf	6,000 sf	6,000 sf	20.56.040 (C)
Lot Width – Minimum Corner lot	50 ft. 60 ft.	50 ft. 60 ft.	50 ft. 60 ft.	20.56.040 20.16.040
Front Yard Setback – Minimum	20 ft.	15 ft.	15 ft.	20.56.050

TABLE 20.16-2 Development Standards for Residential Zones				
Development Standards	LDR	MDR	HDR	Additional Regulations
Side Yard Setback – Minimum General Corner lot - side street	5 ft. 15 ft.	5 ft. 15 ft.	5 ft. 15 ft.	Required side yards shall be increased two feet in width for each story established above one story. May be waived by Director or Planning Commission. 20.16.130 20.56.050
Rear Yard Setback – Minimum General Two or more stories	10 ft. 10 ft.	5 ft. 10 ft.	5 ft. 10 ft.	20.16.130 20.56.050
Open Space Area, Common – Minimum	--	280 sf/du	280 sf/du	20.16.050
Open Space Area, Private – Minimum; exclusive of required front yard	25% of net lot area or 250 ft., whichever is greater	150 sf	200 sf/du	20.16.050
Density – Maximum	15 du/ac	25 du/ac	40 du/ac	20.16.040 (D) for lots less than 25,000 sf
Density – Minimum	N/A	N/A	20 du/ac	20.16.040 (D) for exceptions
Building Height – Maximum (whichever is less)	Two stories; 35 ft.	Three stories; 45 ft.	Four stories; 55 ft.	20.76.270
Building Length – Maximum	--	125 ft.	125 ft.	
Building Width – Minimum	20 ft.	--	--	
Distance between Buildings – Minimum	--	--	--	20.56.050
Floor Areas – Minimum Efficiency units One-bedroom units Two-bedroom units Three-bedroom dwelling units Four or more dwelling units	800 sf	500 sf 700 sf 900 sf 1,100 sf 1,100 sf + 150 per bedroom	500 sf 700 sf 900 sf 1,100 sf 1,100 sf + 150 per bedroom	Exclusive of open porches, garages, carports, balconies, patios and terraces

§20.16.040 – Special Provisions

- A. **Lot width.** Except as otherwise provided in Chapter 20.56 CMC, each lot or parcel of land shall have the following minimum lot widths:

TABLE 20.16-3 Minimum Lot Width		
Required Area (square feet)	Interior Lot (feet)	Corner Lot (feet)
Under 6,000	50	60
6,000 – 6,999	60	65
7,000 – 7,999	65	70
8,000 – 8,999	70	70
9,000 – 9,999	75	75
10,000 – 12,499	80	80
12,500 – 14,999	90	90
15,000 and over	100	100

- B. **Lot size in the LDR and MDR Zones.** The Planning Commission may approve reductions to minimum lot size in the LDR and MDR Zones to accommodate small-lot or cluster subdivisions with a Planned Development Permit as part of the tentative subdivision map process. In no case shall such small-lot subdivisions exceed the allowable density in the respective zone.
- C. **Lot size and density in MDR and HDR Zones.** The maximum density for lots less than 25,000 square feet in the MDR Zone shall be 11 dwelling units/acre. The maximum density for lots less than 25,000 square feet in the HDR zone shall be 15 dwelling units/acre. All development standards apply. Any site that is included in the Site Inventory found in Chapter 4 of the Housing Element is exempt from this provision and can be built to the maximum allowed density.
- D. **Private and public streets.** Private streets shall be permitted, provided street width and design conform to requirements applied by various City departments. At a minimum, private streets with parking on one side shall measure no less than 28 feet in width curb-to-curb, with required parkways provided as additional width. Private streets with parking on both sides shall measure no less than 34 feet in width. Public streets shall conform with the City's street standard manual.
- E. **Multiple dwellings restriction in MDR Zone.** In no event may multiple dwelling units be placed on a lot or parcel of land with an area of less than 6,000 square feet, with the exception of Accessory Dwelling Units.

- F. **Minimum density in HDR Zone.** The minimum density requirements in Table 20.16-2 shall apply to new projects. Additions to existing structures in the HDR Zone, including the addition of accessory dwelling units, are permitted.
- G. **Special development standards in the MDR and HDR Zone.** The following special development standards shall apply to residential development in the MDR and HDR Zones. See also Section 20.16.115 for design standards in all residential zones.
1. **Refuse collection.** Refuse collection facilities shall be provided pursuant to Section 20.56.080.
 2. **Masonry wall.** On any lot or parcel having six or more dwelling units, a masonry wall not less than six feet in height shall be constructed and maintained along the entire length of the side and rear property lines.
- H. **Transitional and supportive housing.** Transitional housing and supportive housing shall be considered a residential use of property and shall be subject only to those restrictions that apply to other residential dwellings of the same type in the same zone.

§20.16.050 – Special Requirements for New Development in the HDR Zone; Development Agreement Required

- A. **Purpose.** The purpose of this requirement is for the City to have the capability to shape how new development will contribute positively to the City as a whole, and to ensure that new development will be integrated and comprehensively planned while creating special places that enhance the quality of life.
- B. **New development defined.** For purposes of this section, new development shall mean any new residential development project on vacant land, on land where existing structures are demolished, or major expansions of existing buildings, in the HDR Zone. Major expansion shall mean an expansion that increases the floor area of existing buildings over 25 percent. In the HDR Zone, new development shall mean new residential development over 20 dwelling units per acre.
- C. **Standards.**
1. All new development shall be located on a site, including consolidation of several properties, with a minimum size of one acre.
 2. All new development shall comply with the development standards found in Table 20.16-2 and elsewhere in this chapter, including the maximum density limitations.
- D. **Development Agreement required.** A Development Agreement shall be required for all new development described in subsection (B), and shall be in addition to other permit requirements pursuant to Chapter 20.84 CMC. The provisions for application procedures, content, periodic review, and amendments found Chapter 20.84 PART 9 CMC shall apply.

In addition to the required and optional contents found in Chapter 20.84.710 CMC, the Development Agreement required pursuant to this section shall include public benefits, including but not limited to:

1. Monetary contribution to the City for community amenities.
2. On-site improvements over and above base requirements that contribute to the community, such as affordable housing, community facilities, innovative use of infrastructure and renewable resources, and public art.
3. Off-site improvements, such as pedestrian and bicycle connections, or off-site public art or community facilities.

E. **Exceptions.** A Development Agreement shall not be required for:

1. Any project where streamlined processing is required pursuant to Government Code Section 65913.4.
2. Any project that includes remodeling of existing building floor area, or minor expansions that increase the floor area 25 percent or less.
3. Any site that is included in the Site Inventory found in Chapter 4 of the Housing Element.
4. A project that is 20 dwelling units per acre or less.
5. Any development that is exclusively for public buildings operated by a public entity.

F. **Waivers.** The City Council may waive the requirement for a Development Agreement if it finds that the City would not benefit from a Development Agreement.

§20.16.060 – Required Open Space

The following open space standards apply to all development within the MDR and HDR Zones:

- A. **Private open space.** The following regulations apply to private open space areas in the amounts shown in Table 20.16-2:
1. Private open space may be in the form of balconies, courtyards, at-grade patios, rooftop decks, or terraces, but exclusive of required front yards.
 2. The minimum length and width of each open space area shall be 7 feet.
 3. The minimum length and width of each open space area within small-lot single-family developments shall be 15 feet.

4. The open space area for an individual dwelling unit shall be directly accessible to that dwelling unit.
 5. Encroachments such as roofs and eaves may project into an open space area, provided such encroachments observe a minimum vertical clearance of eight feet. A minimum distance of three feet shall be maintained between any encroachment and any lot line.
 6. Private open space(s) attached to residential units shall be designed to avoid direct visibility into the interiors of adjacent units.
- B. Common open space.** The following regulations apply to common open space areas in the amounts shown in Table 20.16-2:
1. The minimum length and width of each open space area shall be 15 feet. Minimum dimensions shall be exclusive of required front yard, driveways, parking, and trash areas.
 2. The common open space area shall be open and accessible to all residents.
 3. Open space areas shall have no structural, parking, driveway or right-of-way encroachments except for swimming pools, spas, and similar accessory uses used for recreational purposes.
 4. The use of required open space for tot lots, exercise areas, and other resident amenities is highly encouraged.

§20.16.070 - Home Occupations

Home occupations are permitted in all residential zones and other zones that allow residential uses, with the following restrictions:

- A. **Display.** No display or storage of goods, wares, merchandise, or stock shall occur.
- B. **Employment.** No one other than the residents of the dwelling unit shall be employed in the conduct of the home occupation.
- C. **Equipment.** No equipment shall be used in conjunction with such occupation which emits dust, fumes, noise, odor, etc., which would or could interfere with the peaceful use and enjoyment of adjacent properties.
- D. **Floor area.** No more than 200 square feet of the floor space of the dwelling shall be devoted to such use.
- E. **Traffic.** No appreciable increase of traffic, pedestrian and vehicular, shall occur resulting from the home occupation.

- F. **Alterations.** No alteration of the structure nor the use of any signs shall occur if not otherwise permitted in the zone in which the occupation is located.
- G. **Inspections.** The person conducting the home occupation shall authorize City staff to inspect the home occupation once a month to assure compliance with the above items.
- H. **Mobile carwashing.** Mobile carwashing services are a permitted home occupation as long as the cars are washed at the residence of the car owner.
- I. **Cottage food operations.** A cottage food operation is a permitted home occupation. All cottage food operations shall comply with regulatory standards established by State law (Government Code Section 51035 et seq. and Health and Safety Code Section 114365 et seq.) and the Los Angeles County Department of Public Health.

§20.16.080 – Manufactured Housing

Manufactured housing units shall comply with the following limitations and standards:

- A. **Single-family dwelling.** A manufactured housing unit shall be considered a single-family dwelling and therefore subject to the development standards set forth in Section 20.16.030 of this chapter, except as provided for within the development standards set forth in this section.
- B. **Certification and evidence.** If a mobile home was constructed after October 1, 1976, it shall be certified pursuant to the National Mobile Home Construction and Safety Standards Act of 1974, evidence of which shall be provided to the Director of Community Development in a manner approved by him/her.
- C. **Foundation.** A manufactured home shall be installed and maintained upon a permanent, continuous, exterior masonry or concrete foundation.

§20.16.090 - Accessory Structures and Uses

Premises in the residential zones may be used for accessory uses, provided such uses are established on the same lot or parcel of land, are incidental to, and do not substantially alter the character of any permitted principal use, including, but not limited to:

- A. **Storage of construction materials.** The storage of materials used in the construction of a building or building project during construction and for 30 days prior to and thereafter, including the contractor's temporary office, provided any lot or parcel of land so used shall be a part of the building project or on property adjoining the construction site.
- B. **Accessory structures.** Accessory buildings and structures, including private garages or carports are permitted subject to the standards in Section 20.16.030, with the following exceptions:

1. **Height.** The height of an accessory structure shall not exceed one story or 18 feet.
2. **Setbacks.**
 - a. Accessory buildings, including garages, may be located in the interior side yard or rear yard provided that no part of the accessory structure is located within five feet of an interior side yard or rear yard. No accessory structures shall be located in the front yard or street side yard.
 - b. Accessory buildings having an opening more than six feet wide facing an existing or proposed alley may not be located less than 15 feet from the centerline of said alley.
 - c. Swimming pools, fish ponds, or other bodies of water in the rear or side yard shall have a setback of three feet from side and rear lot lines.
- C. **Pets.** Household pets are permitted pursuant to Chapter 20.52 PART 17 CMC.
- D. **Garage sales.** Garage sales, patio sales, yard sales, and other sales (hereinafter “garage sales”) are permitted pursuant to a permit issued by the Director of Finance. A \$10.00 permit fee shall be required for all garage sales. Only one garage sale shall be permitted on any one lot in any six-month period, and each garage sale shall be limited to not more than two consecutive days. Merchandise or articles offered for sale at such garage sale shall be limited to secondhand goods and shall not be displayed within 10 feet of the edge of a public sidewalk. No more than one sign may be displayed during a garage sale, and such sign shall not exceed four square feet in area and shall be displayed only on private property. Any person violating any of the provisions set forth in this subsection shall be deemed guilty of an infraction and may be punished pursuant to Chapter 1.36.010 (2) CMC.
- E. **Other uses.** Uses approved by the Director of Community Development pursuant to Section 20.84.260.

§20.16.100 - Accessory Dwelling Units

- A. **Purpose.** The purpose of this section is to allow for accessory dwelling units to be established by right and subject to administrative approval in accordance with state law. Facilitating the development of accessory dwelling units will increase the housing options for family members, seniors, low-wage workers, persons with disabilities, students, and others in the community. This section addresses the specific needs of Cudahy by providing limitations consistent with state law to maximize neighborhood compatibility.
- B. **Not part of density calculation.** An accessory dwelling unit that conforms to all applicable requirements of this section shall not be considered in the calculation of allowable density for the lot upon which it is located, and is deemed to be a residential use that is consistent with the existing General Plan and zoning designations for the lot.

C. Requirements applicable to all accessory dwelling units.

1. **Permitted by right.** An accessory dwelling unit may be constructed by right on a parcel occupied by a single-family residence in the LDR Zone, provided that such accessory dwelling unit complies with all requirements set forth in this section.
2. **Relationship to primary dwelling.** The accessory dwelling unit may be either attached to the primary dwelling or be a detached structure.
3. **Maximum of one per parcel.** There shall be no more than one accessory dwelling unit allowed on each parcel with a detached single-family residential structure.
4. **Entrances.** Entrances shall be incidental to the primary dwelling and minimally visible from the front of the primary dwelling. No passageway to the primary dwelling shall be required with the construction of the accessory dwelling unit.
5. **Fire sprinklers.** Accessory dwelling units shall not be required to provide fire sprinklers unless required for the primary residence, per Government Code 65852.2 (c).
6. **Utility hookups.** Separate utility hookups are permitted, but are not mandatory.
7. **Occupancy requirements.** The applicant for a building permit for an accessory dwelling unit shall be the owner and occupant of the property. The owner shall be required to permanently occupy either the primary unit or the accessory dwelling unit.
8. **Deed restriction required.** Before obtaining a building permit for an allowed accessory dwelling unit, the property owner shall file with the County Recorder a declaration or agreement of restrictions, which has been approved by the City Attorney as to its form and content. The declaration or agreement of restrictions shall contain a reference to the deed under which the property was acquired by the owner and shall state that:
 - a. The accessory dwelling unit shall not be sold separately.
 - b. The accessory dwelling unit is restricted to the maximum size allowed as identified by the development standards in this section.
 - c. The accessory dwelling unit shall be considered legal only so long as either the primary residence, or the second dwelling unit, is occupied by the owner of record of the property.
 - d. The restrictions shall be binding upon any successor or assigned in ownership of the property, and lack of compliance shall result in legal action against the property owner.

D. Requirements applicable to newly constructed or expanded structures.

1. **Maximum gross floor area.** No accessory dwelling unit, either attached or detached shall exceed 50 percent of the size of the living area of the primary dwelling, and in no case shall the accessory dwelling unit exceed 600 square feet in gross floor area.
2. **Development standards.** The accessory dwelling unit shall comply with the minimum property development standards of the LDR, MDR, and HDR Zones in compliance with Section 20.16.030 (including but not limited to minimum lot size, lot width, lot depth, setbacks, distance between buildings, and lot coverage), unless modified by this section.
3. **Lots not meeting minimum lot size and width.** No accessory dwelling unit may be constructed on lots that do not meet the minimum lot size and minimum width for the LDR, MDR, and HDR Zones.
4. **Maximum height.** All detached accessory units shall be limited in height to one story and 15 feet.
5. **Bedrooms.** The maximum number of bedrooms in any accessory dwelling unit is one.
6. **Location.** No detached unit may be placed in front of the primary dwelling.
7. **Architectural design, form, and materials.** The accessory dwelling unit shall be constructed to be compatible with the existing primary residence located on the site in terms of architectural design, form, and materials.
8. **Minor development review.** New construction shall be subject to Minor Development Review permit procedures pursuant to Chapter 20.84 PART 2 CMC.
9. **Parking.**
 - a. In addition to the parking spaces required for the primary residence, at least one off-street parking space shall be provided for each accessory dwelling unit, which may be provided as tandem parking in an existing driveway.
 - b. If a garage, carport, or covered parking structure is converted or demolished in conjunction with the construction of an accessory dwelling unit, those off-street parking spaces shall be replaced. The replacement spaces may be located in any configuration on the same lot as the accessory dwelling unit, including, but not limited to, covered spaces, uncovered spaces, or tandem spaces. Replacement parking may only occur on paved driveways leading to a required parking space.
 - c. Additional parking is not required in the following instances:

- i. Where a property is located within one-half mile from a public transit stop. Public transit stop is defined to be a stop at which service is provided at no greater than 15-minute intervals during peak hours. Public transit means scheduled services provided by a public agency.
- ii. For properties located within an architecturally and historically significant historic district, as adopted by the City.
- iii. For properties in an area where on-street parking permits are required but not offered to the occupant of the accessory dwelling unit.
- iv. For properties located within one block of a car share area approved by the City.

E. Requirements to convert existing space in a single-family structure to an accessory dwelling unit.

1. **Zoning clearance.** An application for a building permit to create one accessory dwelling unit per single-family lot within the existing space of a legally permitted accessory structure or single-family dwelling shall be approved subject to Chapter 20.84 PART 3 CMC (Zoning Clearance). Development Review shall not be required for minimal exterior changes that do not expand the existing structure.
2. **Setbacks.** Side and rear setbacks must be sufficient for fire safety. Conversion of detached structures that meet applicable zone standards for side and rear setbacks and distance between buildings may be denied if a finding is made that the setbacks are insufficient for fire safety.
3. **Access.** The unit shall have an exterior access independent from the primary residence. No passageway between the primary residence and the accessory dwelling unit shall be required.
4. **Size.** No conversions of existing space shall exceed 600 square feet in size and shall not exceed 50 percent of the living area of the primary dwelling unit, and shall have a maximum of one bedroom.
5. **Parking.** An off-street parking space for the accessory dwelling unit shall not be required. However, the applicant shall be required to replace any parking spaces lost as a result of the conversion of the existing space to an accessory dwelling unit. The replacement spaces may be located in any configuration on the same lot as the accessory dwelling unit, including but not limited to covered spaces, uncovered spaces, or tandem spaces. Replacement parking may only occur on driveways leading to a required parking space.
6. **Setbacks for conversions of existing space.** No setback is required for an existing structure that is converted to an accessory dwelling unit. For conversion of existing

and legally permitted space above a garage that is detached from the primary dwelling unit, a minimum five-foot rear and side yard setback shall be required.

7. **Conversions of or within nonconforming structures.** Existing space within existing structures that are nonconforming with respect to setbacks, building height, or lot coverage may be converted to an accessory dwelling unit, provided the nonconformity is not increased in any manner and the accessory dwelling unit meets the size limitations established in this section.

§20.16.110 - Vehicle Storage and Repair

In addition to other uses contemplated in this chapter, the following activities are prohibited within all residential zones:

- A. **Boats, trailers, and recreational vehicles.** Boats or trailers may not be stored in any required front or street side yard in residential zones, nor be parked in such yard continuously in excess of 24 hours. Such vehicles may be stored or parked on a pervious surface within a side yard area, provided that a lawfully installed, permanently maintained, six-foot high wall or fence provides a screen from abutting property and the public right-of-way. The storing of boats, trailers, and recreational vehicles in excess of 28 feet in length is prohibited on any portion of a residential lot.
- B. **Keeping of commercial vehicles.** Keeping and storing of heavy commercial vehicles that have more than two axles or weigh in excess of 6,000 pounds unloaded, as described in the State Vehicle Code, is prohibited in any residential zone.
- C. **Inoperable vehicles.** No person shall store or park an abandoned or inoperable automobile, recreational vehicle, camper shell, or boat on the driveway of a private property for more than seven days.
- D. **Vehicle repair.** The following restrictions shall apply to vehicle repair activities:
 1. A maximum of one vehicle may be repaired at any time.
 2. The vehicle being repaired must be currently registered with the California Department of Motor Vehicles at the property where the repair is being performed. Repairs made to any other vehicles, whether or not for compensation of any kind, are expressly prohibited.
 3. Repair activity shall be performed only between the 7:00 A.M. and 8:00 P.M.
 4. Tools, motor vehicle parts, supplies, or equipment shall be stored such that they are not visible from a public right-of-way or adjoining property, upon completion of repair work.

6. All fluids, liquids, and other products that are taken out of a motor vehicle or used in conjunction with any repair work shall be lawfully disposed of. In no instance shall these products or substances drain or spill onto adjoining properties or into a public right-of-way, storm drain, or sewer system.
7. Repairs shall only be conducted in a completely enclosed garage or rear yard area, provided that the yard is completely enclosed by a lawfully constructed six-foot high fence which screens the area from view of any public right-of-way and adjoining properties.
8. Storage of inoperable vehicles is prohibited at any time except in an enclosed storage facility approved by the Community Development Department.

§20.16.120 – Fences, Walls, and Hedges in Residential Zones

A. **Applicability.** The provisions of this section shall apply to fences, walls, and hedges within all residential zones, except as otherwise indicated. The provisions of this section shall not apply to a fence, wall, or hedge for the public safety, a fence, wall or hedge required as an environmental mitigation measure or required by any law or regulation of the state or federal government or agency thereof.

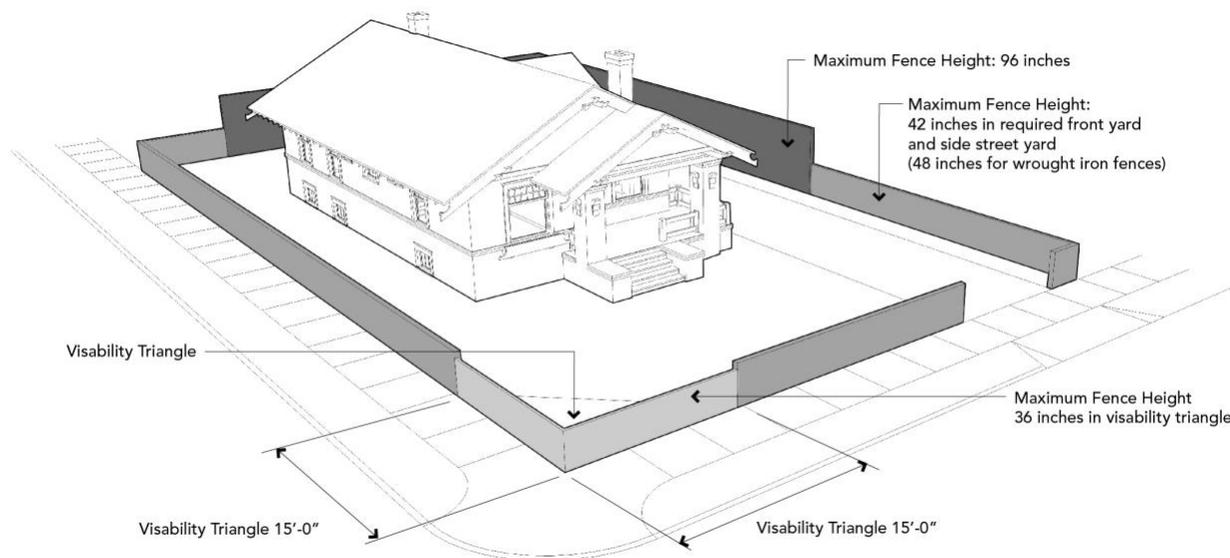
B. **Height limitations.**

1. **Front yards, side yard or rear yard abutting a street.**

- a. Within a required front yard, side yard, or rear yard abutting a street in the LDR, MDR, or HDR Zones, a decorative fence, as such term is defined in 20.16.110 (C) (1), masonry wall, or hedge may be constructed to a height not to exceed 42 inches, except that wrought iron fences may be constructed to a height not to exceed 48 inches, provided that pilasters installed shall not be less than eight feet apart. Maximum height of fences in the visibility triangle on corner lots is 36 inches (see Section 20.56.080).
- b. No chain link fence, including fences constructed with wire or steel mesh, shall be permitted in the front yard, or in the side or rear yard abutting a street in the LDR, MDR and HDR Zones.

2. **Side or Rear Yards, Interior.** Except as otherwise permitted in this section, fences, walls and hedges erected or maintained within required side or rear yards shall not exceed a height limit of 96 inches (eight feet).

Figure 20.16-1



C. Materials.

1. **Decorative Fence.** A “decorative fence” is defined as a fence which is aesthetically attractive and compatible with the surrounding area and which is constructed so that there is 80 percent visibility through the fence when viewed from a point located in the center of the adjacent street and perpendicular to the fence.
2. **Prohibited Fence Material.** No fence shall be used, constructed or maintained which contains broken glass or other sharp pointed material capable of causing serious bodily harm. Barbed wire, including but not limited to razor wire, razor tape, or razor ribbon, are prohibited. Corrugated metal and plastic as fencing materials are prohibited.

D. **Barriers to separate an area from a street or highway.** A barrier not to exceed 96 inches in height, serving to separate an area including several lots or parcels of land from the adjoining street or highway, may be established within five feet of a street or highway, provided such wall is approved by the Director and is erected in accordance with the provisions of Chapter 20.84 PART 2 CMC (Development Review Permits).

E. **Modifications of fence, wall and hedge requirements.** The Director may, without notice or hearing, grant a modification of the fence, wall, or hedge regulations for sites occupied by an agency of the federal, state, county, or City government or where topographic features, subdivision plans, or other conditions create an unnecessary hardship or unreasonable situation making it impractical to require compliance with the fence, wall,

and hedge provisions. All modifications on a lot or parcel of land shall be subject to the provisions of 20.84 PART 2 (Development Review Permits).

F. **Legal nonconforming fences.** Any fence which becomes a legal nonconforming structure as a result of the adoption of the ordinance which adopted this section, or any subsequent amendment thereto, may be maintained subject to the provisions of Chapter 20.80 CMC and this chapter.

G. **Intersection visibility.** See Section 20.56.080 for visibility standards.

§20.16.130 - Design Standards for New Buildings in Any Residential Zone

- A. **Design review.** To ensure architectural compatibility of new buildings and structures, design review shall be performed by the Director of Community Development, or his or her designee, or by the Planning Commission as part of the development review permit procedures pursuant to Chapter 20.84 PART 2 CMC. Design review shall verify the compatibility of the new building with surrounding buildings on the same lot or adjacent lots. Design review shall focus on the color, material, and design of proposed buildings or structures. Both existing and new buildings must undergo design review. The Director of Community Development, or his or her designee, or Planning Commission shall have the authority to request an existing building or structure to be improved or rehabilitated if one or more dwelling units are proposed on a lot.
- B. **Massing and architectural variation.** Buildings shall employ techniques to reduce mass and ensure compatibility with surrounding buildings. New buildings shall provide articulation such as dormers, overhangs, balconies, wall projections and porches, along with varied roof forms. Staggered or stepped-back setbacks shall be used, where feasible, to avoid long monotonous walls.
- C. **Trees required.** For each dwelling unit proposed on a lot, two 15-gallon-size trees shall be provided. In addition, every three dwelling units shall require one 25-inch box tree. Species shall be approved by the Director of Community Development or designee. Along street frontage, shade trees shall be at locations as determined by the Director of Community Development or designee, or by the Planning Commission as part of the development review permit procedures pursuant to Chapter 20.84 PART 2 CMC.
- D. **Driveways.** Decorative concrete paving material shall be provided along the driveway aisle for any driveway longer than 20 feet.
- E. **Utilities.** All utility equipment shall be placed underground to include and not be limited to telephone, cable, and electrical lines.
- F. **Fire access.** Fire access shall be provided pursuant to the Los Angeles County Fire Code.

§20.16.140 – Other Applicable Regulations

In addition to the requirements contained in this chapter, Residential Zones, regulations contained in the following chapters may apply to development in residential zones:

Chapter 20.52	Standards for Specific Land Uses and Activities
Chapter 20.56	General Development Standards
Chapter 20.60	Performance Standards
Chapter 20.64	Off-Street Parking and Loading
Chapter 20.68	Low Impact Development Measures
Chapter 20.72	Sign Regulations
Chapter 20.80	Nonconforming Buildings, Structures, and Uses
Chapter 20.84	Permit Procedures

CHAPTER 20.20 – COMMERCIAL AND INDUSTRIAL ZONES

Section	Contents:
§20.20.010	Intent and Purpose
§20.20.020	Use Regulations
§20.20.030	Development Standards
§20.20.040	Special Requirements for New Development in the Entertainment Zone; Development Agreement Required
§20.20.050	Accessory Uses
§20.20.060	Outdoor Storage and Use
§20.20.070	Other Applicable Regulations

§20.20.010 – Intent and Purpose

Four commercial and industrial zones are established to meet the commerce and service needs of the resident and business communities while ensuring compatibility with adjacent land uses. The zones are designed to accommodate different types and intensities of commercial and industrial development.

A. Neighborhood Commercial Zone (NC)

The Neighborhood Commercial Zone provides areas for convenient commercial services for Cudahy residents not living in proximity to the Atlantic Avenue District. The Neighborhood Commercial Zone allows for small-scale businesses such as corner produce stores, mini-markets, and small business offices.

B. Entertainment Zone (Ent)

The Entertainment Zone accommodates large-scale entertainment uses that attract patrons from Cudahy, surrounding communities, and the region. All uses are required to be designed to provide pedestrian interest and accessibility along Atlantic Avenue, with vehicular access and parking located to the rear of the parcels.

C. Innovative Industrial (I-Ind)

The Innovative Industrial Zone allows for a flexible mix of uses facilitating job interactivity beyond standard business hours. The Innovative Industrial Zone allows highly flexible space for start-ups, light industrial, office, and live/work. The adaptive reuse of once industrial buildings/spaces is allowed. The Innovative Industrial Zone responds to and accommodates the evolving nature of industrial businesses, by encouraging young businesses in “green” biotechnical, software, and other emerging industries.

D. Light Industrial (LI)

The Light Industrial Zone provides space for a variety of jobs generating light industrial uses that can operate in close proximity to residential uses without presenting health and safety risks.

§20.20.020 – Use Regulations

- A. **Permitted uses.** Table 20.20-1 identifies the permitted uses within all commercial and industrial zones.
- B. **Conditional uses.** Certain uses may be subject to special conditions regarding the location, operation, design, or special permitting requirements of the use. References to these provisions are made in Table 20.20-1.
- C. **Prohibited uses.** If a use is not specifically listed in Table 20.20-1, that use is prohibited. However, the Director of Community Development shall have the authority to determine whether the proposed use shall be permitted based on the finding that the use is similar to and no more detrimental than a particular use permitted in the zone, pursuant to the provisions of Section 20.08.050 (C).
- D. **New merchandise.** Any use that involves the sale of merchandise, retail or wholesale, shall limit these sales to only new merchandise. This shall not apply to antique shops, secondhand stores, used vehicle sales, and other uses approved by the Director of Community Development.
- E. **Prohibition on heavy equipment in Industrial Zones.** Manufacturing and assembly use in I-Ind and Light Industrial zones are limited as follows:
 - 1. No drop hammers or automatic screw machines.
 - 2. No punch presses in excess of five-ton capacity.
 - 3. Any motors used to operate lathes, drill presses, grinders, shapers, milling machines, saws, polishers, or metal cutters shall not exceed one horsepower capacity.
- F. **Residential uses in Entertainment Zone.** In the Entertainment Zone, residential uses are only permitted in conjunction with a mixed-use development. Residential uses are not permitted on the ground floor. All mixed-use developments with a residential component shall have less than two-thirds of the total floor area devoted to residential uses.

TABLE 20.20-1 Permitted and Conditionally Permitted Uses in Commercial and Industrial Zones	P	Permitted Use			
	CUP	Conditional Use Permit			
	A	Accessory Use			
	--	Not Allowed			
Land Use	NC	Ent	I - Ind	LI	Specific Use Regulations
Business, Financial, and Professional					
Automated Teller Machines (ATMs)	P	P	P	P	
Check Cashing and/or Payday Loans	--	--	--	--	
Financial Institutions and Related Services	CUP	CUP	CUP	CUP	
Office, Business and Professional	P	CUP	P	P	In LI zone, accessory office uses are limited to 25% of building floor area.
Eating and Drinking Establishments					
Bars and cocktail lounges	--	CUP	--	--	See Breweries/Wineries for brewpubs and wine-tasting
Restaurant	CUP	P	P	CUP	20.52 PART 2 (Alcohol Sales)
Restaurant, drive-through establishment	--	--	--	--	
Outdoor Dining	CUP	P	P	CUP	20.28.040 (H)
Education					
Schools, colleges and universities	--	--	CUP	CUP	20.32 PART 2 (Urban Agriculture Overlay Zone)
Schools, business and professional	--	--	CUP	CUP	20.32 PART 2 (Urban Agriculture Overlay Zone)
Schools, private (elementary and secondary)	--	--	--	--	20.32 PART 2 (Urban Agriculture Overlay Zone)
Tutoring and Education Centers	P	--	P	--	20.32 PART 2 (Urban Agriculture Overlay Zone)
Industry, Manufacturing and Processing, and Warehousing Uses					
Breweries, Wineries, and Distilleries	--	CUP	CUP	CUP	20.52 PART 2 (Alcohol Sales)

TABLE 20.20-1 Permitted and Conditionally Permitted Uses in Commercial and Industrial Zones	P	Permitted Use			
	CUP	Conditional Use Permit			
	A	Accessory Use			
	--	Not Allowed			
Land Use	NC	Ent	I - Ind	LI	Specific Use Regulations
Commercial Cannabis Business	--	CUP	CUP	CUP	Commercial Cannabis Permit and Development Agreement required. 20.32 PART 2 (Urban Agriculture Overlay Zone)
Hazardous Waste Facilities	--	--	--	CUP	
Laboratory	--	--	P	P	
Light Industrial, manufacturing and assembly	--	--	CUP	P	Director of Community Development may issue exemption 20.20.020
Heavy Industrial	--	--	--	CUP	
Recycling, collection facility	--	--	CUP	CUP	
Recycling facilities	--	--	CUP	CUP	
Recycling, processing facility	--	--	--	CUP	
Self-storage facility	--	--	--	CUP	
Wholesaling, distribution, warehousing and storage	--	A	A	A	Permitted only as accessory to cannabis business pursuant to 20.32 PART 2, or accessory to a light industrial use or other permitted use.
Trucking terminal	--	--	--	--	
Medical-Related and Care Uses					
Day Care Center, adult	CUP	--	CUP	--	
Day Care Center, children	CUP	--	CUP	--	20.32 PART 2 (Urban Agriculture Overlay Zone)
Emergency Shelters	P	P	CUP	CUP	20.52 PART 8 (Emergency Shelters)

TABLE 20.20-1 Permitted and Conditionally Permitted Uses in Commercial and Industrial Zones	P	Permitted Use			
	CUP	Conditional Use Permit			
	A	Accessory Use			
	--	Not Allowed			
Land Use	NC	Ent	I - Ind	LI	Specific Use Regulations
Hospitals	--	--	--	CUP	
Medical Clinics	CUP	--	P	CUP	
Medical and Dental Offices	P	--	P	P	
Residential Care Facilities, Seven or More Occupants	--	--	--	--	
Recreation and Entertainment					
Amusement Arcade	--	CUP	CUP	CUP	20.52. PART 3 (Amusement Arcades)
Casinos and Gambling Games	--	CUP	--	--	Chapter 5.08 CMC
Commercial Recreation, Indoors	--	P	CUP	CUP	20.32 PART 2 (Urban Agriculture Overlay Zone) (for youth centers)
Commercial Recreation, Outdoors	--	CUP	CUP	CUP	20.32 PART 2 (Urban Agriculture Overlay Zone) (for youth centers)
Health and Physical Fitness Facilities	--	P	P	CUP	
Commercial Entertainment, Indoors	--	P	CUP	CUP	
Smoking Lounges	--	CUP	CUP	--	20.52 PART 15 (Tobacco and Smoking Lounges)
Studios, Art and Music	P	P	P	CUP	
Studios, Recording	--	P	P	CUP	
Residential Uses					
Dwelling, Single-Family	CUP	--	--	--	
Dwelling, Duplex and Triplex	CUP	--	--	--	
Dwelling, Multi-Family	CUP	P	CUP	--	20.20.020 (F)
Live/Work Units	CUP	--	P	CUP	20.52 PART 11 (Live/Work Units)

TABLE 20.20-1 Permitted and Conditionally Permitted Uses in Commercial and Industrial Zones	P	Permitted Use			
	CUP	Conditional Use Permit			
	A	Accessory Use			
	--	Not Allowed			
Land Use	NC	Ent	I - Ind	LI	Specific Use Regulations
TABLE 20.20-1 Permitted and Conditionally Permitted Uses in Commercial and Industrial Zones	P	Permitted Use			
	CUP	Conditional Use Permit			
	A	Accessory Use			
	--	Not Allowed			
Land Use	NC	Ent	I - Ind	LI	Specific Use Regulations
Retail Uses					
Alcohol Beverage Sales	CUP	CUP	CUP	CUP	20.52 PART 2 (Alcohol Sales) Needs City Council approval of CUP
Auction Houses	--	--	--	CUP	
Building Material Sales and Services	--	--	CUP	P	
Food and Beverage Sales					
a. Grocery Stores (includes large, full-service markets)	CUP	CUP	CUP	CUP	20.52 PART 2 (Alcohol Sales)
b. Specialty Stores (deli, coffee, bakery, produce)	P	P	P	P	20.52 PART 2 (Alcohol Sales)
c. Convenience Stores	CUP	CUP	CUP	CUP	20.52 PART 2 (Alcohol Sales)
d. Liquor Stores	--	--	--	--	
Pawn Shop	--	--	--	CUP	
Pet Stores, inclusive of grooming services	P	CUP	P	CUP	In Ent Zone, only permitted on the ground floor in a mixed-use development
Plant Nursery	CUP	--	CUP	CUP	
Recreational Equipment Sales and Rentals	CUP	CUP	P	P	In Ent Zone, only permitted on the ground floor in a mixed-use development

TABLE 20.20-1 Permitted and Conditionally Permitted Uses in Commercial and Industrial Zones	P	Permitted Use			
	CUP	Conditional Use Permit			
	A	Accessory Use			
	--	Not Allowed			
Land Use	NC	Ent	I - Ind	LI	Specific Use Regulations
Retail Sales	P	CUP	P	P	In Ent Zone, only permitted on the ground floor in a mixed-use development
Retail Carts and Kiosks, Indoor	A	A	A	A	
Retail Carts and Kiosks, Outdoor	A	A	A	A	20.28.020 (E) (5) 20.84.260 PART 4 (Temporary Uses)
Secondhand Stores	CUP	--	CUP	--	
Swap Meets	--	--	--	CUP	
Tobacco Shop	CUP	CUP	CUP	CUP	20.52 PART 15 (Tobacco Shops and Smoking Lounges)
Vehicle, Rentals	--	--	CUP	CUP	
Vehicle, Sales	--	--	CUP	CUP	
Service Uses					
Animal Boarding/Kennels	--	--	--	CUP	
Animal Grooming	P	--	P	P	
Business Services	P	CUP	P	P	In Ent Zone, only permitted on the ground floor in a mixed-use development
Equipment Rental	--	--	CUP	P	
Funeral Homes and Mortuaries	--	--	CUP	CUP	
Laboratory	--	--	CUP	CUP	
Hotel and Motel	--	CUP	CUP	--	20.52 PART 9 (Hotels and Motels)
Massage establishments (primary use)	--	--	CUP	CUP	20.52 PART 12 (Massage Establishments)
Repair Services, appliance and small equipment	--	--	P	P	
Personal Services, convenience and improvement	P	CUP	P	P	

TABLE 20.20-1 Permitted and Conditionally Permitted Uses in Commercial and Industrial Zones	P	Permitted Use			
	CUP	Conditional Use Permit			
	A	Accessory Use			
	--	Not Allowed			
Land Use	NC	Ent	I - Ind	LI	Specific Use Regulations
Adult-Oriented Businesses	--	CUP	--	CUP	20.52 PART I (Adult-Oriented Businesses)
Tattoo Shop	--	--	CUP	CUP	
Vehicle, automobile washing	--	--	CUP	CUP	
Vehicle, major repair	--	--	CUP	CUP	
Vehicle, minor repair	--	--	CUP	P	
Vehicle, service station	CUP	CUP	CUP	CUP	20.52.PART 14 (Service Stations)
Vehicle, towing/storage	--	--	CUP	CUP	
Veterinary Services	CUP	--	CUP	P	
Transportation, Communications, Government, Assembly and Infrastructure					
Antennas and Wireless Communication Facilities	CUP	CUP	CUP	CUP	20.52 PART 18 (Wireless Facilities)
Assembly/Meeting Facilities, Public or Private	CUP	CUP	CUP	CUP	
Government and Community Facilities, Public	CUP	CUP	P	P	
Off-Street Parking Facilities (garage and common parking lots)	CUP	CUP	CUP	CUP	20.64 (Off-Street Parking)
Places of Religious Assembly	CUP	CUP	CUP	CUP	
Recharging Stations	P	P	P	P	
Stations, bus, railroad, taxicab	--	--	CUP	CUP	
Utility Structures and Service Facilities	CUP	CUP	CUP	CUP	
Other					

TABLE 20.20-1 Permitted and Conditionally Permitted Uses in Commercial and Industrial Zones	P	Permitted Use			
	CUP	Conditional Use Permit			
	A	Accessory Use			
	--	Not Allowed			
Land Use	NC	Ent	I - Ind	LI	Specific Use Regulations
Accessory Uses and Structures	A	A	A	A	20.20.030
Drive-Through Establishments	--	--	--	--	20.52 PART 7 (Drive-through Establishments)
Donation Boxes	A	A	A	A	
Outdoor Storage and Display	CUP	CUP	CUP	CUP	20.28.020 (E) (5) 20.84.260 PART 4 (Temporary Uses)
Vending Machines	A	A	A	A	20.20.030

§20.20.030 – Development Standards

Table 20.20-2 identifies the development standards applicable to all development in commercial and industrial zones. Certain development standards may be subject to special conditions. References to these provisions are provided here or are referenced in Table 20.20-2.

A. Shared property lines with a lot zoned for residential use.

1. **Wall required.** Whenever a commercially or industrially zoned lot shares a side or rear property line with an exclusively residential or a mixed-use zoned lot, a minimum six-foot high solid masonry wall shall be provided, along or adjacent to all such side and rear lot lines. The wall shall conform to the height regulations applicable to front yard areas of the residentially zoned lot having the common lot line. The wall shall be measured from the commercially or industrially zoned lot. A landscape buffer shall also be provided along the shared lot lines on the commercially or industrially zoned lot.
2. **Setbacks in industrial zones.** Where an industrial zone adjoins a residential zone, each lot or parcel of land in the industrial zone adjoining a lot or parcel of land in a residential zone shall have a rear yard not less than 30 feet in depth along the contiguous property line.

- B. Driveway abutting a building wall facing side or rear yard.** Wherever a permitted driveway abuts a wall of a building facing a side or rear yard area, that portion of the wall shall be located at least 20 feet from the lot line.

TABLE 20.20-2 Development Standards for Commercial and Industrial Zones					
Development Standards	NC	Ent	I-Ind	LI	Specific Regulations
Lot Area – Minimum	6,000 sf	6,000 sf	6,000 sf	6,000 sf	
Lot Depth – Minimum	--	--	--	200 ft.	
Lot Width – Minimum	60 ft.	60 ft.	60 ft.	60 ft.	
Front Yard and Side Street Setback – Minimum	10 ft.	0 ft.	0-10 ft.	10 ft.	(a) 20.56.050 Projections (b) 10 ft. landscaped setback is required if parking or outdoor storage is located in front yard
Side Yard Setback – Minimum	10 ft.	0 ft.	0 ft.	0 ft.	20.56.050 Projections
Rear Yard Setback – Minimum	10 ft.	0 ft.	0 ft.	0 ft.	20.56.050 Projections
Setbacks adjacent to residential zones					
Side Yard	10 ft.	10 ft.	10 ft.	10 ft.	20.20.030 (A)
Rear Yard	20 ft.	10 ft.	30 ft.	30 ft.	
Floor-Area Ratio – Maximum	0.5	2.0	1.25	1.25	
Floor-Area Ratio – Maximum – Live/Work	N/A	N/A	1.5	N/A	
Floor-Area Ratio – Maximum – Commercial only	0.5	2.0	1.0	1.25	
Floor-Area Ratio – Maximum – Light Industrial only	N/A	N/A	1.25	1.25	
Residential Density	N/A	N/A	30 du/ac	N/A	
Building Height – Maximum Number of Stories	2	4 + 4	3	3	20.20.030 (D) 20.56.060
Building Height – Maximum Number of Stories – Live/Work	N/A	N/A	3	N/A	20.56.060

Building Height – Maximum Number of Stories – Commercial only	2	4 + 4	2	3	20.56.060
Building Height – Maximum Number of Stories – Light Industrial only	N/A	N/A	3	3	20.56.060

C. **Additional height.** For projects that do not require a Development Agreement pursuant to Section 20.20.040, building height standards in Table 20.20-2, when indicated by a plus (+) symbol, provide for additional floors with the provision of community benefit with City Council approval. These can include, but are not limited to:

1. Incorporation of affordable, workforce, or low income housing.
2. Incorporation of public or community facilities.
3. Innovative use of shared parking and transportation demand management measures.
4. Efficient and innovative use of infrastructure and renewable resources.
5. Incorporation of public art.

D. **Additional design standards for Entertainment Zone.** The design standards for Mixed-Use Zones found in Sections 20.28.030, 20.28.040, 20.28.050, and 20.28.060 shall apply to mixed-use development in the Entertainment Zone.

§20.20.040 – Special Requirements for New Development in the Entertainment Zone; Development Agreement Required

A. **Purpose.** The purpose of these requirements is for the City to have the capability to shape how new development will contribute positively to the City as a whole, and to ensure that new development will be integrated and comprehensively planned while creating special places that enhance the quality of life.

B. **New development defined.** New development shall mean any new commercial, mixed-use, or residential development project on vacant land, on land where existing structures are demolished, or major expansions of existing buildings, in the Entertainment Zone. Major expansion shall mean an expansion that increases the floor area of existing buildings over 25 percent.

C. **Standards.**

1. All new development shall be located on a site, including consolidation of several properties, with a minimum size of one acre.
2. All new development shall comply with the development standards in Table 20.20-1 and elsewhere in this zoning code, including the maximum intensity (Floor-Area Ratio) and density limitations.

3. The additional height provisions in Table 20.20-2 indicated by a plus (+) symbol may be incorporated into a new development project.

D. Development Agreement required. A Development Agreement shall be required for all new development described in subsection (B), and shall be in addition to other permit requirements pursuant to Chapter 20.84 CMC. The provisions for application procedures, content, periodic review, and amendments in Chapter 20.84 PART 9 CMC shall apply. In addition to the required and optional content in Chapter 20.84.710 CMC, the Development Agreement required pursuant to this section shall include public benefits, including but not limited to:

1. Monetary contribution to the City for community amenities.
2. On-site improvements over and above base requirements that contribute to the community, such as affordable housing, community facilities, innovative use of infrastructure and renewable resources, and public art.
3. Off-site improvements, such as pedestrian and bicycle connections, or off-site public art or community facilities.

E. Exceptions. A Development Agreement shall not be required for:

1. A project that includes remodeling of existing building floor area, or minor expansions that increase the floor area 25 percent or less.
2. Any site that is included in the Site Inventory found in Chapter 4 of the Housing Element.
3. Any development that is exclusively for public buildings operated by a public entity.

F. Waivers. The City Council may waive the requirement for a Development Agreement if it finds that the City would not benefit from a Development Agreement.

§20.20.050 – Accessory Uses

A. Accessory structures and uses. Accessory structures and buildings are allowed as approved by the Director of Community Development.

B. Vending machines, regular and water. Vending machines shall be permitted as an accessory use, with the following limitations:

1. Vending machines, including and not limited to coin-operated vending machines, newsracks, video or game machines, and children's rides, must be installed within an enclosed building with a minimum floor area of 1,000 square feet.
2. Video or game machines subject to the following requirements:

- a. No more than three game machines shall be permitted at any one business, provided all other applicable licenses and permits required by this code are obtained.
 - b. Any establishment with a game machine shall prohibit persons 17 years of age and under from using any game machine between the hours of 8:00 A.M. and 3:00 P.M., Monday through Friday. This restriction shall not apply during school holidays and school vacations recognized by public schools within the City.
3. Water vending machines subject to the following requirements:
- a. Machines must be installed within an enclosed building with a minimum floor area of 1,000 square feet.
 - b. All required approvals of the Los Angeles County Health Department and the local water service company shall be obtained before installation.
 - c. All required plumbing or electrical permits for this use shall be obtained before permanent installation.
 - d. There shall be a minimum clearance of six feet in front of the machine.
 - e. There shall be no more than one water vending machine allowed for each 10,000 square feet of gross floor area occupied per individual business.
 - f. A City of Cudahy business license is required for each machine pursuant to CMC 5.08.650.
 - g. Water vending machines shall be maintained in a sanitary condition.
 - h. A back-flow device shall be installed on each machine.
 - i. Any water vending machine that becomes a legal nonconforming use as a result of the adoption of the ordinance that adopted this section, or of any subsequent amendment thereto, shall be removed or altered to conform to the regulations within 180 days of the effective date of the ordinance that generated the nonconformity, unless an extension is requested and granted by the Planning Commission based upon the inability of the vending machine operator to recoup its original investment in the installation costs of the machine or for other good cause.
- C. **Reverse vending machines.** Reverse vending machines shall be permitted as an accessory use, provided that all of the following standards are complied with and a zoning clearance has been obtained pursuant to Chapter 20.84 Permit Procedures:
1. Each reverse vending machine must be capable of dispensing cash for aluminum and non-aluminum metals, glass, and plastic.

2. Each reverse vending machine shall be located adjacent to a building wall and within 20 feet from the main entrance to a supermarket.
3. The size and bulk of each reverse machine shall not exceed 50 square feet and the height shall not exceed eight feet.
4. The location of each reverse vending machine shall not obstruct pedestrian or vehicular circulation.
5. Each reverse vending machine shall be constructed with durable waterproof and rustproof materials.
6. Each reverse vending machine shall be illuminated to ensure comfortable and safe operation.
7. Each reverse vending machine shall be available and in operation during the operating hours of the supermarket.
8. Signage on a reverse vending machine shall not exceed a total background sign face area of four square feet, exclusive of operating instructions.
9. Each reverse vending machine shall clearly identify the type of materials that may be deposited, operating instructions, and the identity and phone number of the owner or a person to call if the machine is inoperative.
10. Each reverse vending machine shall be maintained in a clean and litter-free condition on a daily basis.
11. The color of the reverse vending machine shall be in harmony with the surrounding buildings and development.
12. No reverse vending machine shall be located within 100 feet of a residential zone.

§20.20.060 – Outdoor Storage and Uses

- A. **Outdoor storage of materials.** Outdoor storage of materials shall be limited to the accessory storage of goods sold or utilized by the principal use of the lot where permitted by Table 20.20-1. All materials shall be entirely screened from view from public rights-of-way by a minimum six-foot high solid fence or masonry wall.
- B. **Outdoor storage areas.** Any areas developed and/or used for outdoor storage and use shall comply with the most current National Pollutant Discharge Elimination System (NPDES) Permits Implementation of Best Management Practices (BMP) and maintenance of those BMPs.

C. **Uses restricted to indoors.** No manufacturing or assembly operations shall be performed outside of an enclosed building. With the exception of the following uses or businesses, all activities shall be conducted within a completely enclosed building:

1. Outdoor dining and food service in conjunction with a cafeteria, café, restaurant or similar establishment.
2. Motor vehicles, trailers, or boat sales.
3. Pool and spa sales.
4. Nursery plants and flower sales.
5. Newspaper stalls, subject to standards in Section 20.20.030.
6. Other outdoor sales and display areas as approved pursuant to subsection (D).
7. Other uses as approved by the Director of Community Development through the Zoning Code interpretation process pursuant to Chapter 20.84 Permit Procedures.

D. **Outdoor sale and display location.**

1. Outdoor sale and displays on a permanent basis are permitted with the issuance of a Conditional Use Permit.
2. Temporary outdoor sales and display are permitted with a Temporary Use Permit pursuant to 20.84.260 PART 4, including temporary sales and displays on public sidewalks.
3. The outdoor display and/or sale area(s), where permitted, shall be located entirely on private property, except as provided in Chapter 20.84.260 PART 4. Outdoor display and merchandise shall occupy a fixed, specifically approved, and defined location that does not disrupt the normal function of the site or its circulation, and does not encroach upon driveways, landscaped areas, parking spaces, area(s) required for ingress and egress to the parking area(s), or ADA and pedestrian walkways. Outdoor displays shall not obstruct traffic safety sight areas or otherwise create hazards for pedestrian or vehicle traffic.
4. The outdoor display and sale of merchandise shall only be allowed during the business's permitted regular hours of operation. All evidence of outdoor display and sale must be removed at close of the business's permitted regular hours of operation.

E. **Storage of construction materials.** The storage of materials used in the construction of a building or building project during the construction and 30 days prior to and thereafter, including the contractor's temporary office, provided any lot or parcel of land so used shall be a part of the building project or on property adjoining the construction site.

F. **Vehicle service uses (Neighborhood Commercial only).** Automobile service uses established in the NC Zone shall comply with the standards in 20.28.020(E)(8).

§20.20.070 – Other Applicable Regulations

In addition to the requirements contained in this chapter, regulations contained in the following chapters may apply to development in the commercial and industrial zones:

Chapter 20.52	Standards for Specific Land Uses and Activities
Chapter 20.56	General Development Standards
Chapter 20.60	Performance Standards
Chapter 20.64	Off-Street Parking and Loading
Chapter 20.68	Low Impact Development Measures
Chapter 20.72	Sign Regulations
Chapter 20.80	Nonconforming Buildings, Structures, and Uses
Chapter 20.84	Permit Procedures

CHAPTER 20.24 – PARKS, SCHOOLS, AND LOS ANGELES RIVER

Section	Contents:
§20.24.010	Intent and Purpose
§20.24.020	Use Regulations

§20.24.010 – Intent and Purpose

These zones are established to maintain educational, recreational, and open space areas in the community and to prevent incompatible development in areas that should be preserved or regulated for educational, recreational, and open space purposes.

§20.24.020 – Use Regulations

A. **Permitted uses in City Parks/Parklets Zone.** The following uses are permitted in the City Parks/Parklets Zone:

1. Public parks, public recreational uses, and associated facilities.
2. Wireless telecommunications antenna facilities per Chapter 20.52 PART 18 CMC with issuance of a Conditional Use Permit.
3. Other uses may be permitted with the issuance of Conditional Use Permit. Development standards for a proposed use shall be determined as part of the Conditional Use Permit.

B. **Permitted uses in Schools Zone.** The following uses are permitted in the Schools Zone:

1. Public school buildings and associated facilities.
2. Public recreational uses.
3. Public utility rights-of-way.
4. Wireless telecommunications antenna facilities per Chapter 20.52 PART 18 CMC with issuance of a Conditional Use Permit.
5. Other uses may be permitted with the issuance of Conditional Use Permit. Development standards for a proposed use shall be determined as part of the Conditional Use Permit.

C. **Permitted uses in Los Angeles River Zone.** The following uses are permitted within the Los Angeles River Zone:

1. Public open space and water facilities.
2. Wireless telecommunications antenna facilities per Chapter 20.52 PART 18 CMC with issuance of a Conditional Use Permit.
3. Other uses may be permitted with the issuance of Conditional Use Permit. Development standards for a proposed use shall be determined as part of the Conditional Use Permit.

CHAPTER 20.28 – MIXED-USE ZONES

Section	Contents:
§20.28.010	Intent and Purpose
§20.28.020	Use Regulations
§20.28.030	Development Standards
§20.28.040	Special Requirements for New Development; Development Agreement Required
§20.28.050	Additional Development Standards for Mixed-Use Developments
§20.28.060	Residential Open Space
§20.28.070	Outdoor Storage and Uses
§20.28.080	Additional Development Standards for Mixed-Use Development
§20.28.090	Other Applicable Regulations

§ 20.28.010 – Intent and Purpose

Two mixed-use zones are established to provide development opportunities for integrated, complementary residential and commercial development on the same parcel or a contiguous group of parcels. For the purpose of this zoning code, the non-residential portions of a mixed-use development shall comply with nonresidential standards for commercial development in Chapter 20.20 when no mixed-use standards exist.

A. Commercial Mixed-Use Zone (CMU)

The CMU Zone accommodates the most concentrated hub of commercial activity, with retail, office, limited automotive service (gas stations), mixed-use, and residential use. New commercial and mixed-use development emphasize pedestrian orientation in site and building design to promote a walkable environment with active street frontages, well-scaled buildings, and usable spaces such as small plazas, courtyards, and sidewalk cafes. Established commercial centers are permitted to add new or renovate existing structures along the front property line. Structures are to be designed to provide maximum transparency into the stores or offices from the public sidewalk, thereby enhancing the pedestrian interest and experience.

B. Civic Mixed-Use Zone (CivicMU)

The Civic Mixed-Use Zone accommodates a vibrant mix of commercial, residential, and civic activities. Significant public plazas, amphitheater/stages, and urban public open space draw residents, local employees, and visitors to this community center.

§ 20.28.020 – Use Regulations

A. **Permitted uses.** Table 20.28-1 identifies the permitted uses in the mixed-use zones.

- B. **Conditional uses.** Certain uses may be subject to special conditions regarding the location, operation, or design of the use. References to these provisions are made in Table 20.28-1.
- C. **Prohibited uses.** If a use is not specifically listed in Table 20.28-1, that use is prohibited. However, the Director of Community Development shall have the authority to determine whether the proposed use is permitted based on the finding that the use is similar to and no more detrimental than a particular use permitted in the zone, pursuant to the provisions of Section 20.08.050 (C).
- D. **Mixed-use and residential uses.** Permitted uses identified in Table 20.28-1 may be established on a single site as an integrated project. Stand-alone commercial uses are permitted in the CMU and CivicMU Zones. Residential and mixed-use developments in the CMU and CivicMU Zones are subject to the following restrictions:
 1. All mixed-use developments with a residential component shall have less than two-thirds of the total floor area devoted to residential uses.
 2. Ground floor residential is limited to 50 percent of the ground floor square footage and must not be facing on Atlantic Avenue.
 3. All Atlantic Avenue street-facing uses shall be commercial.
 4. In the CMU Zone, a stand-alone residential development is permitted if street-facing uses are commercial in nature, such as lobbies, leasing offices or recreational facilities.

TABLE 20.28-1 Permitted and Conditionally Permitted Uses in Mixed-Use Zones	P	Permitted Use	
	CUP	Conditional Use Permit	
	A	Accessory Use	
	--	Not Allowed	
Land Use	CMU	Civic MU	Specific Use Regulations
Business, Financial, and Professional			
Automated Teller Machines (ATMs)	P	P	
Check Cashing and/or Payday Loans	--	--	
Financial Institutions and Related Services	P	P	
Office, Business, and Professional	P	P	
Eating and Drinking Establishments			
Bars and cocktail lounges	CUP	CUP	See Breweries/Wineries for brewpubs and wine-tasting

TABLE 20.28-1 Permitted and Conditionally Permitted Uses in Mixed-Use Zones	P	Permitted Use	
	CUP	Conditional Use Permit	
	A	Accessory Use	
	--	Not Allowed	
Land Use	CMU	Civic MU	Specific Use Regulations
Restaurant	P	P	20.52 PART 2 (Alcohol Sales)
Restaurant, drive-through establishment	CUP	--	20.52 PART 7 (Drive-through Establishments)
Outdoor Dining	P	P	20.28.040 (H)
Education			
Schools, colleges and universities	CUP	CUP	20.32 PART 2 (Urban Agriculture Overlay Zone)
Schools, business and professional	CUP	P	20.32 PART 2 (Urban Agriculture Overlay Zone)
Schools, private (elementary and secondary)	CUP	CUP	20.32 PART 2 (Urban Agriculture Overlay Zone)
Tutoring and Education Centers	P	P	20.32 PART 2 (Urban Agriculture Overlay Zone)
Industry, Manufacturing and Processing, and Warehousing Uses			
Breweries, Wineries and Distilleries	CUP	CUP	20.52 PART 2 (Alcohol Sales)
Hazardous Waste Facilities	--	--	
Laboratory	--	--	
Light Industrial, manufacturing and assembly	--	--	
Heavy Industrial	--	--	
Recycling, collection facility	CUP	--	
Recycling facilities	--	--	
Recycling, processing facility	--	--	
Self-storage facility	--	--	
Wholesaling, distribution, and storage	--	--	
Trucking terminal	--	--	

TABLE 20.28-1 Permitted and Conditionally Permitted Uses in Mixed-Use Zones	P	Permitted Use	
	CUP	Conditional Use Permit	
	A	Accessory Use	
	--	Not Allowed	
Land Use	CMU	Civic MU	Specific Use Regulations
Medical-Related and Care Uses			
Day Care Center, adult	CUP	CUP	
Day Care Center, children	CUP	P	20.32 PART 2 (Urban Agriculture Overlay Zone)
Emergency Shelters	P	P	20.52 PART 8 (Emergency Shelters)
Hospitals	CUP	CUP	
Medical Clinics	P	CUP	In CivicMU Zone, only permitted in upper floors of a mixed-use development
Medical and Dental Offices	P	CUP	In CivicMU Zone, only permitted in upper floors of a mixed-use development
Residential Care Facilities, Seven or More Occupants	CUP	--	
Recreation and Entertainment			
Amusement Arcade	CUP	--	20.52. PART 3 (Amusement Arcades)
Casinos and Gambling Games	--	--	
Commercial Recreation, Indoors	CUP	--	20.32 PART 2 (Urban Agriculture Overlay Zone) (for youth centers)
Commercial Recreation, Outdoors	CUP	--	20.32 PART 2 (Urban Agriculture Overlay Zone) (for youth centers)
Health and Physical fitness facilities	P	CUP	
Commercial Entertainment, Indoor	CUP	CUP	
Smoking Lounges	CUP	--	20.52 PART 15 (Tobacco Shops and Smoking Lounges)
Studios, Art and Music	P	P	
Studios, Recording	CUP	--	
Residential Uses			
Dwelling, Single-Family	--	--	
Dwelling, Duplex and Triplex	--	--	

TABLE 20.28-1 Permitted and Conditionally Permitted Uses in Mixed-Use Zones	P	Permitted Use	
	CUP	Conditional Use Permit	
	A	Accessory Use	
	--	Not Allowed	
Land Use	CMU	Civic MU	Specific Use Regulations
Dwelling, Multi-Family	P	P	20.28.020 (D)
Live/Work Units	P	P	20.52 PART 11 (Live/Work Units)
Supportive and Transitional Housing	P	P	20.16.040 (E)
Retail Uses			
Alcohol Beverage Sales	CUP	CUP	20.52 PART 2 (Alcohol Sales) Needs City Council approval of CUP
Building Material Sales and Services	--	--	
Food and Beverage Sales			
a. Grocery Stores (includes large, full-service markets)	CUP	CUP	20.52 PART 2 (Alcohol Sales)
b. Specialty Stores (deli, coffee, bakery, produce)	P	P	20.52 PART 2 (Alcohol Sales)
c. Convenience Stores	CUP	--	20.52 PART 2 (Alcohol Sales)
d. Liquor stores	--	--	
Pawn Shop	CUP	--	
Pet Stores, inclusive of grooming services	CUP	--	
Plant Nursery	--	--	
Recreational Equipment Sales and Rentals	CUP	--	
Retail Sales	P	P	
Retail Carts and Kiosks, Indoor	A	A	
Retail Carts and Kiosks, Outdoor	A	A	20.28.020 E.5. 20.84.260 PART 4 (Temporary Uses)
Secondhand Stores	CUP	--	

TABLE 20.28-1 Permitted and Conditionally Permitted Uses in Mixed-Use Zones	P	Permitted Use	
	CUP	Conditional Use Permit	
	A	Accessory Use	
	--	Not Allowed	
Land Use	CMU	Civic MU	Specific Use Regulations
Swap Meets	CUP	--	
Tobacco Shop	CUP	--	20.52 PART 15 (Tobacco Shops and Smoking Lounges)
Vehicle, Rentals	CUP	--	No on-site storage or parking of vehicles
Vehicle, Sales	CUP	--	No on-site storage of vehicles; display only
Service Uses			
Animal Boarding/Kennels	CUP	--	
Animal Grooming	P	--	
Business Services	P	P	
Equipment rental	CUP	--	
Funeral Homes and Mortuaries	CUP	--	
Laboratory	CUP	--	
Hotel and Motel	CUP	CUP	20.52 PART 9 (Hotels and Motels)
Massage establishments (primary use)	CUP	CUP	20.52 PART 12 (Massage Establishments)
Repair Services, appliance and small equipment	P	--	
Personal Services, convenience and improvement	P	P	
Tattoo Shop	CUP	--	
Vehicle, automobile washing	CUP	--	
Vehicle, major repair	--	--	
Vehicle, minor repair	CUP	--	
Vehicle, service station	CUP	CUP	20.52.PART 14 (Service Stations)
Vehicle, towing/storage	--	--	
Veterinary Services	CUP	CUP	

TABLE 20.28-1 Permitted and Conditionally Permitted Uses in Mixed-Use Zones	P	Permitted Use	
	CUP	Conditional Use Permit	
	A	Accessory Use	
	--	Not Allowed	
Land Use	CMU	Civic MU	Specific Use Regulations
Transportation, Communications, Government, Assembly and Infrastructure			
Antennas and Wireless Communication Facilities	CUP	CUP	20.52 PART 18 (Wireless Facilities)
Assembly/Meeting Facilities, Public or Private	CUP	CUP	
Government and Community Facilities, Public	CUP	P	
Off-Street Parking Facilities (garage and common parking lots)	CUP	P	20.64 (Off-Street Parking)
Places of Religious Assembly	CUP	CUP	
Recharging Stations	P	P	
Stations, bus, railroad, taxicab	CUP	CUP	
Utility Structures and Service Facilities	CUP	CUP	
Other			
Accessory Uses	A	A	20.20.030
Drive-Through Establishments	CUP	-	20.52 PART 7 (Drive-through Establishments)
Donation Boxes	A	A	
Outdoor Storage and Display	C	C	20.28.020 E.5. 20.84.260 PART 4 (Temporary Uses)
Vending Machines	A	A	20.20.030

E. **Limitations on use.** The nonresidential component of a mixed-use project shall be a use allowed within the applicable mixed-use zone, subject to the following additional limitations:

1. **Uses restricted to indoor.** Unless otherwise indicated in this Chapter 20.28, all uses listed in Table 20.28-1 must be conducted wholly within an enclosed building. The following uses or businesses are exceptions to this rule:

- a. Outdoor dining and food service in conjunction with a cafeteria, café, restaurant, or similar establishment.
 - b. Newspaper stalls, subject to standards in 20.20.030.
 - c. Other outdoor sales and display areas as approved pursuant to 20.28 (E)(5).
 - d. Other uses as approved by the Director of Community Development through the Zoning Code interpretation process pursuant to Chapter 20.84 Permit Procedures.
2. **Outdoor storage of materials.** Outdoor storage of materials shall be limited to the accessory storage of goods sold or utilized by the principal use of the lot where permitted by Table 20.28-1. All materials shall be entirely screened from view from public rights-of-way by a minimum six-foot high solid fence or masonry wall.
 3. **Outdoor storage areas.** Any areas developed and/or used for outdoor storage and use shall comply with the most current National Pollutant Discharge Elimination System (NPDES) Permits Implementation of Best Management Practices (BMP) and maintenance of those BMPs.
 4. **Outdoor sale and display location.**
 - a. Outdoor sale and displays on a permanent basis are permitted with the issuance of a Conditional Use Permit.
 - b. Temporary outdoor sales and display are permitted with a Temporary Use Permit pursuant to Chapter 20.84 PART 4 CMC, including temporary sales and displays on public sidewalks.
 - c. The outdoor display and/or sale area(s), where permitted, shall be located entirely on private property, except as provided in Chapter 20.84 PART 4. Outdoor display and merchandise shall occupy a fixed, specifically approved, and defined location that does not disrupt the normal function of the site or its circulation, and does not encroach upon driveways, landscaped areas, parking spaces, area(s) required for ingress and egress to the parking area(s), or ADA and pedestrian walkways. Outdoor displays shall not obstruct traffic safety sight areas or otherwise create hazards for pedestrian or vehicle traffic.
 - d. The outdoor display and sale of merchandise shall only be allowed during the business's permitted regular hours of operation. All evidence of outdoor display and sale must be removed at close of the business's permitted regular hours of operation.
 5. **Storage of construction materials.** The storage of materials used in the construction of a building or building project during the construction and 30 days

prior to and thereafter, including the contractor's temporary office, provided any lot or parcel of land so used shall be a part of the building project or on property adjoining the construction site.

6. **Prohibited uses.** The following uses and activities shall not be permitted within any mixed-use development:
 - a. Vehicle maintenance or repair (e.g., body or mechanical work, including boats and recreational vehicles), vehicle detailing and painting, upholstery, or any similar use (Civic Mixed-Use Zone only).
 - b. Manufacturing or industrial activities, including but not limited to welding, machining, or any open flame work.
 - c. Any other activity or use, as determined by the Director of Community Development, that is not compatible with residential activities and/or that has the possibility of affecting the health or safety of live/work unit residents due to the potential for the use to create dust, glare, heat, noise, noxious gases, odor, smoke, traffic, vibration or other impacts, or that would be hazardous because of materials, processes, products, or wastes.
7. **Vehicle service uses (Commercial Mixed-Use Zone only)**
 - a. **Automobile service use restrictions.** Vehicle repair shall be permitted only as an accessory use to automobile retail sales uses. All vehicle repair, restoration, and storage areas and operations shall occur within an enclosed building. Used or damaged equipment removed from vehicles during the repair process shall be stored indoors or shall be deposited in an approved covered outdoor collection receptacle for appropriate off-site disposal. Outdoor storage and work areas are prohibited.
 - b. **Automobile service bay screening and location.** Service bays for vehicle repair, restoration, and storage shall be screened from direct view from a public right-of-way and private properties.
8. **Mixed-use occupancy required.** After approval, a mixed-use building shall not be converted to entirely residential or entirely non-residential use.

§20.28.030 – Development Standards

- A. **General.** Table 20.28-2 identifies the development standards applicable to all development in the mixed-use zones. Certain development standards may be subject to special conditions. These standards are provided here or where otherwise referenced.

TABLE 20.28-2 Development Standards for Mixed-Use Zones			
Development Standards	CMU	CivicMU	Specific Regulations
Lot Area – Minimum	6,000 sf	6,000 sf	
Lot Width – Minimum	60 ft.	60 ft.	
Front Yard and Side Street Setback – Minimum	0 ft.	0 ft.	(a) 20.56.050 Projections (b) Ground-floor residential uses shall have a minimum front yard depth of 10 ft.
Side Yard Setback – Minimum	0 – 10 ft.	0-10 ft.	(a) 20.56.050 Projections (b) Ground-floor residential uses shall have a minimum side yard of 10 ft.
Rear Yard Setback – Minimum	0 – 10 ft.	0-10 ft.	(a) 20.56.050 Projections (b) Ground-floor residential uses shall have a minimum rear yard of 10 ft.
Setbacks adjacent to residential zones	10 ft.	10 ft.	20.28.040 (D)
Common Open Space Area – Minimum	280 sf per unit		Required for residential uses and residential component of mixed-use. 20.28.060
Private Open Space Area – Minimum	200 sf		Required for residential uses and residential component of mixed-use. 20.28.060
Floor-Area Ratio – Maximum for Commercial Only Development	0.75	1.25	
Floor-Area Ratio – Maximum for Mixed-use Development	1.0	1.5	
Residential Density – Maximum for Mixed-use Development	40 du/ac	40 du/ac	
Residential Density – Maximum for Residential Only	30 du/ac	30 du/ac	
Residential Density – Minimum for Residential Only	20 du/ac	20 du/ac	
Building Height – Number of Stories for Mixed Use Development	4 + 2	4 + 1	20.28.040 (A) 20.56.060
Building Height – Number of Stories for Commercial Only	4	4 + 1	20.28.040 (A) 20.56.060
Building Height – Number of Stories for Residential Only	3	4 + 1	20.28.040 (A) 20.56.060
Dwelling Unit Floor Areas – Minimum:			

TABLE 20.28-2 Development Standards for Mixed-Use Zones			
Development Standards	CMU	CivicMU	Specific Regulations
• Efficiency	500 sf	500 sf	
• One Bedroom	700 sf	700 sf	
• Two Bedrooms	900 sf	900 sf	
• Three Bedrooms	1,100 sf	1,100 sf	
• Each Additional Bedroom	200 sf	200 sf	

§20.28.040 – Special Requirements for New Development; Development Agreement Required

- A. **Purpose.** The purpose of these requirements is for the City to have the capability to shape how new development will contribute positively to the City as a whole, and to ensure that new development will be integrated and comprehensively planned while creating special places that enhance the quality of life.
- B. **New development defined.** New development shall mean any new commercial, mixed-use, or residential development project on vacant land, on land where existing structures are demolished, or major expansions of existing buildings. Major expansion shall mean an expansion that increases the floor area of existing buildings over 25 percent.
- C. **Standards.**
1. All new development shall be located on a site, including consolidation of several properties, with a minimum size of one acre.
 2. All new development shall comply with the development standards found in Table 20.28-1 and elsewhere in this chapter, including the maximum intensity (Floor-Area Ratio) and density limitations.
 3. The additional height provisions in Table 20.28-1 indicated by a plus (+) symbol may be incorporated into a new development project.
- D. **Development Agreement required.** A Development Agreement shall be required for all new development described in subsection (B), and shall be in addition to other permit requirements pursuant to Chapter 20.84 CMC. The provisions for application procedures, content, periodic review and amendments found Chapter 20.84 PART 9 CMC shall apply. In addition to the required and optional contents found in Section 20.84.710, the Development Agreement required pursuant to this section shall include public benefits, including but not limited to:
1. Monetary contribution to the City for community amenities.

2. On-site improvements over and above base requirements that contribute to the community, such as affordable housing, community facilities, innovative use of infrastructure and renewable resources, and public art.
3. Off-site improvements, such as pedestrian and bicycle connections, or off-site public art or community facilities.

E. **Exceptions.** A Development Agreement shall not be required for:

1. Residential projects where streamlined processing is required pursuant to Government Code Section 65913.4.
2. A project that includes remodeling of existing building floor area, or minor expansions that increase the floor area 25 percent or less.
3. Any site that is included in the Site Inventory found in Chapter 4 of the Housing Element.
4. Any development that is exclusively for public buildings operated by a public entity.

F. **Waivers.** The City Council may waive the requirement for a Development Agreement if it finds that the City would not benefit from a Development Agreement.

§20.28.050 – Building Standards: Height, Facades, Articulation, Setbacks

- A. **Additional height.** For projects that do not require a Development Agreement pursuant to Section 20.28.040, building height standards in Table 20.28-2, when indicated by a plus (+) symbol, provide for additional stories to be permitted with the provision of community benefit and with City Council approval. Such benefits may include, but are not limited to:
1. Incorporation of affordable, workforce, or low income housing.
 2. Incorporation of public or community facilities.
 3. Innovative use of shared parking and transportation demand management measures.
 4. Efficient and innovative use of infrastructure and renewable resources.
 5. Public art.
- B. **Building orientation and entrances.** Street-facing primary entrances for nonresidential uses shall be unlocked and accessible to the public during business hours. Residential and nonresidential entries shall be clearly defined features of front façades, and of a scale that is in proportion to the size of the building and number of units being accessed. Larger buildings shall have a more prominent building entrance, while maintaining a pedestrian scale.

- C. **Building transparency/windows and openings facing streets.** Placement and orientation of doorways, windows, and landscape elements shall create strong, direct relationships with the street. Street-facing façades of all buildings shall incorporate windows and openings providing light to adjacent spaces, rooms, and uses.
1. **Commercial ground-floor uses.** Windows and openings facing streets shall constitute a minimum of 50 percent of street-facing building faces. Windows shall provide a clear and transparent view into ground floor-uses or shall display merchandise for view from the outside to reinforce a pedestrian scale.
 2. **Commercial upper-floor uses.** Windows and openings facing streets shall constitute a minimum of 40 percent of street-facing building faces.
 3. **Residential ground-floor uses.** Windows and openings facing streets shall constitute a minimum of 30 percent of street-facing building faces.
 4. **Residential upper-floor uses.** Windows and openings facing streets shall constitute a minimum of 20 percent of street-facing building faces.
- D. **Shared property lines with residentially zoned lots.**
1. Wherever a mixed-use zoned development shares a property line with a residentially zoned lot, a minimum 10-foot wide side yard or rear yard shall be maintained.
 2. Whenever a mixed-use zoned development shares a side or rear property line with a residentially zoned lot, a minimum six-foot high solid masonry wall shall be provided along or adjacent to all such side and rear lot lines pursuant to Section 20.20.030 (A). The wall shall conform to the height regulations applicable to front yard areas of the residentially zoned lot having the common lot line. A landscape buffer shall also be provided along the shared lot lines.
- E. **Blank walls.** No street frontage wall may run in a continuous plane for more than 20 feet without an opening. Openings fulfilling this requirement shall have transparent glazing and provide views into work areas, display areas, sales areas, lobbies, or similar active spaces, or into window displays that are at least three feet deep. Exceptions are subject to approval as part of the Development Permit review procedures.
- F. **Corner features.** At important intersections, buildings shall incorporate prominent special features to reinforce the intersection. Corner entrances, bay windows, and towers are examples of elements that may be considered to emphasize corner locations.
- G. **Integration and standards for nonresidential uses in vertical or multi-story mixed-use buildings.**
1. Nonresidential uses shall be located on the ground floor along street frontages and shall have a minimum depth of 18 feet. Depth requirements for nonresidential uses located

- on a secondary street may be approved as part of the Development Permit review procedures.
2. On corner parcels, the nonresidential space shall turn (wrap around) the corner for a distance of at least 50 percent of the building façade, but not less than 30 feet along secondary/side streets. The termination of use shall occur at an architectural break in the building.

H. **Outdoor dining encroachment.** Chairs and tables for outdoor dining and carts for merchant display may be permitted in the public right-of-way (i.e., in sidewalk areas), provided that the use maintains a minimum six-foot wide unobstructed portion of sidewalk corridor adjacent to the building which is clear and unimpeded for pedestrian traffic, and the use keeps the full width of the building entrance clear and unimpeded for building access. Outdoor furniture, including but not limited to, chairs, tables, umbrellas, heat lamps, windscreens, bus stops, partitions, and planters, shall not be permanently fixed into the public right-of-way (i.e., sidewalk areas) without prior approvals from the City of Cudahy, such as a revocable encroachment permit issued by the City Engineer and/or the City Council.

§20.28.060 – Access and Parking

- A. **New streets.** Sites in excess of one acre shall be designed to provide block and street patterns consistent with the adjacent properties and/or surrounding contextual environment. New streets shall establish a pedestrian-friendly interconnected street network, with no block face exceeding 400 feet in length.
- B. **Pedestrian access.** Pedestrian access from the public right-of-way shall be incorporated into all development within the mixed-use zones. The design of new projects shall promote walkability and connectivity to include design and orientation standards such as:
 1. A system of pedestrian walkways shall connect all buildings on a site to each other, to on-site automobile and bicycle parking areas, and to any on-site open space areas and pedestrian amenities.
 2. Lighting shall be incorporated along sidewalks or other pedestrian walkways to enhance the pedestrian environment and provide for public safety. Lighting shall be low mounted and downward casting in a manner that reduces light trespass onto adjacent properties.
 3. Connections between on-site walkways and the public sidewalk shall be provided. An on-site walkway shall connect the primary building entry or entries to a public sidewalk on each street frontage. Such walkway shall be the shortest practical distance between the primary entry and sidewalk, generally no more than 125 percent of the straight-line distance.

C. Vehicle parking.

1. Surface parking shall be located on the interior side or rear of the site to the greatest extent practicable. Surface parking between the sidewalk and buildings shall be prohibited.
2. Any parking structure with at least one floor of parking at grade or above, and which contains primary property frontage along a primary street, shall incorporate wrapped retail businesses with shopping windows viewable from the sidewalk along the ground floor, or two or more of the following features:
 - a. Display or shopping windows;
 - b. Landscape material (e.g., foundation plantings, vertical trellis with vines, planter boxes with cascading landscape material) that results in the parking structure being adequately screened from adjoining parcels;
 - c. Architectural detailing and articulation that provides texture on the façade or structure openings and effectively integrates the parking structure into the basic building design; and/or
 - d. Artwork such as sculptures, murals, and mosaics.

D. Bicycle parking. Bicycle parking shall be provided for new development consistent with this section.

1. **Residential bicycle parking.** Secure bicycle parking facilities shall be provided for residential units consistent with CalGreen Building Code Standards. Acceptable parking facilities shall be located convenient to the street and must include:
 - a. Covered, lockable enclosures with permanently anchored racks for bicycles,
 - b. Lockable bicycle rooms with permanently anchored racks.
 - c. Lockable, permanently anchored bicycle lockers.
2. **Commercial bicycle parking (tenant).** For buildings with over 10 tenant-occupants, secure bicycle parking shall be provided consistent with CalGreen Building Code Standards, with a minimum of one space. Acceptable parking facilities shall be located convenient to the street and must include one or more of the following:
 - a. Covered, lockable enclosures with permanently anchored racks for bicycles; and/or
 - b. Lockable bicycle rooms with permanently anchored racks; and/or
 - c. Lockable, permanently anchored bicycle racks.
3. **Commercial bicycle parking (visitor).** If the project is anticipated to generate visitor traffic, permanently anchored bicycle racks shall be provided within 100 feet of the primary entrance. Such parking shall be readily visible to passers-by. Bicycle parking shall be provided consistent with CalGreen Building Code Standards, with a minimum of one two-bike capacity rack.

- E. **Driveway abutting a building wall facing side or rear yard.** Wherever a permitted driveway abuts a wall of a building facing a side or rear yard area, that portion of the wall shall be located at least 20 feet from the lot line.
- F. **Entrances.** When nonresidential and residential uses are located in the same building, separate pedestrian entrances shall be provided for each use. The entrances for nonresidential uses shall be designed to be visually distinct from the entrances for residential uses.

§20.28.070 – Open Space and Landscaping

Open space provides recreational opportunities and public and private gathering areas, allows sunlight to enter into living spaces, and provides a spacious and inviting feel. The minimum required open space areas for residential uses, as listed in Table 20.16-2 shall be maintained pursuant to these regulations.

- A. **Residential open space.** The open space regulations in 20.16.050 (B), Open Space for MDR and HDR zones, shall apply to required residential open space areas in all mixed-use development, except as provided elsewhere in this section.
- B. **Open space/public plazas in Civic Mixed-Use Zone.** Site planning for sites within the Civic Mixed-Use Zone shall integrate the street pedestrian environment through the use of courtyards, plazas, street furniture, and walkways. Public and private walkways, passages, paseos, and related facilities shall be provided.
 - 1. **Seating options.** Pedestrian spaces shall provide a variety of seating options, areas of sun and shade for year-round climatic comfort, shelter, and night lighting to encourage public activity and to provide for safety.
 - 2. **Visibility from public street.** Pedestrian spaces shall be visible from public streets and sidewalks, as determined by the responsible review authority.
 - 3. **Lighting.** Lighting shall be incorporated into plazas, paseos, courtyards, and other common open areas to enhance the pedestrian environment and provide for public safety. Lighting shall be low mounted and downward casting so as to reduce light trespass onto adjacent properties.
- C. **Pervious area and open space.** Pervious areas set aside as usable open space may also serve as areas for infiltration of stormwater runoff, subject to review and approval by the City Engineer. Use of open space areas for stormwater control shall be incorporated into plans to comply with the provisions of Chapter 20.68 (Low Impact Development Measures) that may be amended from time to time.

- D. **Mixed-use open space share.** Mixed-use buildings shall be arranged to create opportunities for open space for the residential uses. In general, open space areas for residential uses shall be separated from nonresidential uses on the site. However, the sharing of open space may be permitted as part of the Development Review permit procedures when it is clear that the open space will provide direct benefit to residents of the project and subject to the following limitations:
1. **Horizontal mixed-use share.** Up to 30 percent of the required open space for residential uses in a horizontal mixed-use project may be provided within the nonresidential component of the project.
 2. **Vertical mixed-use share.** Up to 50 percent of the required open space for residential uses in a vertical mixed-use project may be provided within the nonresidential component of the project.

§20.28.080 - Additional Development Standards for Mixed-Use Development

This section provides additional development standards for mixed-use developments. The primary intent of these standards and criteria is to balance the needs of nonresidential uses for access, visibility, parking, loading, safety, and economic development with the needs of residential uses for privacy, security, and relative quiet.

- A. **Loading and unloading activities of mixed-use developments.** Where applicable, the covenants, conditions, and restrictions of a mixed-use development shall indicate the times when the loading and unloading of goods may occur on the street, provided that, in no event, shall loading or unloading take place after 10:00 P.M. or before 7:00 A.M. on any day of the week.
- B. **Lighting standards for mixed-use developments.** Lighting for nonresidential uses shall be appropriately designed, located, and shielded to ensure that it does not negatively impact the residential uses in the development nor any adjacent residential uses.
- C. **Recycling and refuse storage facilities standards for mixed-use developments.** Recycling and refuse storage facilities for nonresidential uses shall be located as far as possible from residential units and shall be completely screened from view from the residential portion of the development. Recycling and refuse storage facilities for nonresidential uses shall be compatible in architectural design and details with the overall project. The location and design of trash enclosures shall mitigate nuisances from odors. Trash areas for food service and sales uses, when occupying the same building as residential uses, shall be refrigerated to control odor. The number of facilities and other development standards are found in Section 20.56.080.
- D. **Screening of mechanical equipment and service areas.**
1. **Service areas.** Service areas and related materials, equipment, supplies, etc. shall be screened from view from adjacent properties and streets. Loading docks, service bays,

- and mechanical facilities shall be internal to buildings, with bay doors that can be closed when facilities are not in use. If such areas and/or facilities must be located outside of the building, they shall be contained within attractively designed exterior enclosures. Exterior enclosures shall reflect the architectural form and materials of principal buildings and enhanced with landscape materials appropriate for the location.
2. **Mechanical equipment.** Mechanical equipment shall be designed into the building, screened, and baffled as outlined in this subsection. Mechanical equipment may include, but is not limited to, HVAC systems, generators, vents, fire-risers, utility connections and panel boxes, transformers, antennas, cables, and/or satellite dishes, alarm boxes, electrical connections to signs and lighting fixtures, and lighting.
- a. **Screening.** All mechanical and air conditioning equipment shall be shielded and screened from view from adjacent streets and properties. The screening shall be integrated architecturally with the building.
- i. **Ground-mounted equipment.** Ground-mounted equipment screening shall consist of a solid wall, solid fence, or sufficient landscaping, and site layout dependent on the site, land use, and zoning district. Otherwise, such equipment shall be enclosed in a building. Transformers between a building and the street shall be underground.
- ii. **Roof-mounted equipment.** Appropriate building massing, as well as roof screens and/or parapet walls designed to incorporate the architectural style of the building, shall form a complete screen of all roof-top equipment. Roof-mounted equipment shall be set back from building roof edge to minimize view of equipment from adjacent streets and properties.
- iii. **Façade installed equipment.** Equipment installed on the façade visible from the public right-of-way shall be minimized in visual prominence, incorporated inside the building wall, or located out of public view. Exposed electrical conduit is not permitted and shall be run inside building walls. If pre-existing, exposed conduit shall be concealed and at minimum painted to match the building.
- b. **Baffling.** All mechanical equipment shall be baffled to reduce sound to levels consistent with Chapter 24 (Noise Regulations) of the Municipal Code.
- c. **Location.** Mechanical equipment shall not be located in required yard setback areas.
- E. **Residential noise notice.** Residents of new mixed-use development projects in the mixed-use zones, whether owners or tenants, shall be notified in writing before taking up residence that they will be living in an urban-type environment and that the noise levels may be higher than in a strictly residential area. The covenants, conditions, and restrictions of a residential or mixed-use project shall require that prospective residents acknowledge the

receipt of the written noise notification. Signatures shall confirm receipt and understanding of this information.

§ 20.28.090 – Other Applicable Regulations

In addition to the requirements contained in this chapter regulations contained in the following chapters may apply to development in these zones:

Chapter 20.52	Standards for Specific Land Uses and Activities
Chapter 20.56	General Development Standards
Chapter 20.60	Performance Standards
Chapter 20.64	Off-Street Parking and Loading
Chapter 20.68	Low Impact Development Measures
Chapter 20.72	Sign Regulations
Chapter 20.80	Nonconforming Buildings, Structures, and Uses
Chapter 20.84	Permit Procedures

CHAPTER 20.32 – OVERLAY ZONES

Section	Contents:
PART 1	Riverfront Overlay Zone
§20.32.010	Intent and Purpose
§20.32.020	Applicability
§20.32.030	Development Standards
PART 2	Urban Agriculture Overlay Zone
§20.32.040	Intent and Purpose
§20.32.050	Applicability
§20.32.060	Prohibitions
§20.32.070	Particular Restrictions for Atlantic Avenue
§20.32.080	Urban Agriculture
§20.32.090	Prohibition on New Schools, Day Care Centers, and Youth Centers
§20.32.100	Temporary Permits for Local Events – Rights Reserved
§20.32.110	Development Standards

PART 1 Riverfront Overlay Zone (-R)

§20.32.010 - Intent and Purpose

Regional planning efforts look to transform the 51-mile stretch of the Los Angeles River by restoring some of its natural functions for groundwater recharge and habitat. The City wishes to capitalize on its adjacency to the river and opportunities for riverfront development. If regional or subregional plans lead to the envisioned river transformation, the Riverfront Overlay Zone allows for high-density residential and introduction of mixed-use commercial development along the river's edge. Implementation of this overlay is contingent upon validation of a strong market need for those development types along the river. The creation of this Overlay Zone is intended as a holding zone dependent on pending plans for riverfront transformation. The intent is that the Riverfront Overlay Zone be applied in a comprehensive fashion.

§20.32.020 - Applicability

The Riverfront Overlay Zone shall be applied in the same manner as property is reclassified from one zone classification to another, as set forth in Chapter 20.84 CMC. When a Riverfront Overlay Zone is created, it shall be designated upon the zoning map of the City as an –R Zone.

§20.32.030 - Development Standards

Development standards for the Riverfront Overlay Zone are intended to be flexible. Any application shall set forth the intended uses and development plan and shall demonstrate that the

plans conform to the intent and purpose of the zone. Prior to implementation of the Riverfront Overlay Zone, the City will determine if increased development potential can be adequately served by the mobility system and supportive infrastructure.

PART 2 Urban Agriculture Overlay Zone (-UA)

§20.32.040 - Intent and Purpose

It is the purpose and intent of the City to regulate cannabis in a manner that is consistent with state statutes and that promotes the health, safety, and general welfare of the residents and businesses within the community, while limiting any negative impacts. It is also the intent of the City to encourage urban agriculture within the community. The Urban Agriculture Overlay Zone is established for this purpose.

§20.32.050 - Applicability

Commercial cannabis activities, except retail dispensaries that are open to the public for point-of-sale purchases, shall be allowed within the Urban Agriculture Overlay Zone pursuant to a development agreement adopted in accordance with the Development Agreement Law (Gov. Code, § 65864 et seq.) and Chapter 20.84 PART 9 CMC. No such activities shall be permitted without a development agreement within or outside of the boundaries of the Urban Agriculture Overlay Zone. The City may approve or deny a development agreement in its sole discretion. In addition to the requirements in this chapter, all activities shall comply with Chapter 5.20 of the Municipal Code.

§20.32.060 - Prohibitions

Adult-use commercial cannabis activities and medicinal commercial cannabis activities, as both are described in state law, including but not limited to the Medicinal and Adult Use Cannabis Regulation and Safety Act, are hereby prohibited unless otherwise allowed in this section.

§20.32.070 - Particular Restrictions for Atlantic Avenue

No cannabis-related business shall be located within the Urban Agriculture Overlay Zone as shown on the zoning map nor on any property fronting Atlantic Avenue with a storefront facing Atlantic Avenue unless such cannabis business employs and effectuates a business model with a primary entertainment purpose.

§20.32.080 - Urban Agriculture

Urban agriculture, excluding cannabis horticulture, shall be permitted by-right within the Urban Agriculture Overlay Zone. Any outdoor urban agriculture (other than commercial cannabis) shall be subject to the operating standards in Chapter 20.52 PART 17 (Urban Agriculture).

§20.32.090 - Prohibition on New Schools, Day Care Centers, and Youth Centers

- A. **Within the Urban Agriculture Overlay Zone.** The establishment of public or private schools or tutoring centers providing instruction in kindergarten or any grades 1 through 12 unless otherwise mandated under state or federal law, day care center, or youth center is prohibited within the Urban Agriculture Overlay Zone, or within 600 feet of the boundaries of the Urban Agriculture Overlay Zone, unless otherwise mandated under state or federal law. An existing public or private school or tutoring center providing instruction in kindergarten or any grades 1 through 12, day care center, or youth center located within the Urban Agriculture Overlay Zone, or within 600 feet of the boundaries of the Urban Agriculture Overlay Zone shall be considered legal nonconforming, in accordance with Chapter 20.80 (Legal Nonconforming).
- B. **In adjacent zones.** The following restrictions apply to the following uses in all zones pursuant to Tables 20.16-1, 20.20-1, and 20.28-1:
1. **Schools, public and private, or tutoring centers, in residential zones.** Schools, public and private, or tutoring centers providing instruction in kindergarten or any grades 1 through 12 unless otherwise mandated under state or federal law, are prohibited if located within 600 feet of a residential zone located within the Urban Agriculture Overlay Zone as shown on the zoning map, unless otherwise mandated under state or federal law.
 2. **Day care centers.** Day care centers and family day care homes occupying any portion of the Civic Mixed-Use Zone or any residential zone are prohibited if located within 600 feet of the Urban Agriculture Overlay Zone as shown on the zoning map, unless otherwise mandated under state or federal law.
 3. **Schools, business and professional in mixed-use zones.** Schools which provide instruction in kindergarten or any grades 1 through 12 that occupy any portion the Civic Mixed-Use Zone are prohibited if located within 600 feet of the Urban Agriculture Overlay Zone as shown on the zoning map, unless otherwise mandated under state or federal law.

§20.32.100 - Temporary Permits for Local Events – Rights Reserved

The City reserves the right to issue temporary permits for onsite cannabis sales to, and consumption by, persons 21 years of age or older at a county fair, district agricultural association event, or other similar event authorized under state law, which is located within the Urban Agriculture Overlay Zone, pursuant to the provisions of Subdivision (e) of Business and Professions Code Section 26200.

§20.32.110 –Development Standards

- A. **Purpose.** These provisions are established to ensure all commercial cannabis facilities meet the City’s design and landscape standards; policies, goals and programs of the general plan; and the City’s economic development activities, including community beautification, parking reduction and street improvement efforts. All commercial cannabis development shall comply with the following development standards.
- B. **Landscaping Standards.**
1. All new commercial cannabis development must include landscaping using drought-tolerant, California-native trees, shrubs and succulents or other approved plants, and in compliance with Chapter 20.68 CMC (Low Impact Development Measures).
 2. Landscaping may include surface planters, aboveground planters, building side planters, rooftop gardens, and other innovative planting solutions approved by the City as part of the review of the Commercial Cannabis Permit and Development Agreement.
 3. A five-foot wide landscape planter may be required at the front of new and existing buildings. Exceptions may be made for existing buildings with no existing front yard setback.
 4. New development and new parking lots shall, at a minimum, comply with parking lot landscaping standards in Section 20.64.070 and any additional requirements for the Entertainment Zone pursuant to Section 20.20.030.
 5. A landscaping plan, designed by a licensed landscape architect or arborist, or other City-approved landscape professional, shall be submitted in conjunction with the application for a Commercial Cannabis Permit and Development Agreement.
- C. **Parking Standards.** See Table 20.64-1 for vehicle parking and Section 20.64.090 for bicycle parking.
- D. **Façade improvements.** All new commercial cannabis permit applications must include a Façade Improvement Plan for City approval. The plan must include fencing, security walls or other screening plan; new paint, siding or other building improvement materials, in a color scheme approved by the City; new paving (as needed), parking striping, or other site improvements, as determined by the City as part of the Commercial Cannabis Permit/Development Agreement review and in compliance with Section 20.56.070 (General Architectural Standards).
- E. **Fencing.**
1. **Security screening.** Security screening (fencing, walls, or other screening features) must be provided along the front perimeter of all Commercial Cannabis facilities. Fencing may be constructed between 8 feet and 10 feet in height along the front

property line setback and up to 15 feet in height in the rear or side yard, at the discretion of the City.

2. **Fence and wall materials:** Allowed materials for fences and walls include, but are not limited to, decorative and reinforced metals, wrought iron, concrete and block. Alternative materials may be allowed with City approval. Chain-link and razor wire are strictly prohibited.



Figure 20.32-1
8-foot security wall with vehicular access

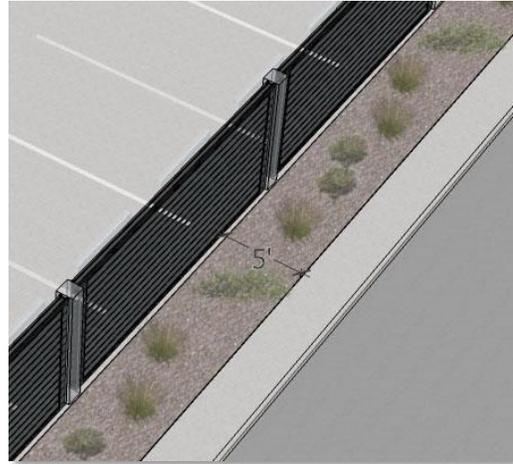


Figure 20.32-2
Typical 8-foot security wall with 5-foot setback

CHAPTER 20.52 – STANDARDS FOR SPECIFIC LAND USES AND ACTIVITIES

Section	Contents:
PART 1	Adult-Oriented Businesses; Sexually-Oriented Businesses
PART 2	Alcohol Sales
PART 3	Amusement Arcades or Cyber Cafes/Computer Labs
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PART 1 Adult-Oriented Businesses; Sexually-Oriented Businesses

§20.52.010 - Purpose

The purpose of this section is to prevent community-wide adverse secondary effects that can be brought about by: (1) the concentration of sexually oriented businesses; (2) the close proximity of sexually oriented businesses to incompatible uses such as schools for minors, religious institutions, parks, and residential uses; and (3) the unregulated operation of sexually oriented businesses. These adverse secondary effects include, but are not limited to: depreciation of property values; increased vacancy rates in residential and commercial areas; increased criminal activity; increased litter, noise, and vandalism; and interference with the enjoyment of residential property in the vicinity of such businesses. These regulations apply to adult-oriented businesses as defined in Chapter 20.88 CMC (Definitions).

§20.52.020 - Permit Requirements

A. Sexually oriented business operator permit.

1. **Permit required.** It is unlawful for any person to operate, engage in, conduct or carry on any sexually oriented business unless the owner of such business first obtains from the Director of Community Development, and continues to maintain in full force and effect, a sexually oriented business operator permit for such business.
2. **Persons Eligible.** The owner of a proposed sexually oriented business shall be the only person eligible to obtain a sexually oriented business operator permit for such business. The owner shall not be eligible to obtain a sexually oriented business operator permit unless the owner is at least 18 years of age.
3. **Application Requirements.** The following shall be submitted to the Director of Community Development at the time of application for a sexually oriented business operator permit:
 - a. A completed application form signed by (i) the applicant; and (ii) either the record owner of the property or the lessor of the premises (if the business premises are leased to the applicant business) where the sexually oriented business is to be conducted.
 - b. The applicant's fingerprints on a form provided by the Los Angeles Sheriff's Department, and two color photographs, taken within six months prior to the date of the application, clearly showing the applicant's face. Any fees for the photographs and fingerprints shall be paid by the applicant.
 - c. A letter of justification that describes the proposed sexually oriented business and how it will satisfy the requirements of this section.
 - d. A site plan designating the building and/or unit proposed for the sexually oriented business. The site plan shall include a dimensional interior floor plan that depicts how the business will comply with the requirements of this section. The site plan shall also include a diagram of the off-street parking areas required by Chapter 20.64 CMC.
 - e. The names of all known owners, employees, independent contractors, and other persons who will perform at the sexually oriented business and who are required by this section to obtain a sexually oriented business entertainer permit.
 - f. A statement signed by the applicant certifying under penalty of perjury that all of the information submitted in connection with the application is true and correct.
 - g. A nonrefundable application fee in an amount set by resolution of the City Council.
4. If the Director of Community Development determines that the applicant has completed the application improperly, the Director shall promptly notify the applicant of such fact and shall return the application unprocessed. On request of the applicant, the Director shall grant the applicant an extension of time of 10 days to complete the

- application properly. The time period for granting or denying the requested permit shall be stayed during the period in which the applicant is granted an extension of time.
- B. Approval or denial of permit.** The Director of Community Development shall, within 20 City business days of the filing of a complete application, approve and issue the sexually oriented business operator permit if the requirements of this section have been met; otherwise the permit shall be denied. Notice of the approval or denial of the permit shall be given to the applicant in writing by first class mail, postage prepaid, deposited in the course of transmission with the United States Postal Service within three City business days of the date of such decision. If the application is denied, the Director shall attach to the notice a statement of the reasons for the denial. The times set forth in this section shall not be extended except upon the written consent of the applicant. Any interested person may appeal the decision of the Director to the hearing officer in accordance with Section 20.84.160.
- C. Nontransferable.**
1. No person shall operate a sexually oriented business under the authority of a sexually oriented business operator permit at any place other than the address of the sexually oriented business stated in the application for the permit.
 2. No sexually oriented business operator permit issued pursuant to this section shall be transferable.
 3. Any attempt to transfer a sexually oriented business operator permit is hereby declared invalid and the permit shall automatically become void effective the date of such attempted transfer.
- D. Gross receipts records.** The owner of a sexually oriented business shall maintain complete records that can be segregated with regard to all transactions involving products, merchandise, services, or entertainment that are characterized by an emphasis on specified sexual activities or the exposure of specified anatomical areas. Such records shall be sufficient to establish the percentage of gross receipts of the business that is derived from such transactions. Such records shall be maintained for at least three years after the end of the calendar year for which the records were created.
- E. Register and permit number of entertainers.**
1. **Maintenance.** Every owner of a sexually oriented cabaret and every owner of a sexually oriented theater shall maintain on the premises of such business a register of all entertainers who perform at the business. Such register shall list each entertainer's legal name, stage name(s), and sexually oriented business entertainer permit number.
 2. **Annual Filing.** Every owner of a sexually oriented cabaret and every owner of a sexually oriented theater shall annually file with the Director of Community Development a copy of the register of entertainers who perform at the business. Such

- filing shall be accompanied by a statement, signed by the owner, that all of the information in the register is true and correct.
- F. **Employment of persons without permits.** No permittee, owner, operator, or other person in charge of a sexually oriented business shall allow any person to perform at the business unless such person is in possession of a valid sexually oriented business entertainer permit.
- G. **Display of permit.** Every sexually oriented business shall display at all times during business hours the permit issued pursuant to the provisions of this section for such business. The permit shall be displayed in a conspicuous place so that it may be readily seen by all persons entering the sexually oriented business.
- H. **Inspections.** The owner, operator, or other person in charge of a sexually oriented business shall allow City officers and their authorized representatives to conduct unscheduled inspections of the premises of the sexually oriented business for the purpose of ensuring compliance with the law at any time the sexually oriented business is open for business or is occupied.
- I. **Conditions.** The requirements of this section shall be deemed conditions of sexually oriented business operator permit approvals. Failure to comply with every such requirement shall be grounds for suspension or revocation of a sexually oriented business operator permit.
- J. **Sexually oriented business entertainer permit**
1. **Permit Required.** It is unlawful for any person to perform at a sexually oriented business unless such person first obtains from the Director of Community Development, and continues to maintain in full force and effect, a sexually oriented business entertainer permit.
 2. **Persons Eligible.** No person less than 18 years of age shall be eligible for a sexually oriented business entertainer permit.
 3. **Application Requirements.** The following shall be submitted to the Director of Community Development at the time of application for a sexually oriented business entertainer permit:
 - a. A completed application form signed by: (a) the applicant; and (b) the owner of the sexually oriented business in which the applicant intends to perform.
 - b. The applicant's legal name and any other names (including stage names and aliases) used by the applicant.
 - c. Age, date, and place of birth.
 - d. Height, weight, hair, and eye color.

- e. Present residence address and telephone number.
 - f. Whether the applicant has ever been convicted of:
 - i. Any of the offenses set forth in Sections 315, 316, 266a, 266b, 266c, 266e, 266g, 266h, 266i, 647(a), 647(b), and 647(d) of the California Penal Code as those sections now exist or may hereafter be amended or renumbered.
 - ii. The equivalent of any of the aforesaid offenses if committed outside the state of California.
 - g. Whether such person is or has ever been licensed or registered as a prostitute, or otherwise authorized by the laws of any other jurisdiction to engage in prostitution in such other jurisdiction. If any person mentioned in this section has ever been licensed or registered as a prostitute, or otherwise authorized by the laws of any other state to engage in prostitution, a statement shall be submitted giving the place of such registration, licensing or legal authorization, and the inclusive dates during which such person was so licensed, registered, or authorized to engage in prostitution.
 - h. State driver's license or identification number.
 - i. Satisfactory written evidence that the applicant is at least 18 years of age.
 - j. The applicant's fingerprints on a form provided by the Los Angeles Sheriff's Department, and two color photographs, taken within six months prior to the date of the application, clearly showing the applicant's face. Any fees for the photographs and fingerprints shall be paid by the applicant.
 - k. A nonrefundable application fee in an amount set by resolution of the City Council.
4. If the Director of Community Development determines that the applicant has completed the application improperly, the Director shall promptly notify the applicant of such fact and shall return the application unprocessed. On request of the applicant, the Director shall grant the applicant an extension of time of 10 days to complete the application properly. The time period for granting or denying the requested permit shall be stayed during the period in which the applicant is granted an extension of time.

K. Grounds for denial.

- 1. The applicant has knowingly made any false, misleading, or fraudulent statement of material fact in the application or in any report or document required to be filed with the application.
- 2. The applicant is under 18 years of age.

3. The sexually oriented business entertainer permit is to be used for performing in a business prohibited by state or City law.

L. Approval or denial of permit. The Director of Community Development shall, within four City business days of the filing of a complete application, approve and issue the sexually oriented business entertainer permit if there are no grounds for denial; otherwise, the permit shall be denied. Notice of the approval or denial of the permit shall be given to the applicant in writing by first class mail, postage prepaid, deposited in the course of transmission with the United States Postal Service within three City business days of the date of such decision. If the application is denied, the Director shall attach to the notice a statement of the reasons for the denial. The times set forth in this section shall not be extended except upon the written consent of the applicant. Any interested person may appeal the decision of the Director to the hearing officer in accordance with Section 20.84.160.

M. Nontransferable.

1. No sexually oriented business entertainer permit shall authorize the permittee to perform at a sexually oriented business other than the business stated in the application for the permit.
2. No sexually oriented business entertainer permit issued pursuant to this section shall be transferable.
3. Any attempt to transfer a sexually oriented business entertainer permit is hereby declared invalid, and the permit shall automatically become void effective the date of such attempted transfer.

N. Display of permit. Every entertainer shall have his or her sexually oriented business entertainer permit available for inspection at all times during which such entertainer is on the premises of the sexually oriented business at which the entertainer performs.

O. Grounds for suspension or revocation.

1. The Director of Community Development shall suspend or revoke a sexually oriented business operator permit for the following causes:
 - a. The permittee has knowingly made any false, misleading, or fraudulent statement of material fact in the application, or in any report or record required to be filed with the City.
 - b. The permittee, or an employee, owner, agent, partner, director, stockholder, or manager of the sexually oriented business has knowingly failed to comply with any of the requirements of this section.

- c. The permittee, or an employee, owner, agent, partner, director, stockholder, or manager of the sexually oriented business has knowingly allowed or permitted the occurrence of criminal activity on the premises of the sexually oriented business.
 - d. The permittee, or an employee, owner, agent, partner, director, stockholder, or manager of the sexually oriented business has committed a misdemeanor or felony in the conduct of the business.
 - e. The permittee, or an employee, owner, agent, partner, director, stockholder, or manager of the sexually oriented business has failed to abide by any disciplinary action previously imposed by an authorized City official.
 - f. The approved use has been substantially enlarged without City approval.
2. The Director of Community Development shall suspend or revoke a sexually oriented business entertainer permit for the following causes:
- a. The permittee has knowingly made any false, misleading, or fraudulent statement of material fact in the application for a permit, or in any report or record required to be filed with the City.
 - b. The permittee has engaged in one of the activities described below while on the premises of a sexually oriented business:
 - i. Unlawful sexual intercourse, sodomy, oral copulation, or masturbation.
 - ii. Unlawful solicitation of sexual intercourse, sodomy, oral copulation, or masturbation.
 - iii. Any conduct constituting a criminal offense that requires registration under Section 290 of the California Penal Code.
 - iv. Lewdness, assignation, or prostitution, including any conduct constituting violations of Section 315, 316, or 318 or Subdivision b of Section 647 of the California Penal Code.
 - v. An act constituting a violation of provisions in the California Penal Code relating to obscene matter or distribution of harmful matter to minors, including but not limited to Sections 311 through 313.4.
 - vi. Any conduct prohibited by this section.
 - c. Failure to abide by a disciplinary action previously imposed by an authorized City official.

P. Procedure for suspension or revocation

1. **Notice.** On determining that grounds for permit revocation exist, the Director of Community Development shall furnish written notice of the proposed suspension or revocation to the permittee. Such notice shall set forth the time and place of a hearing, and the ground(s) upon which the proposed suspension or revocation is based. The notice shall be mailed, postage pre-paid, addressed to the last known address of the permittee, or shall be personally delivered to the permittee, at least 10 days prior to the hearing date.
2. **Hearing.** Hearings shall be conducted in accordance with procedures established by the Director of Community Development. All parties involved shall have a right to: (a) offer testimonial, documentary, and tangible evidence bearing on the issues; (b) be represented by counsel; and (c) confront and cross-examine witnesses. Any relevant evidence may be admitted that is the sort of evidence upon which reasonable persons are accustomed to rely in the conduct of serious affairs. Any hearing under this section may be continued for a reasonable time for the convenience of a party or a witness.
3. **Penalty.** After holding the hearing in accordance with this section, upon determining that there are sufficient grounds for disciplinary action, the Director of Community Development shall impose one of the following penalties:
 - a. A warning;
 - b. Suspension of the permit for a specified period not to exceed six months;
 - c. Revocation of the permit. The Director may, in conjunction with the issuance of a warning or the suspension of a permit, order the permittee to take appropriate corrective action.

Q. Appeals

1. **Who may appeal.** Any interested person may appeal the Director of Community Development's issuance, denial of issuance, suspension, or revocation of a sexually oriented business operator permit or sexually oriented business entertainer permit to the hearing officer in accordance with the provisions of this section.
2. **Appeal period.** A written appeal petition must be filed with the City Clerk within five working days after the decision of the Director; provided, however, that if the five days expire on a date that City Hall is not open for business, then the appeal period shall be extended to the next City business day. Failure to file a timely appeal petition deprives the hearing officer of jurisdiction to hear the appeal.
3. **Form of appeal petition.** The appeal petition must indicate in what way the appellant contends the Director's decision was incorrect or must provide extenuating

- circumstances that the appellant contends would justify reversal or modification of the Director's decision.
4. **Director's decision stayed.** The effectiveness of any decision of the Director to suspend or revoke a sexually oriented business operator permit or sexually oriented business entertainer permit shall be stayed during: (a) the appeal period set forth in subsection (2) of this section; and (b) the pendency of any appeal.
 5. **Notice of hearing.** The hearing officer shall consider a timely filed appeal no later than 30 City business days following the submission of the appeal, unless the appellant consents in writing to an extension. At least 10 calendar days prior to such hearing, written notice thereof shall be mailed to the appellant by U.S. mail with a proof of service attached.
 6. **Hearing officer consideration.** Hearings shall be conducted in accordance with procedures established by the hearing officer. All parties involved shall have a right to:
 - a. Offer testimonial, documentary, and tangible evidence bearing on the issues;
 - b. Be represented by counsel;
 - c. Confront and cross-examine witnesses. Any relevant evidence may be admitted that is the sort of evidence upon which reasonable persons are accustomed to rely in the conduct of serious affairs. Any hearing under this section may be continued for a reasonable time for the convenience of a party or a witness.
 7. **Burden of proof.** Unless otherwise specifically provided by law, in any hearing under this section the burden is on the City to prove that the determination of the Director that is being appealed is reasonable and not an abuse of discretion.
 8. **Hearing officer decision.** The hearing officer shall, within 10 City business days from the submission of the matter for decision, render a written decision supported by findings. No later than three City business days after the hearing officer's decision, notice of the decision and a copy thereof shall be mailed by first class mail, postage prepaid, to the appellant. Such notice shall contain the substance of the following statement: "You are hereby notified that the time within which judicial review of this decision may be sought is governed by California Code of Civil Procedure Section 1094.6."
 9. **Judicial review.** The appellant may seek judicial review of the hearing officer's decision in accordance with California Code of Civil Procedure Sections 1094.5 et seq. or as otherwise permitted by law.

§20.52.030 - Location Criteria

- A. **Location.** A sexually oriented business may be located in the Light Industrial Zone and Entertainment Zone, provided such business complies with all of the following requirements:
1. The sexually oriented business is not within 300 feet of any other sexually oriented business located within or outside of the City.
 2. The sexually oriented business is not within 500 feet of any residential use or mixed use with residential component located within or outside of the City.
 3. The sexually oriented business is not within 1,500 feet of any park, place of religious assembly, or school located within or outside of the City.
- B. **Distances.** The distances set forth above shall be measured as a straight line, without regard to intervening structures, from the primary entrance of the sexually oriented business to the property line of the property so used at the time of submission of the permit application.
- C. **Prohibition.** No sexually oriented business may be located within the City except as provided in this section.

§20.52.040 - Design Standards

- A. **Temporary structures.** No sexually oriented business shall be located in any temporary or portable structure.
- B. **Trash dumpsters.** Trash dumpsters shall be enclosed by a screening enclosure so as not to be accessible to the public.
- C. **Landscaping.** No landscaping shall exceed 30 inches in height, except trees with foliage not less than six feet above the ground.
- D. **Parking.** All off-street parking areas and premises entries of the sexually oriented business shall be illuminated from dusk to closing hours of operation with a lighting system that provides an average maintained horizontal illumination of one foot-candle of light on parking surfaces and walkways. The lighting shall be shown on the site plan required by Section 20.52.030 (A)(3).
- E. **Sound attenuation.** The premises within which the sexually oriented business is located shall provide sufficient sound-absorbing insulation so that noise generated inside the premises shall not be audible anywhere on adjacent property, public rights-of-way or within any separate unit within the same building.
- F. **Indoor areas.** All indoor areas of the sexually oriented business within which patrons are permitted, except restrooms, shall be open to view by the management at all times.

- G. **Lighting.** All interior areas of the sexually oriented business shall be illuminated at a minimum of the following foot-candles, minimally maintained and evenly distributed at ground level:

Area	Foot-candles
Retail Stores	20 (minimum)
Theaters and Cabarets	5 (except during performances, at which times lighting shall be at least 1.25 foot-candles)
Arcades	10
Motels/Hotels	20 (in public areas)

- H. **Restroom facilities.** The sexually oriented business shall provide and maintain separate restroom facilities for male patrons and employees, and female patrons and employees. Male patrons and employees shall be prohibited from using the restroom(s) for females, and female patrons and employees shall be prohibited from using the restroom(s) for males, except to carry out duties of repair, maintenance and cleaning of the restroom facilities. The restrooms shall be free from sexually oriented material and sexually oriented merchandise. Restrooms shall not contain television monitors or other motion picture or video projection, recording, or reproduction equipment. The foregoing provisions of this section shall not apply to a sexually oriented business that: (a) is not required to and does not provide restroom facilities to patrons or the general public; and (b) deals exclusively with sale or rental of sexually oriented material or sexually oriented merchandise that is not used or consumed on the premises.

- I. **Arcades.** Sexually oriented arcades shall comply with the following additional requirements:

1. The interior of the premises shall be configured in such a manner that from a manager's station there is an unobstructed view of every area of the premises to which any patron is permitted access for any purpose, excluding restrooms. If the premises have two or more designated manager's stations, then the interior shall be configured in such a manner that from at least one of the manager's stations there is an unobstructed view of each area of the premises to which any patron is permitted access for any purpose, excluding restrooms. The view required in this section must be direct line of sight from the designated manager's station.
2. The view specified in subsection (9)(a) of this section shall at all times remain unobstructed by doors, walls, merchandise, display racks, or other materials.

3. The walls or partitions between viewing rooms or booths shall be maintained in good repair at all times. The walls or partitions between viewing rooms or booths shall not contain holes between any two such rooms or booths such as would allow either:
 - a. Viewing from one room or booth into another; or
 - b. Physical contact of any kind between the occupants of any two such rooms or booths.

J. **Cabarets and theaters.** Sexually oriented cabarets and sexually oriented theaters, except for businesses regulated by the Alcoholic Beverage Control Commission, shall comply with the following additional requirements:

1. Separate dressing room facilities for entertainers, exclusively dedicated to the entertainers' use, shall be provided.
2. An entrance/exit for entertainers, separate from the entrance/exit used by patrons, shall be provided.
3. Access between the stage and the entertainers' dressing room facilities, completely separated from the patrons, shall be provided. If such separate access is not physically feasible, a minimum three-foot-wide walk aisle between the entertainers' dressing room facilities and the stage shall be provided. Such walk aisle shall contain a railing, fence or other barrier separating the patrons and the entertainers. Such railing, fence or other barrier shall be at least 30 inches in height and shall be sufficient to prevent any physical contact between patrons and entertainers.

§20.52.050 - Performance Standards

- A. **Observation from public rights-of-way.** No sexually oriented business shall be operated in a manner that permits the observation, from public rights-of-way or locations outside the establishment, of either: (a) sexually oriented material; (b) sexually oriented merchandise; (c) specified sexual activities; (d) specified anatomical areas; or (e) any semi-nude person. This provision shall apply to any display, decoration, sign, show window, or other opening.
- B. **Exterior doors and windows.** Exterior doors and windows of the sexually oriented business shall not be propped or kept open at any time while the business is open.
- C. **Access.** Patrons shall not be permitted access to any area of the sexually oriented business that has been designated as an area in which patrons will not be permitted.
- D. **Age prohibition.** No person under the age of 18 years shall be permitted within the sexually oriented business at any time.

- E. **Security.** The sexually oriented business shall maintain a security system that visually monitors and records all parking surfaces serving the business.
- F. **Security Guards.** Security guards shall be employed in order to maintain the public peace and safety, based upon the following standards:
1. One security guard shall be on duty at all times while the business is open; provided, however, that an additional security guard shall be on duty if the occupancy limit of the premises is greater than 35 persons.
 2. The security guard(s) shall be uniformed in such a manner so as to be readily identifiable as a security guard by the public.
 3. The security guard(s) shall be charged with preventing violations of law, enforcing patron compliance with the requirements of this section, and with notifying the Los Angeles Sheriff's Department of any violations of law observed.
 4. No security guard required pursuant to this subsection (F) shall act as a door person, ticket seller, ticket taker, admittance person, or sole occupant of the manager's station while acting as a security guard.
- G. **Hours of operation.** No sexually oriented business shall operate between the hours of 12:00 midnight and 8:00 A.M. on any day, except that this provision does not apply to businesses also regulated by the California Department of Alcoholic Beverage Control.
- H. **Live showing.** No owner or other person with managerial control over a sexually oriented business shall permit any person on the premises of the sexually oriented business to engage in a live showing of specified anatomical areas.
- I. **Arcades.** Sexually oriented arcades shall comply with the following additional requirements:
1. No viewing room or video booth may be occupied by more than one person at any one time.
 2. At least one employee shall be on duty and stationed at each manager's station at all times that a patron is present inside the premises.
 3. Customers, patrons and visitors shall not be allowed to loiter in either: (i) the vicinity of viewing rooms or booths; or (ii) the common area of the business.
 4. Signs prohibiting loitering shall be posted in prominent places in and near viewing rooms and booths.
 5. The floors, seats, walls, and other interior portions of viewing rooms and booths shall be maintained clean and free from waste and bodily secretions. The presence of human

excrement, urine, semen or saliva in any viewing rooms or booths shall be evidence of improper maintenance and inadequate sanitary controls.

- J. **Cabarets and theaters.** Sexually oriented cabarets and sexually oriented theaters, except for businesses regulated by the Alcoholic Beverage Control Commission, shall comply with the following additional requirements:
1. No entertainer shall perform except upon a stage that is both: (a) at least 18 inches above the level of the floor; and (b) separated by a distance of at least 10 feet from the nearest area occupied by patrons.
 2. No patron shall be permitted within 10 feet of the stage while the stage is occupied by an entertainer.
 3. No patron shall be permitted within 10 feet of any person dancing for any form of consideration.
 4. No entertainer shall have physical contact with a patron before, during, or after performances. This subsection shall only apply to physical contact on the premises of the business.
 5. No patron shall have physical contact with an entertainer before, during, or after performances. This subsection shall only apply to physical contact on the premises of the business.
 6. No patron shall directly pay or give any gratuity to an entertainer.
 7. No entertainer shall solicit any gratuity from a patron.
- K. **Number of businesses.** No building, structure, or other facility shall contain more than one type of sexually oriented business as such types of sexually oriented businesses are defined in this section.
- L. **Regulations nonexclusive.** The provisions of this section regulating sexually oriented businesses are not intended to be exclusive and compliance therewith shall not excuse noncompliance with any other applicable provisions of the Cudahy Municipal Code or other law.
- M. **Conflicts.** If the provisions of this section conflict with or contravene any other provisions of the Cudahy Municipal Code, the provisions of this section shall prevail as to all matters and questions arising out of the subject matter of this section.

PART 2 Alcohol Sales

§20.52.060 – Intent and Purpose

The purpose of regulating alcohol sales is to establish a comprehensive set of regulations regarding the placement, location, and development of various types of facilities that sell or serve alcohol to ensure compatibility with surrounding properties and minimize potentially adverse impacts. These regulations shall apply to the sale of alcohol as defined in Chapter 20.88 CMC (Definitions).

§20.52.070 - Alcoholic Beverages and Services

Any sale and serving of alcoholic beverages for off-site and/or on-site consumption shall be prohibited unless both the City Planning Commission and City Council have approved a Conditional Use Permit. The following regulations shall apply to all businesses engaged in the sale of alcoholic beverage sales and services:

- A. **Distance requirements.** Unless otherwise stated herein, businesses selling alcoholic beverages for off-site or on-site consumption shall be located a minimum distance of 500 feet from any religious institution, school, or other public playground.
- B. **Distance from other establishments.** Businesses selling alcoholic beverages for off-site consumption shall not be located within 1,000 feet of any other establishment selling and serving alcoholic beverages for off-site consumption.
- C. **Other businesses on same parcel.** Businesses selling alcoholic beverages for off-site and on-site consumption shall not be located on the same parcel or lot as a pool hall, cyber cafe, arcade, or massage establishment (primary use), movie theater, bowling alley, or retail store, except that such businesses selling alcoholic beverage may be located on the same parcel as a movie theater, bowling alley, or retail use in the Entertainment Zone.
- D. **Expansion.** Any expansion of the use; a change in Alcoholic Beverage Control Board license status, from an off-sale to on-sale, or from one type of on-sale to off-sale license to another type of on-sale or off-sale license; or any transfer of the license issued by the Alcoholic Beverage Control Board shall not be permitted unless a Conditional Use Permit is first obtained pursuant to the provisions of Chapter 20.84 PART 5 CMC.
- E. **Minimum building size.** On-site consumption of alcoholic beverages as a primary use shall not be permitted unless the building has a minimum floor area of 3,000 square feet, not including restaurants.

§20.52.080 - Restaurants

Any bona fide restaurant otherwise permitted in the relevant zoning classification may serve alcohol for on-premises consumption only with a valid Conditional Use Permit which shall be

subject to at least yearly review by the City Council and which may contain but need not be limited to the following conditions:

- A. **Maximum sales.** The restaurant's total yearly alcohol sales make up no more than 25 percent of the restaurant's total yearly gross combined food and alcohol sales.
- B. **Law enforcement problems.** The Sheriff's Department has the power to determine if continuing police problems exist at the restaurant and if he or she determines such, he or she may require the presence of a City-approved doorman and/or security personnel.
- C. **Other conditions.** Any other condition(s) deemed necessary or appropriate by the City to protect the health and welfare of its residents.
- D. **Financial statements.** Prior to March 1st of each year, the restaurant shall submit to the Director of Community Development yearly financial statements for the prior calendar year or portion thereof if the restaurant was not in business for the entire calendar year.

§20.52.090 – Vehicle Service Station Selling Beer and Wine for Off-Premise Consumption

- A. **Conditional Use Permit required.** Any vehicle service station otherwise permitted in the relevant zoning classification may only sell for off-premises consumption beer and wine as defined in California Business and Professions Code Sections 23006 and 23007, as those code sections may be amended, supplemented, or renumbered, only with a valid Conditional Use Permit, which shall be subject to at least yearly review by the City Council and which may contain but need not be limited to the following conditions:
 - 1. Sale of beer and wine shall be limited to the hours between 10:00 A.M. and 10:00 P.M.
 - 2. The sale of beer in quantities of fewer than six cans or bottles is prohibited, and no alcoholic beverage shall be sold in unit quantities less than the distributor's intended resale units.
 - 3. Sale of malt liquor is prohibited.
 - 4. At all times between the hours of 10:00 A.M. and 10:00 P.M. or when beer and wine is offered for sale if it is offered for sale at fewer hours, there shall be at least two attendants on duty, one of whom shall be responsible for the sale of beer and wine.
 - 5. At all times between the hours of 10:00 A.M. and 10:00 P.M. or when beer and wine is offered for sale if it is offered for sale at fewer hours, any attendant who is authorized to sell beer and/or wine must have participated in a licensee education on alcohol and drugs class put on by the California Department of Alcoholic Beverage Control or a similar class approved by the City or must participate in such class within two months of his or her employment as a sales clerk. Establishments must maintain proof of such

- attendance on the premises and present such proof upon request to the Director of Community Development.
6. The Sheriff's Department has the power to determine if continuing law enforcement problems exist at the vehicle service station and if he or she determines such, he or she may require the presence of a City-approved doorman and/or security personnel.
 7. The Conditional Use Permit conditions shall be placed on the property in a location and in a manner where employees can easily read the conditions.
 8. All alcoholic beverages sold must be bagged in clear plastic bags. Use of brown paper or other opaque bags or packaging is prohibited.
 9. Any other condition(s) deemed necessary or appropriate by the City to protect the health and welfare of its residents.
- B. **Special requirements.** Pursuant to California Business and Professions Code Section 23790.5, decisions to grant or deny Conditional Use Permit applications for the concurrent sale of motor vehicle fuel and beer and wine for off-site consumption shall be based upon written findings, which are based on substantial evidence in light of the whole record justifying the decision. All parties shall be given the opportunity to present at the hearing on the Conditional Use Permit application.

§20.52.100 - Beer and Wine Convenience Store

- A. **Geographic requirements.** All beer and wine convenience stores must meet the following geographic requirements:
1. The lot upon which the establishment is proposed to be located is not within 500 linear feet of a lot upon which is located an educational institution, public park, or place of religious assembly.
 2. The lot upon which the establishment is proposed to be located is not within 500 linear feet of a lot upon which another such use is located.
 3. The lot upon which the establishment is proposed to be located is not within 500 linear feet of a lot zoned for residential purposes or mixed use with a residential component.
- B. **Conditional Use Permit required.** All beer and wine convenience stores shall be permitted only with a valid Conditional Use Permit, which shall be subject to at least yearly review by the City Council and which may contain but need not be limited to the following conditions:
1. The establishment's total yearly alcohol sales make up no more than 25 percent of the establishment's total yearly gross sales.

2. Prior to March 1st of each year, the establishment shall submit to the Director of Community Development yearly financial statements for the prior calendar year or portion thereof if the establishment was not in business for the entire calendar year.
3. Sales of beer and wine shall be limited to the hours between 10:00 A.M. and 10:00 P.M.
4. The sale of beer in quantities of fewer than six cans or bottles is prohibited and no alcoholic beverage shall be sold in unit quantities less than the distributor's intended resale units.
5. The sale of malt liquor is prohibited.
6. At all times between the hours of 10:00 A.M. and 10:00 P.M. or when beer and wine is offered for sale if it is offered for sale at fewer hours, any sales clerk who is authorized to sell alcohol must have participated in a licensee education on alcohol and drugs class put on by the California Department of Alcoholic Beverage Control or must participate in such class within two months of his or her employment as a sales clerk. Establishments must show proof of such attendance on the premises and present such proof upon request by the Director of Community Development.
7. The Sheriff's Department has the power to determine if continuing law enforcement problems exist at the convenience store, and if he or she determines such, he or she may require the presence of a police-approved doorman and/or security personnel.
8. The Conditional Use Permit conditions shall be placed on the property in a location where employees can easily read the conditions.
9. All alcoholic beverages sold must be bagged in clear plastic bags. Use of brown paper or other opaque bags or packaging is prohibited.
10. Any other condition deemed necessary or appropriate by the City to protect the health and welfare of its residents.

§20.52.110 - Grocery Stores Selling Liquor

- A. **Conditional Use Permit required.** All grocery stores selling liquor shall be permitted only with a valid Conditional Use Permit, which shall be subject to at least yearly review by the City Council and which may contain but need not be limited to the following conditions:
 1. The establishment's total yearly alcohol sales make up no more than 25 percent of the establishment's total yearly gross sales.
 2. Prior to March 1st of each year, the establishment shall submit to the Director of Community Development yearly financial statements for the prior calendar year or portion thereof if the establishment was not in business for the entire calendar year.

3. Alcoholic beverages, as defined in California Business and Professions Code Section 23004, as that code section may be amended or supplemented or renumbered, shall not be sold in quantities smaller than 750 milliliters.
4. The Sheriff's Department has the power to determine if continuing law enforcement problems exist at the retail establishment and if he or she determines such, he or she may require the presence of a City-approved doorman and/or security personnel.
5. The Conditional Use Permit conditions shall be placed on the property in a location where employees can easily read the conditions.
6. All alcoholic beverages sold must be bagged in clear plastic bags. Use of brown paper or other opaque bags or packaging is prohibited.
7. Any other condition(s) deemed necessary or appropriate by the City to protect the health and welfare of its residents.

§20.52.120 - Temporary Use Permit for Consumption of Alcohol

- A. **Temporary Use Permit required.** A Temporary Use Permit to allow a restaurant to sell beer and wine or other alcoholic beverages for on premises consumption will not be granted by the Planning Commission unless the following conditions exist:
1. No dancing shall be permitted on the premises.
 2. No alcohol beverages shall be sold after 11:00 A.M.
 3. No separate cocktail lounges or bar shall be located on the premises.
 4. No alcohol beverages shall be offered or sold on the premises unless the restaurant kitchen is in operation and a substantial variety of dishes are available to the patrons.
 5. A minimum dining area of 400 square feet (equivalent to 57 occupants) shall be provided.
 6. No alcoholic beverages shall be sold or served to a patron unless said patron also has ordered food.
 7. The Sheriff's Department has the power to determine if the presence of a City-approved doorman and/or security personnel is required.
- B. **Conditions.** The foregoing conditions may or may not be required by the Director of Community Development for any individual permit.

§20.52.130 - Rights of Appeal

- A. **Rights of Appeal and Review.** Any interested party may appeal decisions of the Director of Community Development to the Planning Commission. Any interested party to the City Council may appeal decisions of the Planning Commission.
- B. **Procedures.** Procedures for appeals and calls for review shall be as prescribed by Chapter 20.84 CMC (Appeals).

§20.52.140 - Expiration, Violation, Discontinuance, and Revocation

- A. **Expiration.** Any use permit for an alcoholic beverage outlet granted in accordance with the terms of Chapter 20.84 PART 5 CMC shall expire within 12 months from the date of approval unless a license has been issued or transferred by the California State Department of Alcoholic Beverage Control prior to the expiration date.
- B. **Time extension.** The Planning Commission upon referral from the Director of Community Development may grant a time extension for a use permit for an alcoholic beverage outlet for a period or periods not to exceed 12 months. An application for a time extension shall be made in writing to the Director of Community Development no less than 30 days or more than 90 days prior to the expiration date.
- C. **Violation of terms.** The Planning Commission upon referral from the Director of Community Development may revoke a use permit for an alcoholic beverage outlet upon making one or more of the following findings:
 - 1. That the permit was issued on the basis of erroneous or misleading information or misrepresentation.
 - 2. That the terms or conditions of approval of the permit have been violated or that other laws or regulations have been violated.
 - 3. The establishment for which the permit was issued is being operated in an illegal or disorderly manner.
 - 4. Noise from the establishment for which the permit was issued violates the Noise Ordinance.
 - 5. The business or establishment for which the permit was issued has had or is having an adverse impact on the health, safety, or welfare of the neighborhood or the general public.
 - 6. There is a violation of or failure to maintain a valid Alcoholic Beverage Control license.

7. The business or establishment fails to fully comply with all the rules, regulations and orders of the California State Department of Alcoholic Beverage Control.
- D. **Discontinuance.** A use permit for an alcoholic beverage outlet shall lapse if the use is discontinued for 90 consecutive days or if the Alcoholic Beverage Control license for the establishment has been revoked or transferred to a different location.
- E. **Revocation.** Procedures for revocation shall be as prescribed by Chapter 20.84 PART 5 CMC

PART 3 Amusement Arcades or Cyber Cafes/Computer Labs

§20.52.150 - Requirements

The following regulations shall apply to amusement arcades or cyber cafes/computer labs and shall be included in each Conditional Use Permit issued to operate an arcade:

- A. **Hours of operation.** No person shall operate an amusement arcade or cyber cafe/computer lab except during the hours of 9:00 A.M. to 10:00 P.M., Sunday through Thursday, and 9:00 A.M. to midnight, Friday through Saturday.
- B. **Persons under 18 years of age.** No owner or operator of an amusement arcade or cyber cafe/computer lab shall permit persons under 18 years of age to use or operate any amusement game in an amusement arcade between the hours of 9:00 A.M. and 3:00 P.M., Monday through Friday, when the public schools serving the City are in session.
- C. **Distance between games.** All amusement games or computers in an amusement arcade or cyber cafe/computer lab shall be at least three feet apart.
- D. **Enclosed.** All amusement arcades or cyber cafes/computer labs shall be enclosed within a building.
- E. **Supervision.** No owner or operator of an amusement arcade or cyber cafe/computer lab shall permit said arcade to be open to the public unless there are at least two adults (over 18 years of age) supervising the operation of the amusement arcade.
- F. **Parking.** See Table 20.64-1.
- G. **Minimum square footage.** No amusement arcade or cyber cafe/computer lab shall be located in a building that has less than 1,000 square feet of floor area.
- H. **Location.** No amusement arcade or cyber cafe/computer lab shall be located within 1,000 feet of any place of religious assembly, school, park, playground, bar, cocktail lounge, residential zone or use, mixed-use with residential component, or any other amusement arcade.

- I. **Sound-proofing.** Each amusement arcade or cyber cafe/computer lab shall be provided with adequate sound-proofing to comply with the Noise Ordinance.
- J. **Restrooms.** Each amusement arcade or cyber cafe/computer lab shall have restrooms provided on the premises.
- K. **Prohibition on alcoholic beverages.** No minors are permitted if alcoholic beverages are sold, served, or consumed on the premises.

PART 4 Child Day Care Facilities and Large Family Day Care Homes

§20.52.160 - Intent and Purpose

The purpose of regulating child day care facilities and large-family day care homes is to safeguard the health, safety, and general welfare of children and to ensure compatibility with surrounding properties.

§20.52.170 - Use Regulations

- A. **California use restrictions.** All child day care facilities shall comply will all applicable State of California use restrictions at all times.
- B. **Hours of operation.** The hours of operation for any child day care facility shall be based upon the uses and characteristics of the area in which the facility is located and shall be set forth in any required Conditional Use Permit.

§20.52.180 - Development Standards

- A. **Child day care development standards.** The following development standards shall apply to all child day care facilities:
 - 1. All such facilities shall comply with all applicable State of California development standards at all times.
 - 2. All such facilities located in a residential zone shall comply with the City's noise regulations for residential uses, as set forth in Chapter 153.140 CMC, Performance Standards.
- B. **Large family day care homes development standards.** Notwithstanding the requirements contained in Chapter 20.84 PART 5 CMC, the Director of Community Development shall approve an application for a large family day care home if the proposed large family day care home complies with the following requirements:

1. It is not located within a 300-foot radius of an existing large family day care home. If it is located between a 300-foot and 500-foot radius of an existing large family day care home, then the use shall be approved if:
 - a. The existing large family day care home is operating at full capacity in accordance with the standards contained in Division 12 of Title 22 of the California Code of Regulations; or
 - b. A need exists for a particular service in the immediate vicinity of the existing large family day care home, which would be met by the proposed facility and is not provided by the existing large family day care home.
2. The large family day care home shall be the principal residence of the provider, and the use shall be clearly incidental and secondary to the use of the property for residential purposes.
3. No structural changes shall be undertaken that will alter the character of the single-family residence.
4. Not less than one off-street parking space for every two employees shall be provided in addition to the parking otherwise required by this zoning code for the residential use of the property.
5. The operation of the facility shall comply with the noise and sound performance standards contained in Chapter 20.60 CMC and with the requirements of CMC 9.04.020.
6. The provider shall comply with all applicable regulations of the State Fire Marshal for building and safety that apply to large family day care homes, Title 24 of the California Administrative Code, and with all applicable local building and fire codes that apply to single-family residences.
7. The provider shall secure a large family day care home license from the State of California, Department of Social Services.
8. The large family day care home provides pick-up and drop-off facilities, as necessary, to avoid interference with traffic and to promote the safety of children.
9. In approving a large family day care home under subsections (1) through (8) of this section, the Director shall make express findings as to the applicant's compliance with all the requirements of this section. Notwithstanding that previous sentence, however, no findings need be made with respect to subsections (4), (7), and (8) of this section if the requirements of those subsections are included in the conditions of approval of the permit.

PART 5 Condominiums

§20.52.190 Requirements

The following regulations shall apply to condominium projects:

- A. **Development Standards.** The regulations set forth in Chapter 20.16 CMC (High-Density Residential) and Chapter 20.28 CMC (Mixed-Use Zones) shall apply to the construction of a multi-family dwelling project intended for condominium ownership, to include open space, setbacks, parking, height, density, and lot coverage requirements.
- B. **CC&Rs.** Every condominium project shall include provide conditions, covenants, and restrictions (CC&Rs) to assure the proper appearance and maintenance of the condominium. Such CC&Rs shall be submitted for review and approval by the City Attorney. A fee must be paid for City Attorney review as established by the City Council.
- C. **Public report.** A copy of the State Real Estate Commissioner’s public report shall be furnished to all potential purchasers of condominium dwelling units. A copy of the receipt for such report, signed by the purchaser, shall be submitted, along with a copy of the public report, to the Director of Community Development.
- D. **Homeowners’ Association.** The developer or builder must be responsible for establishing a homeowners’ association and must pay for a condominium association management consultant to meet with the association a minimum of one meeting every three months for one year, to explain the purpose and responsibility of the homeowners’ association. A representative of the City must be present during the first three meetings.
- E. **Start-up fund.** Developers must have a startup fund for the association, which shall be \$200.00 per condominium unit or not less than \$2,000, whichever is greater. The startup fund cannot be used for complying with subsection (D) of this section.
- F. **Utility equipment.** Utility equipment must be placed underground, to include and not be limited to electricity, cable, and telephone equipment.
- G. **Separate sewer and water.** Each condominium dwelling unit shall have its own separate sewer and water lines and connections.
- H. **Fire lane.** When three or more units are constructed on a lot having a length of 150 feet or more, a fire lane, 26 feet wide, and a fire truck turnaround lane must be provided to ensure fire safety.

PART 6 Condominium Conversions

§20.52.200 - Requirements

The following regulations shall apply to condominium conversions where they are permitted by a conditional use permit:

- A. **Conversion standards.** The provisions of this section shall be applicable only where existing residential structures are converted to condominium ownership, as said term is defined by applicable state law.
 1. Whether or not a proposed project includes the enlargement of existing dwelling units or structures and/or the construction of additional dwelling units or structures, the entire project will be deemed a new development subject to the development standards set forth in Chapter 20.16 CMC (High-Density Residential) and Chapter 20.28 CMC (Mixed-Use Zones), to include open space, setbacks, parking, height, density, and lot coverage requirements.
 2. Notwithstanding subsection (A)(1) of this section, if a proposed project would retain the existing dwelling units without significant modification, except for those required to meet applicable health and safety standards, and the existing residents of two-thirds of the dwelling units in the project would become individual owners of those dwelling units upon conversion, then the project shall not be deemed a new development and shall be exempted from compliance with the development standards set forth in Chapter 20.16 CMC (High-Density Residential) and Chapter 20.28 CMC (Mixed-Use Zones). However, dwellings subject to this section shall be retrofitted with automatic fire sprinklers, subject to approval by the Fire Marshall.
- B. **CC&Rs.** Every condominium project shall provide conditions, covenants, and restrictions (CC&Rs) to assure the proper appearance and maintenance of the condominium. Such CC&Rs shall be submitted for review and approval by the City Attorney. A fee must be paid for City Attorney review as established by the City Council.
- C. **Public report.** A copy of the State Real Estate Commissioner's public report shall be furnished to all potential purchasers of condominium dwelling units. A copy of the receipt for such report, signed by the purchaser, shall be submitted, along with a copy of the public report, to the Director of Community Development.
- D. **Homeowners' Association.** The project applicant must be responsible for establishing a homeowners' association committee and must hire a condominium property management consultant to meet with the committee a minimum of one meeting every three months within a year to explain the purpose and responsibility of the homeowners' association. A representative of the City must be present during the first three meetings.

- E. **Startup fund.** The applicant must establish a startup fund for the association, which shall be \$200.00 per condominium unit or not less than \$2,000, whichever is greater. The startup fund cannot be used for complying with subsection (D) of this section.
- F. **Utilities.** Utility equipment to include and not be limited to electricity, cable, and telephone equipment must be placed underground.
- G. **Sewer and water.** Each condominium dwelling unit shall have its separate sewer and water lines.
- H. **Building Code and Fire Code compliance.** Each condominium dwelling unit shall be upgraded to resolve any Building Code and Fire Code deficiencies as determined by the Building Official and/or Fire Department.

§20.52.210 - Special Noticing and Tenant Rights

- A. At least 60 days before submittal of the tentative map application to the City for processing, the owner or subdivider shall send a notice to each and every tenant in the structure(s) to be converted. The notice shall comply with Government Code Section 66452.18. and contain the following information:
 - 1. All of the information regarding City requirements for condominium conversions, and which shall be delivered in a manner that provides for proof of delivery; and
 - 2. The address and telephone number of the City's Department of Community Development for use in seeking additional information about the proposed conversion.
- B. A least 60 days before submittal of the tentative map application, the owner or subdivider shall give written notice, in compliance with Government Code 66452.17, of the intent to convert to each person applying for rental of a unit in the subject property immediately before acceptance of any rent or deposit from the prospective tenant.
- C. The City shall provide each tenant with written notification of planned public hearings for the application for conversion pursuant to Chapter 20.84 CMC.
- D. Within 10 days of submittal of an application for a subdivision public report to the State Department of Real Estate, the owner or subdivider shall give written notice of application for the public report to each tenant, and each tenant shall be advised that upon issuance of the public report, it will be made available to any tenant upon request, free of charge.
- E. At least 180 days before termination of tenancy due to the conversion or proposed conversion, the owner or subdivider shall provide each tenant with 180 days written notice of the intention to convert, in compliance with Government Code Section 66452.19.

- F. Each tenant shall be given an exclusive right to contract for the purchase of their respective unit upon the same terms and conditions that the unit will be initially offered to the general public or on terms more favorable to the tenant, and the exclusive right shall run for a period of not less than 90 days from the date of issuance of the subdivision public report by the State Department of Real Estate. The owner or subdivider shall provide written notice of the exclusive right to contract within five days after receipt of the subdivision public report in compliance with Government Code Section 66452.20.
- G. No units may be sold in the structure proposed for conversion unless the conversion is approved by the City and until after the final map is recorded and a subdivision public report has been issued by the State Department of Real Estate.
- H. Unless tenants of the structure proposed to be converted were given written notice of the intention to convert by the owner or subdivider, or by their respective agent(s), at the time the tenants signed rental or lease agreements, the owner or subdivider shall compensate the tenants for their reasonable relocation expenses.
- I. The owner or subdivider shall provide the Department of Community Development with sufficient evidence, satisfactory to the Director, that all tenant noticing requirements specified in this section have been properly accomplished.

§20.52.220 - Special Findings for Condominium Conversions

The review authority may approve or conditionally approve a residential condominium conversion application only after first making all of the following findings:

- A. All provisions of this section and all applicable provisions of this zoning code are met and all other applicable laws, rules, and regulations.
- B. The proposed conversion is consistent with the General Plan.
- C. The proposed conversion will conform to all Municipal Code provisions in effect at the time of tentative map approval, except as otherwise provided in this section.
- D. The overall design and physical condition of the condominium conversion will achieve a high degree of appearance, quality, and safety and is appropriately conditioned to ensure this achievement.
- E. The amount and impact of displacement of tenants is not detrimental to the health, safety, or general welfare of the community.

PART 7 Drive-Through Establishments

§20.52.230 - Intent and Purpose

The purpose of regulating drive-through establishments is to prevent potentially adverse impacts on adjacent properties, neighborhoods, and residences due to customer and employee parking demands, traffic generation, noise, light, and litter.

§20.52.240 - Use Regulations

- A. **Hours of Operation.** When located on a site adjacent to or separated by an alley from any residentially zoned property, a drive-through establishment shall not operate between the hours of 10:00 P.M. and 7:00 A.M.
- B. **Litter.** Employees shall collect on-site and off-site litter generated by customers at least once per business day.

§20.52.250 - Development Standards

In addition to the development standards set forth in Chapter 20.20 CMC (Commercial and Industrial Zones) and Chapter 20.28 CMC (Mixed-Use Zones), the following shall apply to drive-through establishments:

- A. **Minimum lot size.** A minimum lot size of 20,000 square feet shall be required for the establishment of any drive-through facility.
- B. **Two-way driveways.** Drive-through establishments shall have two-way driveways for ingress and egress to the public street.
- C. **Minimum queuing distances.** Minimum queuing distances shall be provided as illustrated in Figure 20.52-1. Queuing aisles shall not be placed on any more than two sides of a building.

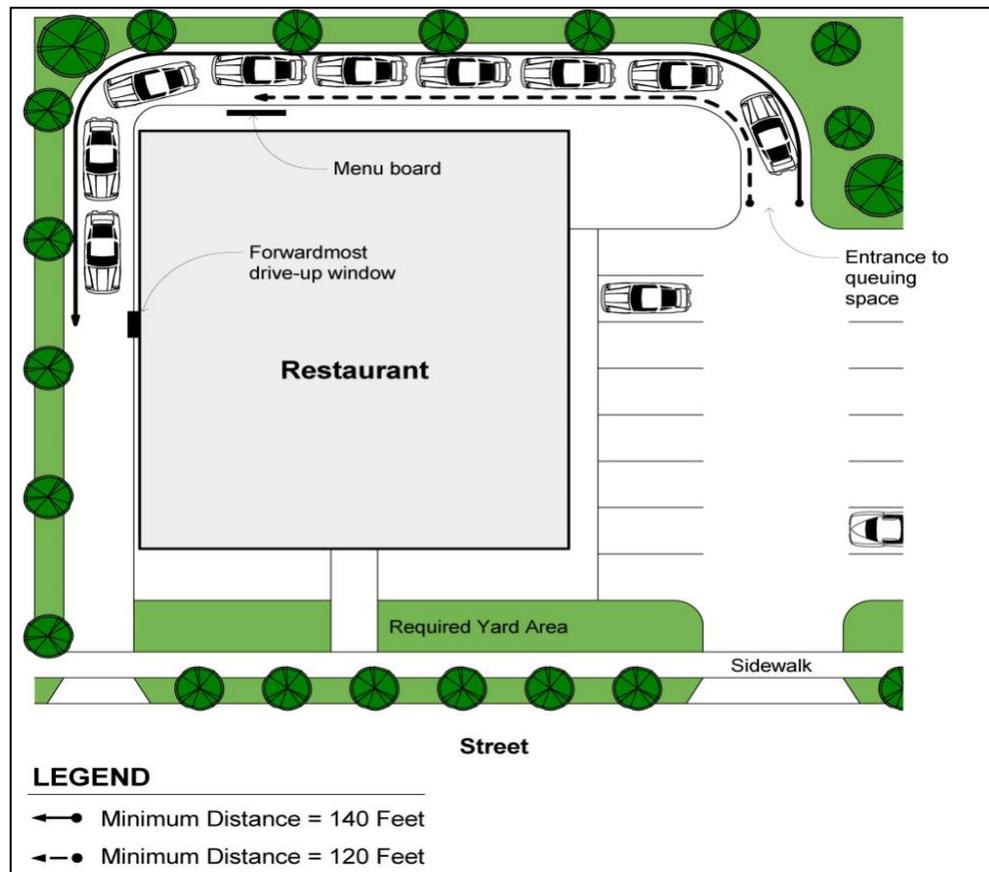


Figure 20.52-1

- D. **Circulation Plan.** A parking and vehicular circulation plan encompassing adjoining streets and alleys shall be submitted for review and approval prior to the approval of a Conditional Use Permit. Such plan shall provide for safe pedestrian access from parking lots to the main door and shall comply with applicable requirements for access by disabled persons.
- E. **Trash receptacle provision.** A minimum of one outdoor trash receptacle shall be provided on-site. At least one additional on-site outdoor trash receptacle shall be provided for every 10 required parking spaces.
- F. **Noise generating equipment.** No noise-generating compressors or other such equipment shall be placed on or within 10 feet from any property line adjoining any residential zoned property.
- G. **Speaker system noise.** Drive-through speaker systems shall emit no more than 50 decibels four feet from the vehicle and the speaker, and shall not be audible above the daytime ambient noise levels beyond the property boundaries. The system shall be designed to compensate for ambient noise levels in the immediate area and shall not be located within 30 feet of any residentially zoned property.

- H. **Screen wall.** On any lot where a drive aisle or driveway is located such that vehicle headlights will shine onto an adjacent residentially zoned property, a screen wall shall be provided.

PART 8 Emergency Shelters

§20.52.260 - Intent and Purpose

Consistent with Government Code §§ 65582, 65583(a) and 65589.5, all California cities are required to identify a zone in which to permit emergency shelters by right. The purpose of regulating the siting of emergency shelters is to ensure the development of emergency shelters to provide housing and services for homeless persons while not adversely impacting adjacent parcels or the surrounding neighborhood. Such shelters shall be developed in a manner which protects the health, safety, and general welfare of the shelter residents and of nearby residents and businesses.

§20.52.270 - Use Regulations

- A. **Occupancy.** A maximum of 15 beds or persons may be served nightly, with associated support service not open to the public. Any emergency shelter for homeless with greater than 15 beds shall be subject to approval of a Conditional Use Permit consistent with Chapter 20.84 PART 5 CMC.
- B. **Hours of operation.** Emergency shelters for homeless persons providing fewer than 15 beds are not required to be open 24 hours a day, but may be open 24 hours. Clients of emergency shelters shall be given a specified check out time as detailed in the management and operation plan, but may remain on the premises to utilize on-site services offered.
- C. **Length of stay.** The length of stay of an individual client shall not exceed six months within a 12-month period; days of stay need not be consecutive.
- D. **Management and operation plan.** The applicant or operator shall submit a management and operation plan for the emergency shelter through the over-the-counter approval process for review and feedback by the Director of Community Development or designee in consultation with law enforcement at the time the project is proposed, and prior to issuance of permits. If the site plan review process applies to the proposed application, then the management and operational plan should be submitted and reviewed concurrently with that application. The plan shall remain active throughout the life of the facility, with any changes subject to review and approval by the Director of Community Development or designee in consultation with the Chief of Police. The plan should be based on "best practices" and include, but not limited to, a security plan, operational procedures, listing of services provided, staff training, "good neighbor" communication plan, client transportation and active transportation plan, ratio of staff to clients, client eligibility and intake and check-out process, detailed hours of operation, and an ongoing

outreach plan to the local homeless population. The City may inspect the facility at any time for compliance with the facility's operational plan and other applicable laws and standards.

- E. **Applicable laws.** The facility shall comply with all other laws, rules, and regulations that apply, including building and fire codes, and shall be subject to City inspections prior to operational plan approval.

§20.52.280 - Development Standards

- A. **Parking.** One vehicle parking space shall be provided per five beds. A covered and secured area for bicycle parking shall be provided for use by staff and clients, commensurate with demonstrated need, but no less than a minimum of eight bike parking spaces.
- B. **Waiting and intake area.** A client waiting and intake area shall be provided and contain a minimum of 10 square feet per bed provided at the facility. The client waiting and intake area shall be screened from the public right-of-way by a solid wall of at least six feet in height, and shall be sufficient in size to accommodate all persons waiting to enter the facility.
- C. **Support services.** Emergency shelters may also provide the following support services:
1. Food preparation and dining areas;
 2. Laundry facilities;
 3. Restrooms and showers;
 4. Areas to secure and store client belongings;
 5. Indoor and/or outdoor recreational facilities and/or open space;
 6. Accommodations for client pets;
 7. A private area providing referral services to assist shelter clients in entering programs aimed at obtaining permanent shelter, income, and support services. Referral services refers to the initial assessment of a homeless client to identify the areas in which assistance is needed, and connecting clients with appropriate off-site programs and services depending on their need.
- D. **Restrooms.** The number of toilets and showers shall comply with applicable building codes and plumbing codes.
- E. **Trash enclosure and loading zone.** Each facility shall have a trash enclosure and loading zone as provided in Chapters 20.20 and 20.28 CMC.

PART 9 Hotels and Motels

§20.52.290 - Requirements

The following regulations shall apply to hotel and motel developments where they are permitted:

- A. **Minimum area.** The minimum area requirement for hotel and motel uses shall be 40,000 square feet.
- B. **Occupancy.** The owner and/or proprietor of such a hotel or motel shall not permit any person to occupy a room in such a hotel or motel for a period in excess of 30 consecutive calendar days, except for one permitted manager's unit.
- C. **Meters.** The owner and/or operator of any such hotel or motel shall have and maintain only one meter for each utility service to the entire use.
- D. **Laundry and kitchen facilities.** Laundry and kitchenette facilities shall be minor and incidental to the primary use as a hotel or motel so as not to render the rooms as a dwelling unit.
- E. **Room cleaning.** The owner and/or operator of any such hotel or motel shall provide daily room cleaning service for each occupied room in such hotel or motel.
- F. **Law enforcement regulations.** All provisions of the Cudahy Municipal Code regarding law enforcement regulations of public lodgings shall be applicable.
- G. **Market feasibility.** No application for a hotel or motel shall be accepted unless a market feasibility study is filed with the City identifying the factors which indicate a demand for such hotel or motel.

PART 10 Housing Incentives

§20.52.300 - Purpose and Intent

This section implements the State of California density bonus law (California Government Code Section 65915 et seq.), as may be amended, and is intended to provide incentives for the production of affordable housing, senior housing, and child care facilities. State law shall prevail over any conflicting provision of this section.

§20.52.310 - Rules and Procedures.

The Director of Community Development may promulgate rules and procedures that are consistent with the provisions and intent of this section.

§20.52.320 - Density Bonus

- A. **Eligibility.** A housing development project that satisfies the requirements of both state law and this section shall be eligible to receive a density bonus, concessions, and vehicular onsite parking standards in accordance with the state density bonus law.
- B. **Definitions.** The definitions found in the state density bonus law shall apply to the terms contained herein.

“Concession” shall have the same meaning as “concession or incentive.”

“Set-aside unit” or “affordable unit” means a dwelling unit restricted pursuant to this section to qualify the project for a density bonus.

- C. **Fractional units.** In determining the maximum residential density allowed under the zoning code for the purpose of this section, any fraction of a unit shall not be counted. In calculating density bonuses and set-aside units, fractions shall be rounded up to the next whole number.

§20.52.330 - Menu of Concessions

- A. **Menu.** A project that qualifies under this section may request concessions from the list in Table 20.52-2.

TABLE 20.52-2	
Concession	Modification of Standard
Building Height	Up to 10 feet
Yard	Up to 20 percent
Common Open Space	Up to 20 percent
Private Open Space	Up to 20 percent
Fee (e.g. plan check, construction permit, or development impact)	Reduced or deferred fee

- B. **Off-list concessions.** The City or applicant may propose concessions that result in identifiable, financially sufficient, and actual cost reductions, which proposal shall be considered and approved or denied by the Planning Commission, supported by written findings in accordance with the state density bonus law. The City may, at its discretion, require the applicant to demonstrate that the proposed concession or other waiver of a development standard is needed to make the affordable units economically feasible.

§20.52.340 - Density Bonus Greater than 35 Percent

A Conditional Use Permit approved by both the Planning Commission and City Council shall be required for any density bonus greater than 35 percent. The City has the authority but not the

obligation to grant a density bonus in excess of 35 percent. For requests under this section, the City may consider benefits of the project and other factors, including, without limitation: (a) additional affordable units; (b) on-site amenities; (c) services for residents; and (d) the distance to neighborhood services and public transit. In addition to the findings required in Chapter 20.84 PART 5 CMC, the following findings must be met:

- A. **General Plan compliance.** The project is consistent with the affordable housing provisions of the General Plan.
- B. **Compliance with state density bonus law.** The project sets aside no less than the percentage and type of units required to earn a density bonus of 35 percent under the state density bonus law.
- C. **Mitigation of impacts.** The applicant has adequately demonstrated that the project will not generate unmitigated significant noise, traffic, parking, or other impacts detrimental to surrounding properties or the general welfare.

§20.52.350 - Application

The following information shall be included with the first application required for the housing development project:

- A. **Description.** A description of the proposed project, including the number of dwelling units, set-aside units and density bonus units, and the calculations that explain the results.
- B. **Qualification.** The basis on which the project qualifies for a density bonus.
- C. **Site Plan.** A site plan showing building footprints, locations of set-aside units, driveway and parking layout, and the location and floor area of any proposed child care facility.
- D. **Description of concessions.** A description of the concessions requested. In the case of proposed off-list concessions, the applicant must demonstrate that they are within the definition of a concession and in accord with the state density bonus law. The Director of Community Development may require an independent financial review at the applicant's expense to demonstrate the economic effect of the proposed concession on the project.
- E. **Land donation.** If the density bonus request is based on a land donation, the application shall identify the land to be transferred, and demonstrate that the applicable conditions of the state density bonus law are met.
- F. **Other.** Other relevant information required by the Director of Community Development.

§20.52.360 - Decision and Appeal

- A. **Review.** A request for a density bonus pursuant to this section shall be reviewed as part of the required housing development application and shall be considered and acted upon by

the decision-making body authorized to make a recommendation or approve the housing development.

- B. **Findings.** A decision involving a density bonus shall be supported by written findings in accordance with the state density bonus law, including whether the project meets the qualifications for a density bonus.
- C. **Appeal.** Any decision regarding a density bonus may be appealed in the manner and within the time set forth in Chapter 20.20 CMC (Appeals).

§20.52.370 - Recorded Agreement

- A. **Form of agreement.** The execution of a density bonus housing agreement with the City in a form approved by the City Attorney shall be a condition of the discretionary project approval or ministerial building permit. The agreement shall be a covenant that runs with the land and binds the owner and successors and assigns. The agreement shall be recorded prior to building permit issuance, or in the case of a subdivision, prior to final map approval.
- B. **Contents of agreement.** Provisions of the density bonus housing agreement may include, without limitation, the following:
 - 1. The number of set-aside units, their floor area, number of bedrooms, location, and production schedule.
 - 2. Ensure continued affordability of set-aside units for the requisite period.
 - 3. Standard or index to establish maximum rent or sales price of affordable units.
 - 4. Restrict rentals or sales of affordable units to persons and families of qualifying income levels and set forth the procedure to certify incomes.
 - 5. Prohibit occupants from renting or subletting an affordable unit.
 - 6. Control the resale of condominium set-aside units to provide for the recapture of any initial subsidy and any required equity-sharing payment to the City from the sale proceeds.
 - 7. Specify requirements applicable to a child care facility, including floor area, percentage of patrons from qualifying income level families, and financial or other guarantee of continued operation for the mandated period.
 - 8. Specify residency restrictions applicable to a senior citizen housing development or mobile home park.
 - 9. Require compliance with state law, this section, and all other applicable regulations.

10. Set forth monitoring and reporting procedures, penalties, and enforcement mechanisms, such as a deed of trust to secure performance of obligations.

PART 11 Live/Work Units

§20.52.380 - Purpose and Applicability

The provisions in this section shall apply to live/work units, as defined in Chapter 20.88 CMC (Definitions) and where allowed in compliance with Chapters 20.20 CMC (Commercial and Industrial) and 20.28 CMC (Mixed-Use). Live/Work units are considered nonresidential facilities and count towards the nonresidential floor area ratio, not the residential density.

§20.52.390 - Limitations on Use

The nonresidential component of a live/work project shall be a use allowed within the applicable zone in compliance with Chapters 20.20 and 20.28 CMC. A live/work unit shall not be allowed to include any of the following land uses or activities:

- A. Vehicle repair and service
- B. Maintenance and repair services
- C. Storage of flammable liquids or hazardous materials beyond that normally associated with a residential use.
- D. Manufacturing or industrial activities, including but not limited to welding, machining, or any open flame work.
- E. Any other activity or use, as determined by the Director of Community Development to not be compatible with residential activities and/or to have the possibility of affecting the health or safety of live/work unit residents due to the potential for the use to create dust, glare, heat, noise, noxious gasses, odor, smoke, traffic, vibration or other impacts, or would be hazardous because of materials, processes, products, or wastes.

§20.52.400 - Ground Floor Use

Where ground floor commercial uses are required, live/work units shall not exceed 25 percent of the ground floor building area.

§20.52.410 - Design Standards

- A. **Floor area requirement.** A live/work unit shall have a minimum floor area of at least 750 square feet. The nonresidential portion of the live/work unit shall be at least 25 percent but no more than 50 percent of the area of each unit in order to ensure that the residential

portion remains accessory to the primary commercial use and complies with California Building Code requirements. All floor area other than that reserved for living space shall be reserved and regularly used for working space.

- B. **Separation of and access to individual units.** Each live/work unit shall be separated from other units and other uses in the building. Access to each unit shall be provided from shop fronts, directly from the sidewalk parallel to the primary or secondary street, or from common access areas, corridors, or halls. The access to each unit shall be clearly separate from other live/work units or other uses within the building. Living space shall be located in the rear ground level or second floor and above to maintain activity and commercial access along the frontage.
- C. **Facilities to accommodate commercial activities.** A live/work unit shall be designed to accommodate nonresidential uses as evidenced by the provision of ventilation, interior storage, flooring, and other physical improvements of the type commonly found in exclusively nonresidential facilities used for the same work activity.
- D. **Integration of living and working space.** Areas within a live/work unit that are designated as living space shall be an integral part of the live/work unit and not separated (or occupied and/or rented separately) from the work space, except that mezzanines and lofts may be used as living space subject to compliance with the other provisions of this section, and living and working space may be separated by interior courtyards or similar private space.

§20.52.420 - Operating Requirements

- A. **Occupancy.** A live/work unit shall be occupied and used only by the operator of the business within the unit, or a household of which at least one member shall be the business operator.
- B. **Business license required.** At least one of the residents of a live/work unit shall be required to have a business license with the City of Cudahy, issued pursuant to Municipal Code Title 5 (Business Licenses and Regulations).
- C. **Sale or rental of portions of unit.** No portion of a live/work unit may be separately rented or sold as a commercial space for any person not living in the premises or as a residential space for any person not working in the same unit.
- D. **Non-resident employees.** One person who does not reside in the live/work unit may work in the unit unless this employment is prohibited or limited by the Conditional Use Permit, if a Conditional Use Permit is required in the respective zone. The employment of two or more persons who do not reside in the live/work unit may be permitted, subject to a Conditional Use Permit approval, based on additional findings that the employment will not adversely affect traffic and parking conditions in the site vicinity. The employment of

any persons who do not reside in the live/work unit shall comply with all applicable Building Code, Occupational Safety and Health Administration (OSHA), and other state and federal regulations.

- E. **Client and customer visits.** Client and customer visits to live/work units are permitted.

PART 12 Massage Establishments and Services

§20.52.430 - Intent and Purpose

The purpose of regulating massage and accessory massage uses is to promote operation of legitimate massage services and to prevent problems of blight and deterioration that accompany and are brought about by large numbers of massage establishments that may act as fronts for prostitution and other illegal activity.

§20.52.440 - Use Regulations

- A. **Massage establishments.** All accessory massage services and massage establishments shall comply with all applicable provisions of Title 5, Article XIX of the Cudahy Municipal Code.
- B. **Accessory massage services.** Accessory massage services shall only be provided in conjunction with a bona fide athletic club, gym, health club, hotel, day spa, medical office, chiropractic office, holistic health practitioner establishment, beauty parlor, beauty salon, or hair salon.

§20.52.450 -Development Standards

The development standards set forth in Chapters 20.20 CMC (Commercial and Industrial Zones) and 20.28 CMC (Mixed-Use Zones) shall apply to massage establishments, unless otherwise specified here. The location of massage establishments (primary use) shall be limited as follows:

- A. **Conditional Use Permit required.** A Conditional Use Permit shall be required for massage establishments (primary use) as found in Chapters 20.20 and 20.28 CMC.
- B. **Proximity to other massage establishments.** No more than one massage establishment shall be permitted within a radius of 1,000 feet of another massage establishment.
- C. **Proximity to schools, parks, and playgrounds.** A massage establishment shall not be located within 500 feet of any public or private school, park, child care center, or playground.

- D. **Proximity to residential zoning districts.** A massage establishment shall not be located within 500 feet of a residential zoning district.

PART 13 Mobile Home Parks

In addition to regulations and conditions imposed pursuant to Chapter 20.84 CMC, the following regulations shall apply to any mobile home park established in the community after the effective date of Ordinance No. 437:

- A. **Compliance with state regulations.** The park and the mobile homes shall be designed and maintained in accordance with the requirements of the Mobile Home Parks Act, Part 2.1 of Division 13 of the California Health and Safety Code, and the administrative regulations adopted pursuant to that Act, as well as all other applicable laws, ordinances, and regulations.
- B. **Off-street parking.** See Table 20.64-1.
- C. **Restrictions on use of mobile homes.** Other than for use as a park office, no mobile home may be used for commercial purposes.
- D. **Walls and fences.** The following requirements apply to fences and walls around mobile home parks:
1. An eight-foot wall consisting of masonry not less than six feet in height topped with wrought iron is required along all side and rear lot lines located adjacent to property zoned for residential uses.
 2. An eight-foot high masonry wall is required along all side and rear lot lines adjacent to any property zoned for nonresidential uses.
 3. A 42-inch high masonry wall is required in the front yard setback of a park.
- E. **Signs.** The following signage requirements apply to mobile home parks:
1. One identification sign not to exceed an area of 20 square feet is permitted for each street frontage of the mobile home park.
 2. One park directory sign with an area of 24 square feet is permitted for every full 40,420 square feet of park area.
- F. **Storage.** All storage areas must be maintained in a manner that prevents the creation of any nuisance or otherwise detracts from the value of adjacent properties. The storage of inoperable vehicles within a mobile home park is prohibited.
- G. **Additional requirements.** Any mobile home park existing on the effective date of Ordinance No. 437 that thereafter obtains a Conditional Use Permit pursuant to Chapter

20.84 CMC shall be subject to those provisions of subsection (A) of this section as the Planning Commission or City Council determines can be enforced without requiring the removal of existing mobile homes or otherwise imposing undue hardship on the park occupants or the park owner.

PART 14 Service Stations

§20.52.460 - Intent and Purpose

The purpose of regulating service stations is to establish a comprehensive set of regulations regarding the placement, location, and development of service stations to ensure compatibility with surrounding properties and minimize potentially adverse impacts associated with increased traffic and permitted outdoor activities.

§20.52.470 - Development Standards

In addition to the development standards set forth in Chapters 20.20 and 20.28 CMC, the following shall apply to service stations:

- A. **Minimum lot area.** The minimum lot area upon which a service station is located shall comply with these requirements.
 - 1. The minimum lot area required for a service station shall be 15,000 square feet.
 - 2. The minimum lot area required for a service station that is combined with another principal use shall be 20,000 square feet.
 - 3. The minimum lot area required for a service station that has the facilities for dispensing diesel fuel shall be 20,000 square feet.
- B. **Minimum lot width.** The minimum lot width of a service station shall be 100 feet.
- C. **Minimum yard dimensions.** The following minimum yard dimensions shall be required for all service station developments.
 - 1. The minimum front yard setback shall be 15 feet.
 - 2. The minimum street side yard setback shall be 15 feet.
- D. **Yard area.** No buildings or structures shall be permitted in any required yard area, except for the following permitted accessory uses.
 - 1. Front and street side yard areas may contain freestanding signs and light fixtures.

2. Side yard areas may contain any permitted accessory use.
 3. Rear yard areas may contain any permitted accessory use per these standards.
 - a. The minimum distance between a building or structure and the property line separating the rear yard from an alley shall be 5 feet.
 - b. The minimum distance between a building or structure and the property line separating the rear yard from a street shall be 15 feet.
- E. **Vehicle circulation.** Vehicle circulation for the pump islands shall not block or obstruct on-site parking facilities and/or off-site traffic circulation.

§20.52.480 - Driveway Regulations

- A. **Driveway approach approval.** To minimize traffic hazards, the location and size of driveway approaches from any street shall be subject to approval of the Director of Public Works.
- B. **Driveway abutting a building wall facing side or rear yard.** Wherever a permitted driveway abuts a wall of a building facing a side or rear yard area, that portion of the wall shall be located at least 20 feet from the lot line.

§20.52.490 - Landscape Regulations

All landscaping shall be automatically irrigated and maintained and provided as follows:

- A. **Landscape planter.** A minimum five-foot-wide planter shall be installed along all street side property lines, with the exception of driveway openings.
- B. **Corner lot planting area.** A minimum of 150 square feet of planting area shall be maintained at the main corner intersection of a corner lot.
- C. **Building façade planting area.** A minimum of 40 square feet of planting area along the building façade that faces a street shall be maintained.
- D. **Enclosed landscaped areas.** All landscaped areas shall be enclosed within a masonry planter box or a six-inch high concrete curbing.

§20.52.500 - Site Development Regulations

- A. **Employee breakroom entrance.** The entrance to all employee breakrooms shall be screened from view of abutting or adjacent properties and streets by a decorative screen.

- B. **Tire display.** Movable pallets or racks for the display of new tires shall be permitted, provided that they are located within 10 feet of the service station building. In addition, one permanent enclosable tire cabinet shall be permitted, provided that it is located within 10 feet of the service building and not within the required yard areas.
- C. **Equipment within enclosed building.** Hydraulic hoists or pits and all lubrication, greasing, automobile washing, steam cleaning, and repair equipment shall be used and wholly stored within an enclosed building.
- D. **Merchandise within closeable cabinets/racks.** With the exception of tires, batteries, accessories, and lubricating items, all other merchandise shall be stored and displayed within closeable cabinets or racks inside of the service station building.

PART 15 Tobacco Shops and Smoking Lounges

§20.52.510 - Purpose and Applicability

The section establishes standards for the location, development, and operations of smoking lounges and tobacco shops, as defined in Chapter 20.88 CMC (Definitions) and where allowed in compliance with Chapters 20.20 CMC (Commercial and Industrial Zones) and Chapters 20.28 CMC (Mixed-Use Zones).

§20.52.520 - Locations Prohibited

- A. No smoking lounge or tobacco shop shall be located within 500 feet of any residential zone boundary or any property containing a residential use.
- B. A smoking lounge or tobacco shop shall not be located within 1,000 feet of any place of religious assembly, school, child care center, or public playground.

§20.52.530 - Exhaust Fan

All smoking lounges shall comply with all applicable ventilation standards established by state law, local codes, and any other regulatory agencies with jurisdiction. Air from the smoking area shall be exhausted directly to the outside by an exhaust fan. The ductwork for the proposed exhaust fan shall not be shared with other tenants in the structure. The applicant shall submit plans to be reviewed and approved by the Director of Community Development.

§20.52.540 - Conditions for Approval

In addition to the standards for issuance of any entitlements under this section, the review authority may impose any conditions reasonably related to mitigate any possible adverse effect upon the

public health, safety, or welfare created by the establishment and/or operation of the smoking lounge.

§20.52.550 - State Regulation

In addition to the standards for issuance of any entitlements under this section, smoking lounges and tobacco shops and any approval issued shall comply with applicable state codes regulating smoking on private commercial properties.

PART 16 Transitional Uses

The following regulations shall apply to transitional uses where they are permitted as a principal use:

§20.52.560 - Limitation on Transitional Uses

- A. **Automobile parking lots.** The transitional use shall be limited to automobile parking lots.
- B. **Boundary.** The transitional use shall be limited to an area within 100 feet from the boundary of the zone from which such transitional use is derived.
- C. **Remaining portion.** Any portion of a lot or parcel of land developed with the transitional use shall not leave any remaining portion containing less than the required area or width.

§20.52.570 - Development Standards

- A. **Location.** The transitional lot or parcel of land shall:
 - 1. Have a side lot line for a distance of not less than 50 feet adjoining, or separated only by an alley, with property in the less restrictive zone from which such transitional use is derived; or
 - 2. Where the lot or parcel of land to be used for transitional parking has a width less than 100 feet, additional lots or parcels of land may be considered as transitional lots provided:
 - a. They have successive contiguity on one side lot line with the transitional lot;
 - b. In no event shall the total area developed to the transitional use extend more than 100 feet from the residential zone;
 - c. All areas extending from the qualifying zone are developed for parking;
 - d. The side lot line of a transitional lot or parcel of land shall not exceed the length of the side lot line common to the less restrictive zone from which such transitional

use is derived. The Director of Community Development may modify this provision to the extent permitted in this section.

- B. **Landscaping.** The transitional use shall be developed in accordance with the provisions of Chapter 20.64 CMC (Off-Street Parking), except that a transitional lot shall have a landscaped front yard setback equal to that of the zone in which it is located.
- C. **Access.** The area developed with the transitional use shall have direct vehicular access to an improved public street, highway, or alley, or to the less restrictive zone from which such transitional use is derived.
- D. **Alley.** The transitional use shall be permitted when a residential or agricultural zone adjoins or is separated only by an alley from any commercial or manufacturing zone.

PART 17 Urban Agriculture and Keeping of Animals

§20.52.580 - Purpose and Applicability

This section establishes standards for the location, development, and operations of urban agriculture and the keeping of animals for personal use and enjoyment. These provisions do not include regulations for cannabis cultivation which are addressed in Chapter 20.32 PART 2 CMC. Urban agriculture promotes healthy living and sustainability policies by providing an opportunity for residents to grow fresh foods, either as a community garden or on individual properties.

§20.52.590 - Household Pets

Household pets, not to exceed three mammals over four months of age, are permitted for each dwelling unit. This provision shall not be construed to permit pigs, hogs, horses, goats, chickens or any animal capable of inflicting harm or discomfort or endangering the health and safety of any person or property.

§20.52.600 - Urban Agriculture

The following agricultural uses are permitted, either as an accessory use or a primary use, regardless of lot size. This section allows the establishment of community gardens on vacant lots within the City.

- A. Private greenhouses and horticultural collections (grown in the ground).
- B. Fruit and vegetable gardens, fruit trees, and nut trees.
- C. The off-site sale of the products produced on the premises.

§20.52.610 - Retail Sales of Products Produced on the Premises

Roadside stands, including signage, are permitted with the issuance of a Conditional Use Permit.

§20.52.620 - Operational Standards for Urban Agriculture

- A. **Maintenance.** Urban agriculture uses shall be maintained in an orderly manner, including litter removal, irrigation, weeding, pruning, pest control, and removal of dead or diseased plant materials.
- B. **Equipment.** Use of mechanized farm equipment is prohibited in residential districts. Landscaping equipment designed for household use is permitted.
- C. **Structures.** Structures to support urban agriculture, such as storage sheds, hoop-houses, and greenhouses, are permitted subject to the regulations of the underlying zone.
- D. **Pollutants.** Urban agriculture activities shall include best practices to prevent pollutants from entering the stormwater conveyance system and shall comply with all applicable federal, state, and local laws, ordinances, or regulations.
- E. **Compost piles.** Compost piles and containers must be set back at least 20 feet from residential buildings when an urban agriculture use abuts a residential land use.

§20.52.630 - Keeping of Animals

The keeping of animals, other than household pets, is prohibited.

PART 18 Wireless Communications Facilities

§20.52.640 - Purpose and Intent

- A. The purpose of the regulatory provisions set forth in this section is to establish development standards for the installation and maintenance of antennas and wireless telecommunications facilities within specified land use zones in the community. These standards are intended to ensure that the design and location of those antennas and facilities are consistent with previously adopted policies of the City to promote the public health, safety, comfort, convenience, and general welfare of the residents, and to enhance the aesthetic quality and appearance of the community by maintaining architectural character and structural integrity, and by protecting views and vistas from obtrusive and unsightly accessory uses and facilities.
- B. In adopting and implementing the regulatory provisions of this section, it is the intent of the City Council to further the objectives specified in subsection (A) of this section without unnecessarily burdening the federal interest in ensuring access to satellite services, in promoting fair and effective competition among competing communications service providers, and in eliminating local restrictions and regulations that with regard to antennas, preclude reception of an acceptable signal quality or unreasonably delay, and prevent, or increase the cost of installation, maintenance, or use of those antennas.

§20.52.650 - Regulation of Satellite Earth Station Antennas

A. **Permitted accessory uses.** Satellite earth station antennas described in section (F) may be installed as permitted accessory uses without site plan review and without obtaining a building permit; provided, that they comply with all applicable development standards set forth in subsection (B) of this section, as well as all applicable building codes, electrical codes, and fire codes:

1. An antenna located in any land use zone, which antenna is designed to receive direct broadcast satellite service, including direct-to-home satellite services; provided that such antenna is one meter (39 inches) or less in diameter and is either building-mounted or ground-mounted and elevated by a mast. If the diameter of the antenna is 18 inches or less, the antenna may extend above the roofline for only the height that is reasonably necessary to ensure the reception of broadcast signals of an acceptable quality. If the diameter of the antenna exceeds 18 inches, but does not exceed 39 inches, then the antenna must not extend above the roofline.
2. An antenna that is designed to receive video programming services and that is located in any land use zone where commercial or industrial uses are generally permitted, which antenna is two meters (78 inches) or less in diameter and is either building-mounted or ground-mounted and elevated by a mast. In no event may any such antenna extend more than 12 inches above the roofline.
3. An antenna located in any land use zone, which antenna is designed to receive video programming services by means of multipoint distribution services, including multichannel multipoint distribution services, and such antenna is one meter (39 inches) or less in diameter or diagonal measurement and is either building-mounted or ground-mounted and elevated by a mast. If the diameter or diagonal measurement is 18 inches or less, the antenna may extend above the roofline for only that height that is reasonably necessary to ensure the reception of broadcast signals of an acceptable quality. If the diameter or diagonal measurement exceeds 18 inches, but does not exceed 39 inches, then the antenna must not extend above the roofline.
4. An antenna shall not be visible from a public street or shall be away from public view.

B. **Development standards.**

1. The following development standards apply in all land use zones to the siting, construction, and operation of satellite earth station antennas, and to all satellite earth station antennas that are subject to the site plan review and to the issuance of a building permit:
 - a. No satellite earth station antenna may be installed in any land use zone if it will impede normal vehicular or pedestrian circulation, ingress to, or egress from any building, structure, or parking facility.

- b. Satellite earth station antennas, whether ground-mounted or building-mounted, including any guy-wires, masts, and accessory equipment, must be located and designed so as to mitigate adverse visual impacts from adjacent properties and from public streets, which mitigation may involve screening by means of landscaping or the addition of new architectural elements that are compatible with the design of adjacent buildings. This screening requirement may be modified if the antenna's reception is impaired.
 - c. Satellite earth station antennas must be finished in a nonmetallic finish or painted in a color that is compatible with the surrounding environment.
 - d. Any mast that will be used to elevate a satellite earth station antenna must be constructed of noncombustible and corrosive resistant materials.
 - e. All satellite earth station antennas must be installed with adequate grounding wire to protect against a direct strike of lightning. The grounding wire must be a type approved by the electrical code for ground wiring of masts and lightning arresters.
 - f. All satellite earth station antennas must be located away from utility lines by a 12-foot vertical distance and a six-foot horizontal distance. Any mast that will be used to elevate a satellite earth station antenna must be secured by a separate safety wire in a direction away from adjacent power lines or other potential hazards.
 - g. To the extent feasible, all cables, wires, or similar electrical transmission devices that connect with a satellite earth station antenna must be placed underground.
 - h. If footings are required for the installation of a ground-mounted satellite earth station antenna, engineering calculations for those footings must be signed by a licensed structural or civil engineer.
 - i. All connectors on a satellite earth station antenna, and on any mast to be used for elevation, must be capable of sustaining a wind-load of at least 20 pounds.
 - j. No satellite earth station antenna, nor any of its component parts or accessory facilities, may encroach into the public right-of-way unless that encroachment is authorized by the City Engineer as provided for in this code.
 - k. All satellite earth station antennas must be properly maintained.
2. In addition to the development standards set forth in subsection (B)(1) of this section, the following development standards apply in all residential land use zones to the siting, construction, and operation of satellite earth station antennas:
 - a. The diameter of a satellite earth station antenna that is subject to site plan review may not exceed one meter.

- b. A ground-mounted satellite earth station antenna must be located in the side yard or rear yard and at least five feet from any property line.
3. In addition to the development standards set forth in subsection (B)(1) of this section, the following development standards apply in all nonresidential land use zones to the siting, construction, and operation of satellite earth station antennas:
 - a. All ground-mounted satellite earth station antennas must be located at least five feet from any property line.
 - b. No ground-mounted satellite earth station antenna may be located in the area between the front property line and the main building or structure.
 - c. If roof-mounted, a satellite earth station antenna must either be affixed to a flat portion of the roof structure having parapets, or it must be integrated with the architectural design of the building in accordance with a plan that is approved by the Director of Community Development.

C. Development review required.

1. If a proposed satellite earth station antenna will exceed the permissible height limitations referenced in subsection (B) of this section, or if the diameter or diagonal measurement of the proposed satellite earth station antenna exceeds the limitations specified in subsection (B) of this section, then an application for development review must be submitted in accordance with Chapter 20.84 PART 2 CMC, and, if the application is approved, a building permit must be obtained.
2. The City Council expressly finds and determines that these regulatory requirements relating to site plan review are necessary, desirable, and in the best interests of the community in order to protect the public health, welfare and safety, to promote aesthetic objectives, and to maintain property values. The City Council further finds and determines that these regulatory requirements are applicable only to the proposed installation of satellite earth station antennas that are not permitted accessory uses and that do not meet the criteria for exemption from local regulation established by the Federal Communications Commission under the Telecommunications Act of 1996.
3. In addition to the requirements set forth in Chapter 20.84 PART 2 CMC, the application for development review must include the following:
 - a. Construction drawings that show the proposed method of installation and the manufacturer's specifications.
 - b. A plot plan showing the proposed location of the satellite earth station antenna.
 - c. Engineering data evidencing that the satellite earth station antenna will be in compliance with all structural requirements of the building code.

§20.52.660 - Regulation of Wireless Telecommunications Antenna Facilities

- A. **City-owned land, buildings, and rights-of-way.** The regulatory provisions of this section do not apply to the siting of wireless telecommunications antenna facilities on City-owned land, buildings, and rights-of-way. The proposed siting of these facilities on all City-owned property is subject to development criteria and design guidelines adopted by the City Council and will require a license agreement or lease agreement with the City Council or another type of approval by the City Council.
- B. **Applicability of regulations.** Subject to the exception set forth in subsection (A) of this section, the regulatory provisions of this section are applicable to the siting of wireless telecommunications antenna facilities on all land and buildings located within all land use zones. The siting and construction of wireless telecommunications antenna facilities in all land use zones is subject to approval of a Conditional Use Permit by the Planning Commission.
- C. **Special provisions for minor modifications.** An application for a minor modification of an existing wireless tower or base station that does not substantially change the physical dimensions of such tower or base station, pursuant to Section 6409 of the Middle Class Tax Relief and Job Creation Act of 2012, 47 U.S.C. 1455 (a), shall be approved as a Zoning Clearance pursuant to Chapter 20.84 PART 3 CMC.
- D. **Application for Conditional Use Permit.** In addition to the requirements set forth in Chapter 20.84 CMC the application for a Conditional Use Permit must include the following:
1. A site plan, drawn to scale, showing the proposed location of the wireless telecommunications antenna facility, the height of any existing or proposed new support structure, accessory equipment facility, guy-wires, above and below ground wiring and connection cables, existing or proposed easements on the property, the height above ground of any panels, microwave dishes, or whip antennas, and the distance between the antenna facility and any existing or proposed accessory equipment facility.
 2. A location map showing existing wireless telecommunications antenna sites within the City that are owned or operated by the applicant and any proposed sites in the City that may be required for future area coverage.
 3. Detailed engineering calculations for foundation and wind loads, which calculations will be reviewed by the building department during plan check following the issuance of a Conditional Use Permit.
 4. Documentation by a study prepared by a qualified engineer that the electromagnetic fields generated at average peak level and maximum peak level of daily operation by the proposed wireless telecommunications facility, in combination with the electromagnetic fields generated at average peak level and maximum peak level of

- daily operation by any existing or planned wireless telecommunications facility within a radius of 1,500 feet from the proposed facility, will be within the public exposure limits approved by the Federal Communications Commission or any other regulatory agency with jurisdiction, particularly with respect to limits applicable to cumulative exposures to any sensitive receptor land uses located within a 1,500 foot radius of the proposed facility. The study must also analyze and disclose any engineering design alternatives that would minimize the electromagnetic fields generated by the proposed facility, and why such measures, if any, have not been included in the design of the facility.
5. A preliminary environmental review, with special emphasis placed upon the nature and extent of visual impacts.
 6. Evidence of any required licenses and approvals to provide wireless telecommunications services in the community.
- E. **Factors considered in issuing Conditional Use Permits.** The Planning Commission must consider the following factors in determining whether to issue a Conditional Use Permit for a wireless telecommunications antenna facility:
1. Height of the proposed facility.
 2. Proximity of the proposed facility to residential structures and to boundaries of residentially zoned districts.
 3. The nature of existing uses on adjacent and nearby properties.
 4. Surrounding topography.
 5. Surrounding tree coverage and foliage.
 6. Design of the proposed facility, with particular reference to design features that have the effect of reducing or eliminating visual obtrusiveness, such as a camouflaged facility, a facility screened by natural or artificial vegetation, or a facility located or co-located on an existing building or an existing support structure.
 7. Proposed ingress and egress.
 8. Availability of suitable existing buildings or support structures as set forth in subsection (E) of this section.
 9. That the proposed facility has been designed to minimize the strength of the electromagnetic fields that it generates to the greatest extent feasible, and that the peak electromagnetic fields generated by the proposed facility, in conjunction with the peak electromagnetic fields of any other existing or planned such facilities within a 1,500-

foot radius, will not exceed applicable standards for exposure of the public to electromagnetic fields at any location.

F. Development standards.

1. Antenna arrays on wireless telecommunications antenna facilities that are proposed to be sited on an existing nonresidential building or support structure must be integrated with the architectural design and coloring of that existing building or support structure.
2. The siting of new support structures is subject to the following additional requirement: No new support structure will be permitted unless the Planning Commission makes the additional finding that, based upon evidence submitted by the applicant, no existing building or support structure can reasonably accommodate the proposed wireless telecommunications antenna facility. Evidence supporting this finding will be reviewed by the Planning Commission and may consist of any of the following:
 - a. No existing buildings or support structures are located within the geographic area proposed to be served by the applicant's facility.
 - b. Existing buildings or support structures are not of sufficient height or structural strength to meet the applicant's operational or engineering requirements.
 - c. The applicant's proposed facility would create electromagnetic interference with another facility on an existing structure, or the existing antenna array on an existing building or support structure would create interference with the applicant's proposed antenna array.
 - d. The costs, fees, or contractual provisions required by a property owner, or by an incumbent wireless telecommunications service structure, or to adapt an existing building or support structure for the location of the new antenna array, are unreasonable.
 - e. There are other limiting factors that render existing buildings and support provider, in order to co-locate a new antenna array on an existing building or support structures unsuitable for use by the applicant.
3. If co-location of the proposed facility cannot be accomplished, the proposed facility must be sited at least 1,500 feet from any existing facility unless the Planning Commission determines that a shorter distance is required for technological reasons, or that it would result in less visual obtrusiveness in the surrounding area.
4. If a new support structure for a facility will be visible from adjacent residential properties or from major streets, the Planning Commission may require that the support structure be screened or camouflaged to mitigate adverse visual impacts.

5. Protective structures housing accessory equipment must not exceed 10 feet in height, must comply with all applicable setback requirements, and must be screened from public view or be made compatible with the color and architectural design of adjacent structures.
 6. If a proposed facility will be visible from a residential area or a major street, any required fencing must be of wrought iron or similar decorative materials.
 7. No new support structure may project from the roof of a building. A new freestanding support structure must be a minimum of 10 feet from a building on the same site unless that building houses equipment accessory to the support structure.
 8. A new support structure that is to be located near a residential use or the boundary of a residential zoning district must be set back from the nearest residential lot line or boundary a distance that is at least equal to the height of that support structure.
 9. The exterior of a new support structure must have a noncorrosive, nonmetallic finish that is not conducive to reflection or glare. The support structure, the antenna array, and the accessory equipment facility must all be of a neutral color.
 10. Buildings and support structures may not be illuminated unless specifically required by the Federal Aviation Administration or other governmental agencies.
 11. No off-premises or on-premises signs may be placed by a wireless telecommunications service provider on a telecommunications antenna facility.
 12. The applicant and the property owner must sign an agreement, in a form to be provided by the City, that consents to the future co-location of facilities on the building or support structure to be used by the applicant, unless technical considerations preclude that co-location.
- G. **Maintenance and cessation of use.** The following requirements apply to wireless telecommunications antenna facilities located on existing buildings or support structures and on new support structures:
1. The site must be maintained in a condition free of trash, debris, and refuse. All graffiti must be removed within 72 hours.
 2. If a support structure, or an antenna array affixed to a building or to a support structure, becomes inoperable or ceases to be used for a period of six consecutive months, the permittee must give written notice of such inoperability or nonuse to the Director of Community Development. The antenna array and, if applicable, the support structure and all associated ground equipment and enclosures must be removed within a 90-day period. If such removal does not occur, the City may remove the antenna array and, if applicable, the support structure and all associated ground equipment and enclosures at the permittee's expense; provided however, that if other antenna arrays owned or

operated by other service providers are affixed to the same support structure, then only the antenna array and ground equipment and enclosures that has become inoperable or has ceased to be used is required to be removed, and the support structure may remain in place until all service providers cease to use it, whereupon it must be removed within a 90-day period, along with all remaining ground equipment and enclosures, by the last service provider to have used the facility,

§20.52.670 - Variances

- A. **Variances generally.** In accordance with the provisions of Chapter 20.84 PART 5 CMC, application may be made for a variance from the restrictions and limitations imposed by this section upon the siting of satellite earth station antennas and wireless telecommunications antenna facilities.
- B. **Variance requirements.** A variance may be issued if, in addition to the general variance standards, the following requirements are met:
1. The applicant submits evidence satisfactory to the Planning Commission that location of the satellite earth station antenna or the wireless telecommunications antenna facility in the manner required by this section would (a) obstruct the antenna's reception window or otherwise interfere with reception, and such obstruction or interference involves factors beyond the applicant's control; or (b) the cost of meeting the requirements of this section is excessive in relation to the cost of the proposed antenna or antenna facility.
 2. The applicant submits a certification, signed by a registered structural or civil engineer, that the proposed installation will be in compliance with all applicable requirements of the building code, including load distributions upon any proposed mast or other support structure.

§20.52.680 - Regulation of Amateur Radio Station Antennas

- A. **Development review required.** The proposed installation of an amateur radio station antenna in any land use zone must be preceded by an application for development review in accordance with Chapter 20.84 PART 2 CMC, and if the application is approved a building permit must be obtained.
- B. **Application for development review.** In addition to the requirements set forth in Chapter 20.84 PART 2 CMC, the application for development review must include the following:
1. Construction drawings that show the proposed method of installation and the manufacturer's specifications.
 2. A plot plan showing the proposed location and dimensions of the amateur radio station antenna.

3. Engineering data evidencing that the amateur radio station antenna will be in compliance with all structural requirements of the building code.
4. Copies of all licenses issued to the applicant by the FCC to engage in amateur radio service operations and to use the site as an amateur radio station.

C. Factors considered in the development review process.

1. In conducting development review for a proposed amateur radio station antenna, the Planning Commission must consider the following factors:
 - a. The proposed height of the amateur radio station antenna, and the applicant's representations as to the technological necessity of the height to engage in amateur radio service operations of the nature contemplated.
 - b. Proximity of the proposed amateur radio station antenna to inhabited buildings and structures.
 - c. The nature of existing uses on adjacent and nearby properties.
 - d. Surrounding topography, tree coverage, and foliage, and their effect on the proposed height of the amateur radio station antenna.
 - e. Design of the proposed amateur radio station antenna, with particular reference to design features that provide for retraction of the antenna when not in use and design features that may reduce or eliminate visual obtrusiveness, particularly in residential zones.
2. In making any determination during the development review process to deny or to condition the application for an amateur radio station antenna, the Planning Commission must adhere to the following guidelines:
 - a. The imposition of conditions or restrictions relating to the placement, screening, or height of a proposed amateur radio station antenna, which conditions or restrictions are based upon protection of the public health, welfare, and safety, aesthetic considerations, or the preservation of property values, must be considered on a case-by-case basis, taking into account the unique features of the proposed site, the factors specified in subsection (C)(1) of this section, and the reasonable accommodation required under subsection (3)(B)(ii) of this section.
 - b. The development review process must be conducted so as to:
 - i. Reasonably accommodate the paramount federal interest in promoting amateur radio communications as voluntary, noncommercial communications services, particularly with respect to emergency communications; and

- ii. Impose the minimum practical restrictions, limitations, and conditions in order to achieve the City’s legitimate regulatory objectives.

§20.52.690 - Nonconforming Antennas

Any antenna constructed in violation of this section, or in violation of any prior ordinance or regulation, is subject to immediate abatement. Any antenna that is lawfully constructed prior to the effective date of the ordinance codified in this section, and that does not comply with the requirements of this section, will be deemed a nonconforming use and will be subject to the provisions of Chapter 20.80 CMC. Such nonconforming use is subject to abatement in accordance with Chapter 20.80 CMC.

§20.52.700 - Enforcement

- A. **Inspection.** All satellite earth station antennas, amateur radio station antennas, and wireless telecommunications antenna facilities are subject to periodic inspection by the City to determine whether they are in compliance with all applicable provisions of this section.
- B. **Written notice.** If any condition is discovered that may result in a danger to life or property, the City will give written notice to the permittee or to the property owner, or both, at their last known address, describing the dangerous condition and demanding that the same be corrected within 10 days after that notice.

CHAPTER 20.56 – GENERAL DEVELOPMENT STANDARDS

Section	Contents:
§20.56.010	Intent and Purpose
§20.56.020	Applicability
§20.56.030	Maintenance
§20.56.040	Lot Area and Lot Widths
§20.56.050	Yards
§20.56.060	Height
§20.56.070	General Architectural Standards
§20.56.080	Trash Collection Facilities
§20.56.090	Clear Cross-Visibility Requirement
§20.56.100	Street Dedication
§20.56.110	Landscaping
§20.56.120	Other General Development Standards

§20.56.010 - Intent and Purpose

The development standards included in this chapter are supplementary provisions intended to provide clarification and amplification of the provisions and standards governing development in each zone.

§20.56.020 - Applicability

The development standards contained in this zoning code shall govern all the uses, buildings, and structures in every zone, and, except as otherwise provided in this chapter, no building, structure, or use may hereafter be established, enlarged, moved, operated, or maintained on a lot or parcel of land unless such building, structure, or use conforms to the standards of development for the zone in which it is located and with the development standards in this chapter.

§20.56.030 - Maintenance

The following standards are established to regulate the maintenance of all properties, land uses, and structures within the City:

- A. **Property maintenance.** All properties within the City shall be kept and maintained in a clean, neat, orderly, operable, and usable condition that is safe both to occupants and passersby. This requirement applies to buildings, portions of buildings, paving, fences, walls, landscaping, water, earth, and any other structure or natural feature.
- B. **Building and structure maintenance.** All buildings and structures shall be kept and maintained as follows in a manner that does not detract from the appearance of the

immediate neighborhood and that protects the health, safety, and welfare of the use, occupants, and the general public:

1. Buildings and structures shall be maintained in such a manner to prohibit dry rot, warping, termite infestation, decay, cracking, peeling or chalking to ensure that the building is not unsafe, unsightly, or in a state of disrepair.
2. Building exteriors, driveways, chimneys, gutters, downspouts, sidewalks, and walkways shall be maintained in such a manner to prohibit broken, deteriorated, substantially defaced, structurally unsound, or other similar conditions to ensure that such structures are not dangerous, defective, or unsightly.
3. Structurally unsafe buildings, including, but not limited to, those with known fire hazards, faulty weather protective roofs, broken windows and doors, partially constructed structures, unoccupied and open buildings, abandoned signs, and damaged buildings shall be demolished, removed, or fenced to prevent public access or harm.
4. Maintenance of premises shall be in harmony or conformity with the maintenance standards of adjacent properties to prohibit substantial diminution of the enjoyment, use, or property values of adjacent properties.

C. Fence and wall maintenance. All fences and walls shall be kept and maintained as follows in a manner that does not detract from the appearance of the immediate neighborhood, and that protects the health, safety, and welfare of the user, occupant, and general public:

1. Fences and walls shall not be sagging, broken, rotted or have defective, broken or missing support posts, fence boards, or other structural members.
2. Fences and walls shall be maintained in such a manner to prohibit dry rot, holes or warped or leaning areas, or other hazardous conditions harmful to property owners, occupants, or passersby.
3. Fences and walls shall be maintained free of graffiti.
4. Fences and walls shall not be used as clotheslines.

D. Paved area maintenance. All paved areas, including sidewalks, driveways, and private roadways, shall be kept and maintained in a manner that does not detract from the appearance of the immediate neighborhood, and that protects the health, safety, and welfare of the user, occupant, and general public.

E. Yard and landscaping maintenance. All yards, landscaped areas, and other open space areas of private property shall be kept free of trash, old or unused building materials, junk, unlicensed or inoperative vehicles, broken or discarded furniture, appliance, building

materials, toys, boxes, salvage materials, clotheslines, shopping carts, and other such material and equipment which, by its appearance, location or use, makes it incompatible with the principal use or other predominate principal uses in the neighborhood.

F. **Ground and water maintenance.** Erosion, subsidence, and surface water problems within a property shall be abated.

G. **Residential use and storage of trash receptacles.** The following provisions apply to residential use and storage of trash receptacles:

1. Trash receptacles shall not be permanently stored in the front yard of any residential property; nor may they be placed at the curb for collection earlier than 6:00 P.M. on the day before collection, and they must be put away no later than 24 hours following collection.
2. All items too large to fit into containers including, but not limited to, appliances, furniture, and mattresses, shall be disposed of by self-transport of such items to end-disposal facilities.
3. All loose materials which normally fit into containers but which are excess as a result of special circumstances such as holidays shall be bundled and tied securely to prevent them from blowing or scattering and shall be placed beside the containers.
4. No resident shall deposit household solid waste in any receptacle maintained on a sidewalk or at any other location for disposal of litter by pedestrians.
5. Removal of trash or other scavenging from private residential solid waste containers is prohibited.

H. **Nonresidential use and storage of trash receptacles.** The following provisions apply to nonresidential use and storage of trash receptacles:

1. All establishments and institutions which generate solid waste for collection by the City or approved contractors shall provide appropriate containers for storage of solid waste, as proscribed by Chapter 20.20 CMC.
2. Containers shall be kept covered at all times.
3. No owner, manager, or employee of a commercial or industrial business or any institution shall deposit solid waste from that establishment or institution in any receptacle maintained on a sidewalk or at any other location for disposal of litter by pedestrians.

§20.56.040 - Lot Area and Lot Widths

A. Required area.

1. **Minimum lot area.** The required minimum lot area of a lot or parcel of land shall not be less than 6,000 square feet, except that the minimum lot area in the Low Density Residential zone shall be 5,000 square feet.
2. **Area accepted as the required area.** The required area of a lot or parcel of land shall be not less than the area indicated by the zoning symbol, except under the following special conditions:
 - a. **Subdivisions.** “Required area” shall mean the area of a lot or parcel of land shown as a part of a subdivision for purposes of sale when recorded as a final map or on file as a record of survey map approved as provided in the Subdivision Map Act or the subdivision ordinance of the City.
 - b. **Pre-existing lots.** Where a person has the right of possession to a lot or parcel of land by virtue of a duly recorded deed or contract of sale, and that person neither owns nor has a right of possession to any contiguous parcel of land, the “required area” shall mean the area of a lot or parcel of land provided in the deed or contract of sale, by which such right of possession was separated, has been recorded prior to the adoption of this zoning code or any subsequent ordinance imposing area requirements on the lot or parcel of land.
 - c. **Parcels of land divided by boundary lines.** Where a parcel of land which would otherwise have been shown as one lot is divided into two or more lots because of a City boundary line, “required area” shall mean the total area of said parcel of land.
3. **Increased area required.** Where in this zoning code a particular use is permitted only when established on a lot or parcel of land having an actual area greater than the area indicated as required by the zoning symbol, then such higher area requirement shall prevail for the lot or parcel of land upon which such use is located.
4. **Required area reduced by public use.** Where a lot or parcel of land having the required area loses a portion of this area in yielding area for public use in any manner, including, but not limited to, dedication, condemnation, or purchase, the remaining lot or parcel of land shall be accepted as having the required area, providing the property still contains not less than two-thirds of the required area.

B. Required lot width.

1. **Minimum lot width.** Unless otherwise provided in this chapter, the required width of a lot or parcel of land shall be not less than the width designated in the section establishing the zone.

2. **Required width reduced by public use.** Where a lot or parcel of land having the required width loses a portion of this width in yielding area for public use in any manner, including, but not limited to, dedication, condemnation, or purchase, the remaining lot or parcel of land shall be accepted as having the required width providing the property retains an average lot width of not less than two-thirds the required width.
3. **Modification of lot widths.** The Director of Community Development or the Planning Commission may, without notice or hearing, grant a modification of lot width regulations where topographic features, subdivision plans, or other conditions create an unnecessary hardship or unreasonable situation, making it impractical to require compliance with the lot width provisions.

§20.56.050 - Yards

1. **Specialized front yard requirements.**
 - a. **Partially developed blocks.** Where some lots or parcels of land in a block are improved or partially improved with buildings, each lot or parcel of land in said block shall have a front yard depth of not less than the average depth of the front yards of land adjoining on either side. A vacant lot or parcel of land, or a lot or parcel of land having more than the front yard depth required in the zone, shall be considered for this purpose as having a front yard of the required depth.
 - b. **Key lots.** The depth of the required front yard on key lots or parcels of land shall not be less than the average depth of the required front yard of the adjoining interior lot or parcel of land and the required side yard of the adjoining reversed corner lot or parcel of land.
2. **Specialized side yard requirements.**
 - a. **Width.**
 - i. Each interior lot or parcel of land with a lot width of 50 feet or less shall have side yards as required by the zone, but in no event shall the width of such required side yards be less than three feet.
 - ii. Required side yards in residential zones shall be increased two foot in width for each story of a building established above a height of one story.
 - b. **Corner or reversed corner lots.** Corner or reversed corner lots or parcels of land shall have side yards as required by the zone, except that in all residential zones a required side yard on the street side of the property shall be as shown on Chapter 20.16 CMC.

3. **Specialized rear yard requirements.**

- a. **Rear yards adjoining an alley.** Where a required rear yard adjoins an alley, one-half of the width of such alley may be considered as a part of the depth of a required rear yard.
- b. **Industrial zones adjoining a residential zone.** Where an industrial zone adjoins a residential zone, each lot or parcel of land in the industrial zone adjoining a lot or parcel of land in a residential zone shall have a rear yard not less than 30 feet in depth along the contiguous property line.

4. **Projections into yards**

- a. The following structures may be erected or projected into any required yard:
 - i. Fences and walls as provided in Section 20.16.110 CMC.
 - ii. Signs as provided in Chapter 20.72 CMC.
 - iii. Landscape elements, including trees, shrubs, and other plants.
- b. The following projections may extend into a required front or rear yard a distance not to exceed three feet, provided such projections do not approach within two and one-half feet of any front, side, or rear property line:
 - i. Cornices, eaves, belt courses, sills, buttresses, or other similar architectural features.
 - ii. Fireplace structures and bays, not wider than eight feet measured in the general direction of the wall of which they are a part, provided fireplaces or bays do not project more than three feet into required front or rear yard setbacks.
 - iii. Open and unenclosed fire escapes, balconies, stairways, and door stoops.
 - iv. Awnings.
 - v. Planting boxes or masonry planters not to exceed a height of 42 inches.
 - vi. Fish ponds and other bodies of water located in the front yard or side street yard subject to the provisions of this zoning code and any other applicable ordinance.

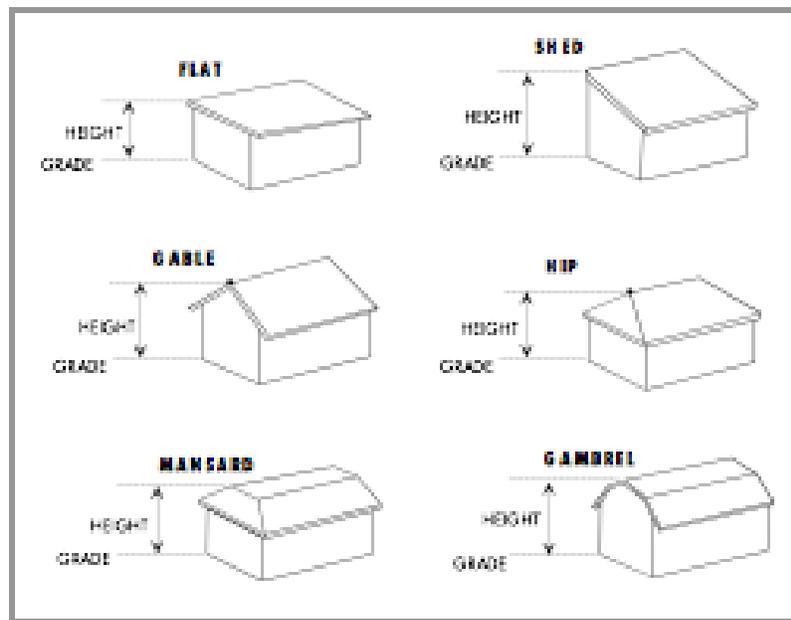
5. **Distance between buildings.** A minimum distance of 10 feet shall be required between all main buildings established on the same lot or parcel of land or a minimum of five feet of an accessory building or garage having one-hour fire rating.

6. **Open area and required rear yard.** Accessory buildings may occupy more than 50 percent of a required rear yard provided an open space is substituted for the occupied rear yard. Such substitute open area shall:
 - a. Be equal or greater in area than one-half the area of the required rear yard;
 - b. Have no linear dimension less than 20 feet in length or width; and
 - c. Be located on the same lot or parcel of land in any area not devoted to a required yard.
7. **Yard and setback areas reduced by public use.** Where an improved lot or parcel conforms with the yard or setback requirements of the zoning or setback map, and such yard or setback area is thereafter reduced due to an acquisition for public use in any manner, including, but not limited to, dedication, condemnation, or purchase, the remaining lot or parcel of land shall nevertheless be deemed to conform with such yard or setback requirements.
8. **Use of yards.**
 - a. **Storage in yards.** No storage shall be permitted in any required front or side yard.
 - b. **Vehicle parking.** See Chapter 20.64 CMC (Parking) and Chapter 20.16 CMC (Residential Zones) for regulations pertaining to vehicle parking and storage, including boats and trailers.
 - c. **Violations.** A violation of subsection (a) or (b) is hereby declared to be an infraction punishable by a fine in an amount established by resolution of the City Council. A violation of subsection (a) or (b) is a misdemeanor punishable pursuant to Section 1.36.010 CMC.

§20.56.060 - Height

- A. **Measurement of building height.** Building height shall be measured as the vertical distance from the average level of the finished grade of the lot to the highest roof point of the building being measured.

Figure 20.56-1 Measurement of Building Height



B. **Structures above height limit or adjusted height limit.** The following structures may be established above the height limit permitted in the zone, except that such structures shall not be allowed above the height limit for the purpose of providing additional floor area. The height of such structures need not be included in measuring the height of a building supporting said structure.

1. Penthouses or roof structures for the housing of elevators;
2. Stairways, tanks, ventilating fans, or similar equipment required to operate and maintain the building; and
3. Fire or parapet walls, skylights, towers, steeples, flagpoles, signs and sign structures, chimneys, smokestacks, receiving antennas, water tanks, silos, and other similar structures.

§20.56.070 - General Architectural Standards

All buildings and structures shall be built and maintained in accordance with the following architectural standards:

- A. **Exterior siding composition.** Each structure shall have and maintain exterior siding composed of brick, wood, stucco, concrete, or other similar material as approved by the Director of Community Development. Metal siding and corrugated plastic or metal are prohibited.

- B. **Roofing material.** Each structure shall have and maintain a roof constructed with wood shake, shingle, asphalt, composition, tile (slate, concrete or clay), or other similar roofing material as approved by the Director of Community Development. Metal roofing is prohibited unless approved by the Director as part of an overall design theme.
- C. **Eave projection.** Each dwelling shall have and maintain an eave projection between 18 inches and 24 inches on at least two opposing sides.
- D. **Security bars.** Security bars shall not be mounted on the outside of an exterior wall, window, or door of any dwelling unit.

§20.56.080 – Trash Collection Facilities

This section establishes standards for the location, development, and operations of trash enclosures to ensure that the storage of trash and recyclable materials do not have significant adverse health consequences and minimize adverse impacts on surrounding properties.

- A. **When required.** All new and expanded commercial and industrial projects with a floor area exceeding 500 square feet, all intensifications of commercial and industrial uses, all new multifamily residential projects located in any zone, and all new mixed-use development projects shall be required to provide and maintain at least one trash collection enclosure. Enclosures may be located indoors or outdoors to meet the requirements of this section. Review of refuse collection enclosures shall be a component of any Development Review Permit or Conditional Use Permit pursuant to Chapter 20.84 CMC. The Planning Commission may reduce or increase requirements for trash collection facilities based on unique characteristics of the use and a recommendation from the City Engineer or the City's solid waste collection provider.
- B. **Number required.**
 - 1. **Multi-family residential.** There shall be a minimum of one trash collection bin (three cubic yards) for each ten dwelling units, or fraction thereof, with a maximum of five bins. Recycling bins shall also be required. Multiple bins may be located in a trash collection enclosure. The trash collection enclosure shall be located no more than 150 feet from the dwelling units served.
 - 2. **Commercial and industrial.** One trash collection facility shall be required for each 20,000 square feet of leasable area.
- C. **Development standards.**
 - 1. Trash, recyclables, and other refuse materials that are temporarily stored outside a building shall be located within a trash collection enclosure that enables convenient collection and loading.

2. The minimum size of a trash collection enclosure shall be 10 feet wide by eight feet deep.
3. Each trash collection enclosure shall on three sides consist of minimum six-foot high, fully grouted, decorative masonry walls, with the fourth side consisting of a solid metal gate with latch, painted a color that is compatible with the enclosure walls. The exterior wall shall be of a material and colors that complement the architecture of the buildings they serve or shall have exterior landscape planting that screens the walls.
4. Outdoor trash collection enclosures required under this section shall not be located within any front yard or street-facing side yard area.
5. No outdoor trash collection enclosures shall be located within any required landscaped areas, required off-street parking spaces, public rights-of-way, or in any location where it would obstruct pedestrian walkways, vehicular ingress and egress, reduce motor vehicle sightline, or in any way create a hazard to health and safety.
6. The interior dimensions of the trash collection enclosure shall provide convenient and secure access to the containers to prevent access by unauthorized persons and minimize scavenging, while allowing authorized persons access for disposal and collection of materials.
7. All trash collection enclosures shall have full roofs to reduce storm water pollution and to screen unsightly views. The design of the roof and the materials used shall be compatible with the onsite architecture, with adequate height clearance to enable ready access to any containers.
8. Additional standards for mixed-use developments are established in Section 20.28.070 CMC.

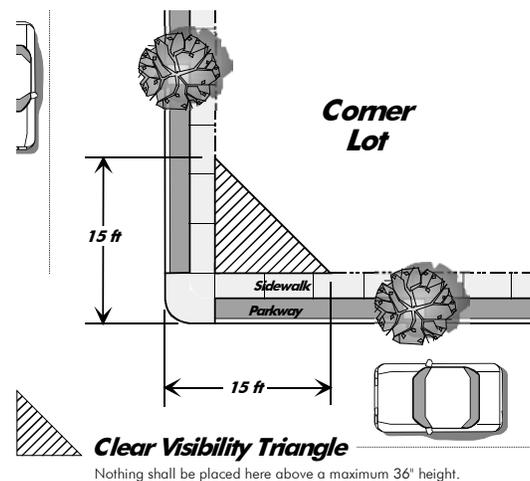
D. Maintenance.

1. There shall be the prompt removal of visible signs of overflow of garbage, smells emanating from enclosure, graffiti, pests, and vermin.
2. Trash collection enclosure covers shall be closed when not in use.
3. Trash collection enclosures shall be easily accessible for garbage collection.
4. Trash collection enclosures shall be regularly emptied of garbage.
5. Outdoor trash collection enclosures shall be locked and/or sealed at the end of business day for commercial and industrial properties.

§20.56.090 - Clear Cross-Visibility Requirement

To safeguard against vehicle, bicycle, and pedestrian collisions caused by visual obstructions at street intersections, a clear cross-visibility area shall be maintained at the intersection of public rights-of-way, unobstructed by any fence or wall taller than 36 inches above the street grade, as provided in Figure 20.56-2. At any corner formed by the intersection of two or more streets, the required clear cross-visibility area shall be a triangle having two sides, each 15 feet long extending along the curb line of each street.

Figure 20.56-2 Clear Cross Visibility Requirement Area



§20.56.100 - Street Dedication

- A. **Dedication as condition of approval.** To mitigate potential problems associated with project generated traffic and circulation, dedication of right-of-way and construction of street-related improvements may be required as a condition of approval of permits.
- B. **Dedication standards.** The following standards shall govern any street dedications or improvements:
1. No new construction or renovation shall be granted utility connections and a certificate of occupancy until one-half of the street along the lot frontage is dedicated and improved according to City standards.
 2. Additional street improvements shall not be required when the abutting street is already improved according to City standards.
 3. A deed granting an easement for a public street in a manner approved by the City Attorney shall be submitted to the City Engineer before approval of any permit.

4. All streets shall be dedicated to the width established in the General Plan Circulation Element.
5. Street improvements shall include curb and gutter, pavement, sidewalks, storm drains and a landscaped parkway, or as otherwise denoted by the Director of Community Development and the Director of Public Works.

C. **Dedication interpretation authority.** Whenever uncertainty exists regarding the need for street dedication and improvement, the Director of Public Works shall determine the need for dedication or improvement based upon road standards studies and information contained in applicable plans.

§20.56.110 - Landscaping

- A. **Purpose.** The City promotes the value and benefits of landscapes while recognizing the need to conserve water and other resources as efficiently as possible. This section establishes minimum landscape standards for all uses in compliance with applicable state standards and guidelines and to promote sustainable development. The purpose of this section is to establish a structure for planning, designing, installing, maintaining, and managing water-efficient landscapes in new construction and rehabilitated projects.
- B. **Water-efficient landscaping.** The City hereby incorporates by reference the California Code of Regulations Sections 490-495, Chapter 2.7, Division 2 Title 23 Model Water-Efficient Landscape Ordinance. All construction projects involving landscape areas in the amounts established in state law shall comply with the submittal requirements and standards in state law.
- C. **Landscape requirements.**
1. **Residential zones.** All areas of a site not devoted to structures, driveways, or walkways shall be landscaped with lawn, trees, shrubs, or other plant materials, and shall be permanently maintained in a neat and orderly manner. Hardscape materials, inclusive of driveways and pedestrian walkways, shall not cover more than 40 percent of the front setback.
 2. **Commercial, Mixed-Use, and Industrial zones.** All setbacks, parkways, open areas, plazas, paseos, and non-work areas that are visible from a public street/alley or from a parking lot available to the general public shall be landscaped, including but not limited to required common open space established in Chapters 20 and 28 CMC, landscaping requirements for service stations established in Section 20.52.490 CMC, and parking lot landscaping required by Section 20.64.070 (B) CMC.
- D. **Pervious areas and open space.** Pervious areas set aside as usable open space may also serve as areas for infiltration of stormwater runoff, subject to review and approval by the City Engineer. Use of open space areas for stormwater control shall be incorporated into

plans to comply with the provisions of Chapter 20.68 CMC that may be amended from time to time.

- E. **Irrigation.** All landscaped areas in the Medium Density Residential, High Density Residential, Commercial, Industrial, and Mixed-Use zones shall be provided with a permanent irrigation system installed below grade except for sprinkler heads.

§20.56.120 - Other General Development Standards

- A. **Identification or designation of lot lines in doubt.** Where the identification or designation of the front, side, or rear lot line is in doubt, as in the following situations, the Director of Community Development shall determine the identity or designation of the lot lines:

1. Corner lots or parcels of land with two street frontages approximately equal in length;
2. Through lots or parcels of land fronting on two or more streets; and
3. Lots or parcels of land where the only contiguous boundary to a public street or highway is provided by a driveway or other private access, or by a street frontage of less than 35 feet. The Director of Community Development shall also determine the measurement of the lot width.

- B. **Street frontage.** Each lot or parcel of land shall have a street frontage of not less than 35 feet where the front property line coincides with the street dedication line.

- C. **Under-width streets.** A building or structure shall not be erected on a lot or parcel of land that abuts a street having only a portion of its required width dedicated and where either no part of, or less than half of, such dedication would normally revert to the lot or parcel of land if the street were vacated, unless the yards provided and maintained in connection with such building or structure have sufficient width or depth in that portion of the lot or parcel of land needed to complete the street width, plus whatever width or depth of yards is required on the lot or parcel of land by this zoning code.

- D. **Floor-area ratio.**

1. **Adherence to designated floor-area ratio.** Proposed buildings and existing buildings which may be reconstructed, altered, moved, or enlarged, may not exceed the floor-area ratio indicated for the zone in which said buildings are or may be located except as otherwise provided in subsection (2) of this section.
2. **Buildings located on zone boundary lines.** Where proposed buildings and existing buildings which may be reconstructed, altered, moved or enlarged, are located or may be located on a lot or parcel of land divided into two or more zones, then such building shall be established in compliance with any prescribed floor-area ratio, or the average floor area ratio if more than one ratio applies. Where a height limit applies in one zone

and a floor-area ratio in another, such building shall be established in compliance with the less restrictive regulation.

3. **Floor area underground.** Floor area included in subsurface floors of a building shall not be counted or included in any determinations based on floor area or lot coverage.

CHAPTER 20.60 – PERFORMANCE STANDARDS

Section	Contents:
§20.60.010	Intent and Purpose
§20.60.020	Applicability
§20.60.030	Hazardous Materials and Wastes
§20.60.040	Dust and Paint
§20.60.050	Light, Glare, and Heat
§20.60.060	Electrical Disturbance
§20.60.070	Noise
§20.60.080	Odor and Gases
§20.60.090	Vibration

§20.60.010 – Intent and Purpose

The following performance standards are included in the zoning code: (a) to ensure that residential neighborhoods and the business community in Cudahy will be free from environmental hazards of noise, vibration, dust, glare, and other negative influences; and (b) to contribute to regional efforts to protect and enhance the quality of life through a clean and healthy natural environment.

§ 20.60.020 – Applicability

The performance standards in this chapter shall apply to all new construction, renovation and alteration of existing uses or structures in all zone districts. Buildings and land uses shall not be used or constructed if they create a noxious, fire, explosive, or other dangerous hazard; noise or vibration; smoke, dust, odor, air pollution, or glare; or liquid or solid wastes in amounts that adversely affect surrounding areas. These standards shall be applied in addition to the development standards required for each zone.

§20.60.030 – Hazardous Materials and Wastes

- A. **Hazardous materials standards.** To protect the health and welfare of the residents and business community of the community, the use, storage, manufacturing, or disposal of 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), and other agencies that identify hazardous materials and prescribe handling, use, and disposal practices of such.
- B. **Risk management and prevention program.** A risk management and prevention program, together with an inventory statement that is in accordance with federal, state,

and local laws, shall be prepared for all structures and land uses using materials identified as hazardous by the EPA, DHS, DTSC or other agency with jurisdiction, as applicable.

- C. **Flammable materials and open fires.** The use and storage of flammable or explosive materials shall comply with the fire prevention code of the City and all applicable ordinances. No open burning is permitted unless a written permit for such activity has been issued by the South Coast Air Quality Management District.
- D. **Hazardous materials discharge.** No liquid or solid waste or similar material that may contaminate water supplies, interfere with bacterial processes in sewage treatment, or otherwise cause the emission of dangerous or offensive elements shall be discharged into the public sewer or private disposal system, except in accordance with the requirements of the City of Cudahy Public Works and any other applicable regulations.
- E. **Radioactivity.** The use, handling, storage, and transportation of radioactive material shall comply with the provisions of the fire code adopted by the City and all other applicable local, state, and federal regulations.

§20.60.040 – Dust and Paint

- A. **Dust and paint.** All uses, including grading, construction, and operational phases, shall be conducted in a manner so as to prevent dust emissions and paint overspray from creating hazardous or potentially hazardous conditions within the site and surrounding area.
- B. **Dust control.** Parcels located within the soil erosion control area are required to obtain dust control permits from the building department prior to commencement of grading operations.

§20.60.050 – Light, Glare, and Heat

- A. **Safety lighting.** Lighting for safety purposes shall be provided at entryways, along walkways, between buildings, and within parking areas. Minimum lighting standards for parking lots are established in Section 20.64.070 CMC.
- B. **Lighting support structure height.** Lighting support structures shall not exceed the maximum permitted building height for the zone in which they are located. However, in no event shall a lighting support structure exceed a height of 40 feet.
- C. **Constant light.** Flickering or flashing lights shall not be permitted. All lights shall be constant and shall not change intensity or color more often than once every 30 minutes.
- D. **Lighting orientation and shielding.** All lights shall be directed, oriented, and shielded to prevent light from shining onto adjacent properties, onto public rights-of-way, and into

driveway areas in a manner that would obstruct motorists' vision. Lamp bulbs and other sources of direct light shall be contained in light fixtures or luminaires with opaque vertical shielding components designed to preclude any horizontal emission of light from the source.

- E. **Advertising signs lighting.** Lighting for advertising signs shall not cause light or glare on surrounding properties.
- F. **Heat.** Welding operations shall be conducted within a fully enclosed structure or shall be shielded from public view.

§20.60.060 – Electrical Disturbance

No activity shall be permitted if it causes electrical disturbance that affects the operation of equipment located beyond the property line. Radio, television, and microwave transmitters shall be suitably wired, shielded, and controlled so that they do not emit electrical waves or impulses that may affect other electronic devices or equipment.

§20.60.070 – Noise

- A. **Standards applicable to all zones.** The regulations in this section aim to prohibit unnecessary, excessive, and annoying noises from all sources, as certain noise levels are detrimental to the health and welfare of individuals. The standards apply to all land uses in all zones unless otherwise specified.
- B. **Noise measurements.** Noise shall be measured with a sound level meter that meets the standards of the American National Standards Institute (ANSI Section S1.4-1979, Type 1 or Type 2). The unit of measure shall be designated as a decibel (dBA). Noise levels shall be measured in dBA at the property line of the receptor property, and at least four feet above the ground and five feet from the nearest structure or wall. Where a boundary or wall exists, the measurement shall be made on the receptor property. A calibration check shall be made of the instrument at the time any noise measurement is made.
- C. **Exterior noise standards**
 - 1. No person shall create or allow the creation of noise that causes the exterior noise level to exceed the noise standards set forth in Table 20.60-1.

TABLE 20.60-1 Maximum Exterior Noise Standards		
Noise Level (dBA, Lmax)		
Receiving Land Use Category	10:00 P.M. – 7:00 A.M.	7:00 A.M.– 10 P.M.
Residential (Except Multi-family)	45	65
Multi-family Residential and Mobile Home Parks	50	65
Commercial and Mixed-Use	60	65
Industrial	70	70

2. Increases in the allowable exterior noise levels listed in Table 20.60-1 may be permitted in accordance with the standards outlined in Table 20.60-2:

TABLE 20.60-2 Permitted Increases in Noise Levels	
Permitted Increase (dbA)	Duration (cumulative minutes per hour)
5	15
10	5
15	1
20	Less than 1 minute

D. Interior noise standards

1. No person shall operate, or cause to be operated, any source of sound within a residential dwelling unit or allow the creation of noise on property owned, leased, occupied, or otherwise controlled by such person, which causes the noise level, when measured inside a neighboring receiving dwelling unit, to exceed the environmental and/or nuisance interpretation of the applicable limits shown in Table 20.60-3:

Table 20.60-3 Maximum Interior Noise Levels			
Land Use Type	Time Period	Maximum Noise Level (dBA)	
		Any time	1 min./1hr.
Residential	10 P.M. to 7:00 A.M.	35	40
	7:00 A.M. to 10:00 P.M.	45	50
Mixed-Use Residential	All hours	45	50

2. If the ambient noise level inside a receiving dwelling unit exceeds permissible limits, the allowable noise exposure standard in that category shall be the measured ambient noise for a cumulative period of five minutes in any one hour, ambient plus five dBA

- for one minute within any one hour, and shall not exceed the ambient plus 10 dBA at any time.
- E. **Enclosed equipment.** Utilization of compressors or other equipment, including but not limited to, vents, ducts, and conduits, but excluding window or wall-mounted air-conditioners which are located outside of the exterior walls of any building, shall be enclosed within a permanent, noncombustible, view-obscuring enclosure to ensure that the equipment will not emit noise in excess of the ANSI standards.
- F. **Residential uses along major corridors.** New residential development along Atlantic Avenue, Clara Street (from Atlantic Avenue to River Road), and Salt Lake Avenue shall comply with the Land Use Compatibility standards for noise in the 2040 General Plan. In order to confirm compliance, an acoustical study shall be performed in conjunction with any development project proposal. For residential uses in a Mixed-Use Corridor, a Residential Noise Notice shall be provided in accordance with subsection 20.28.080 (E).
- G. **Exemptions.** Warning devices necessary for the protection of public safety, including but not limited to police, fire and ambulance sirens, and train horns, are exempt from these noise standards.

§20.60.080 – Odor and Gases

- A. **Odor standards.** Any process that creates or emits odors, gases, or other odorous matter shall comply with standards set by the South Coast Air Quality Management District.
- B. **Continuous, frequent, or repetitive odorous gases.** No use shall be permitted to emit continuous, frequent, or repetitive odorous gases such as to be detectable without the aid of instruments at or beyond the lot line of the site.

§20.60.090 – Vibration

- A. **No detectable vibration.** No vibration shall be detectable beyond the property line of the site from which the vibration is emanating. The ground vibration caused by moving vehicles, trains, aircraft, or temporary construction/demolition activity is exempted.
- B. **Residential use near railroad tracks.** A vibration study shall be provided in conjunction with any proposed residential development within 200 feet of the Union Pacific Railroad tracks.
- C. **Industrial districts.** Within industrial districts, vibration shall not exceed the standards set forth in Table 20.60-4:

TABLE 20.60-4 Maximum Vibration in Industrial Districts		
	Vibration Displacement (inches)	
Frequency (minutes per hour)	Steady State	Impact
Under 10	.0055	.0010
10-19	.0044	.0008
20-29	.0033	.0006
30-39	.0002	.0004
40+	.0001	.0002

CHAPTER 20.64 – OFF-STREET PARKING AND LOADING

Section	Contents:
§20.64.010	Intent and Purpose
§20.64.020	Applicability
§20.64.030	Use Restrictions
§20.64.040	Required Number of Spaces
§20.64.050	Parking Development Standards – General
§20.64.060	Parking Development Standards – Maintenance and Paving
§20.64.070	Parking Development Standards – Walls, Landscaping, and Lighting
§20.64.080	Shared Parking
§20.64.090	Bicycle Parking
§20.64.100	Loading Facilities
§20.64.110	Access Ways for Fire Vehicles
§20.64.120	Development Review Permit

§20.64.010 - Intent and Purpose

The intent of the regulations in this chapter is to ensure that all land uses in the community provide adequate off-street parking facilities, loading areas, and vehicle movement areas; that the use of land does not adversely interfere with the circulation on public rights-of-way; that private on-site circulation does not pose potential safety issues; and that surrounding uses are insulated from noise and traffic impacts associated with off-street parking and loading activities.

§20.64.020 - Applicability

Every use permitted in each zone shall provide and permanently maintain off-street parking facilities and vehicular loading spaces as required by the provisions of this chapter. The minimum standards shall apply to all new construction and to the expansion, renovation, conversion, or alteration of any existing use or structure in any zone.

§20.64.030 - Use Restrictions

A. Location of parking and loading facilities

1. **Residential zones.** Required parking facilities in residential zones and permitted residential uses in any other zone shall be located on the same lot or parcel of land as the use that the parking space is intended to serve.
2. **Zones other than residential:**
 - a. **Parking facilities.** Required parking facilities in zones other than residential may be located:

- i. Outdoors or in a building.
 - ii. On the same lot or parcel of land as the use the parking space is intended to serve.
 - iii. On a lot or parcel of land held under the same or joint ownership, provided such parking facilities are located within 400 feet of the use served.
 - iv. On a lot or parcel of land owned or operated by the City as a parking lot, parking district, or parking area provided such commuter parking facilities are located within 1,000 feet of the use served.
 - b. **Loading facilities.** Required loading facilities shall be located on the same lot or parcel of land as the use served.
- B. **Ingress and egress.** Required parking and loading facilities shall be provided with easily accessible and adequate ingress and egress from and to a street, highway, or alley.
- C. **Reduction or encroachment**
 1. Land within the right-of-way of a proposed street or highway, or within the right-of-way of a street or highway proposed to be widened, may not be used to provide required parking or loading facilities. In the Mixed-Use zones, use of on-street parking for required parking may be considered as part of the development review or Conditional Use Permit process.
 2. Where vehicular access to a garage, carport, or automobile storage space on the same lot or parcel of land as the residential structure to which said parking facility would be accessory is not possible from any street, highway, or alley due to topographical or other conditions, or is so difficult to achieve that to require such access is unreasonable in the opinion of the Director of Community Development or City Engineer, such garage, carport, or automobile storage space is not required if:
 - a. Alternate parking facilities, approved by either the Director of Community Development or the City Engineer, are provided; or
 - b. The Director of Community Development or City Engineer finds that alternate parking facilities are not feasible.
- D. **Prohibited parking and storage.** The purpose of regulating the storage, parking, and repairing of vehicles is to minimize potentially adverse effects on surrounding residents and properties. These regulations are in addition to regulations pertaining to residential zones in Section 20.16.100 CMC.
 1. **Parking in parking facility or driveway.** No person shall park any vehicle, or any component thereof, for any purpose, in any area on any private property other than in

- a legally established parking space or parking facility or driveway leading to such a parking space or parking facility.
2. **No parking on unimproved lot.** No person shall park any vehicle, or any component thereof, for any purpose, on an unimproved lot or on any unpaved surface.
 3. **Offering vehicle for sale.** No person shall park any vehicle, or any component thereof, in a public or private parking lot or area for the purpose of offering the vehicle for sale.
 4. **Abandoned and inoperable vehicles.** No person shall store or park an abandoned or inoperable automobile, recreational vehicle, camper shell, or boat on the driveway of a private property for more than seven days.
 5. **Commercial vehicles over 6,000 pounds in residential zones.** Keeping and storing of heavy commercial vehicles that have more than two axles or weigh in excess of 6,000 pounds unloaded, as described in the state vehicle code, are prohibited in any residential zone.
 6. **Vehicles over 6,000 pounds.** No person shall store or park any vehicle weighing over 6,000 pounds on any portion of a commercially or industrially zoned lot, with the exception of an off-street parking or loading facility permitted pursuant to this chapter.

§20.64.040 - Required Number of Spaces

Table 20.64-1 below indicates the minimum number of parking spaces required for each listed land use. The following regulations shall apply to the calculation of required parking spaces:

- A. **Calculation.** Any fractional parking space greater than or equal to one-half shall be rounded to the next whole number. “Square feet” or “sf” shall mean “square feet of floor area.”
- B. **Off-street parking for unlisted land use.** The number of parking spaces required for land uses not specifically listed in Table 20.64-1 shall be determined by the Director of Community Development based on common functional, product, or compatibility characteristics and activities. Such determination is considered a formal interpretation of this chapter and shall be decided and recorded as such.
- C. **Multiple uses on one site.** If more than one land use is located on a site, the number of required off-street parking spaces shall be equal to the sum of the number requirements prescribed for each land use, except for shared parking allowed pursuant to Section 20.64.080 CMC.

- D. **Handicapped accessible parking.** Handicapped accessible parking shall be provided as required by state law.

- E. **Electric vehicle recharging facilities.** Electric vehicle charging infrastructure shall be provided in multifamily housing developments and non-residential developments according to the standards outlined by the California Green Building Standards Code. Where electric vehicle recharging stations are provided, they shall follow the development standards outlined in the California Green Building Standards Code.

- F. **Parking reduction near light-rail station.** A 25 percent reduction will be applied to the off-street parking requirement for any commercial or industrial use that is located within 1,320 feet (1/4 mile) of a light rail passenger station.

TABLE 20.64 - 1 Number of Required Parking Spaces	
Land Use	Minimum Number of Spaces Required
Amusement Arcades or Cyber Cafes/Computer Labs	1 space/100 sf of floor area
Automotive and Equipment Sales/Service a. Automotive Sales/Rental/Leasing b. Automotive Repair/Installation c. Automotive Storage d. Heavy Equipment Rental and Sales e. Large Equipment Repair	a. 1 space/2,000 sf of site area b. 1 space/250 sf of building area, plus 3 spaces/service bay c. 1 space/employee d. 1 space/400 sf of building area, plus 1 space/2,000 sf of site area e. 2 spaces/service bay
Banquet Hall/Lodge/Meeting Hall	1 space/5 seats or 1 space 50 sf of assembly area if no fixed seats
Boardinghouses and similar structures having guest rooms.	1 space/2 guest rooms; with such parking spaces to be located in a garage or carport
Commercial Cannabis Facilities	One parking space for every 2 employees during the peak shift. The City Council may reduce the number of spaces as part of the commercial cannabis permit and Development Agreement review if existing site conditions limit compliance
Day Care Facilities a. Small-Family Day Care Home b. Large-Family Day Care Home c. Day Care Facility	a. No requirement beyond standard single-family residential dwelling b. 1 space/2 employees, plus parking otherwise required for the residential use c. 1 space/2 employees plus 1 space/classroom

TABLE 20.64 - 1 Number of Required Parking Spaces	
Land Use	Minimum Number of Spaces Required
Commercial Entertainment <ul style="list-style-type: none"> a. Motion Picture or Live Theater b. Dance Halls c. Card clubs/casinos 	<ul style="list-style-type: none"> a. 1 space/5 fixed seats or 1 space/35 sf of seating area where there are no fixed seats, plus 1 space/2 employees b. 1 space/35 sf of dance floor area, plus 1 space/5 fixed seats, or 1 space/35 sf of seating area where there are no fixed seats c. 1 space/100 sf of gross gaming floor area, plus 1 space/2 employees, plus the spaces required by this section for additional uses conducted on the premises
Commercial Recreation <ul style="list-style-type: none"> a. Health/Fitness Club b. Bowling Alley c. Arcade/Internet Café d. Skating rinks e. Swimming pools, commercial 	<ul style="list-style-type: none"> a. 1 space/150 sf of building area b. 5 spaces/bowling lane, plus spaces required by this section for additional uses conducted on the premises c. 1 space/200 sf of building area d. 1 space/5 seats or 1 space/35 sf of seating area where there are no fixed seats, plus 1 space/250 sf of floor area not used for seating e. 1 space/1,000 sf on the lot or parcel of land on which such use is established
Dwellings <ul style="list-style-type: none"> a. Single-family detached and duplex b. Multi-family units with three or more bedrooms c. Multi-family units with one or two bedrooms d. Efficiency Apartments (studio) e. Senior Housing 	<ul style="list-style-type: none"> a. 2 garage spaces/dwelling unit, plus 1 additional garage or surface space where dwelling unit contains 5 or more bedrooms b. 2 spaces/dwelling unit, at least one space in a garage c. 1.5 spaces/dwelling unit, at least one space in a garage d. 1 space/dwelling unit e. 1 space/dwelling unit <p>For all but single-family detached dwellings and senior housing, guest parking shall be provided at 0.5 space/dwelling unit for multi-family units with one or more bedrooms, and 0.5 space/dwelling unit for efficiency apartments.</p>
Emergency Shelter	1 space/5 beds
Equipment Sales and Rental <ul style="list-style-type: none"> a. Indoor display b. Outdoor display 	<ul style="list-style-type: none"> a. 1 space/250 sf of building area b. 1 space/1,000 sf of display area, plus any required for indoor display or related use
Industrial/Manufacturing/Materials/Goods Processing	1 space/500 sf of floor area, plus 1 space/each company vehicle operated or kept in connection with the uses

TABLE 20.64 - 1 Number of Required Parking Spaces	
Land Use	Minimum Number of Spaces Required
Hospital/Medical Service a. General Hospital Service b. Medical/Dental Office c. Ambulance Service	a. 2 spaces/bed b. 1 space/200 sf of floor area c. 1 space/ambulance, plus 1 space/250 sf of office space
Hotel/Motel	1 space/guest room, plus 1 space for manager, plus additional parking as required for any on-site restaurant, conference facility, or other auxiliary use
Mobile Home Park	2 spaces/mobile home site, plus 1 guest space/5 mobile home sites
Office - Business and Professional (other than medical or dental), including banks and financial service.	1 space/250 sf of building area
Personal Service Business	1 space/250 sf of building area
Places of Religious Assembly	1 space/5 fixed seats or 1 space/35 sf of assembly area within the main auditorium where there are no fixed seats, plus any required for ancillary uses such as day care facilities and schools
Public Utility Facilities not having business offices on the premises	1 space/2 employees on the largest shift, plus 1 space/vehicle used in connection with the use. A minimum of 2 parking spaces shall be provided for each such use regardless of the building space or number of employees. Nothing provided in this section shall require off-street parking for unattended public utility uses.
Restaurant/Café	1 space/5 fixed seats or 1 space/100 sf of seating area where there are no fixed seats
Residential Care Facilities (over 6 persons)	1 space/3 beds
Retail Sales - General	1 space/300 sf of building area
School a. Elementary or Secondary (Private) b. High School (Private) c. Specialized and Vocational	a. 1 space/employee plus, 1 space/classroom b. 1 space/employee plus, 1 space/2 students in 11 th and 12 th grade c. 1 space/35 sf devoted to instructional purposes plus, 1 space/classroom
Self-storage Facility	4 spaces, plus 2 spaces for management and employees
Service Station a. Stand-alone Station b. With Accessory Retail/Convenience Market c. With Vehicle Maintenance/Repair	a. 2 spaces/service bay b. 5 spaces or first 1,000 square feet, plus 1 space/300 square feet thereafter c. 2 spaces/service bay
Warehousing and Distribution	1 space/1,000 sf of floor space plus 1 space/company vehicle used in connection with the use

Note: Building area defined as gross usable area

§20.64.050 - Parking Development Standards – General

A. Dimensions for parking areas and access

1. Parking space dimensions.

- a. **Standard spaces.** The minimum dimensions of required parking spaces shall be a width of nine feet and a length of 19 feet, unless it is adjacent to a structure, such as a fence or wall, and then shall have a minimum width of 9 feet 6 inches.
- b. **Compact spaces.** The minimum dimensions of compact spaces shall be a width of eight feet and a length of 16 feet.
- c. **Tandem.** Tandem spaces are not permitted unless a Conditional Use Permit is approved.
- d. **Parallel spaces.** Each parallel parking space shall have a minimum width of 10 feet and a minimum length of 23 feet.

2. Parking space layout.

- a. Parking spaces laid out parallel to, or at angles through 45 degrees, to the aisles or driveways, shall have a one-way aisle or driveway width of not less than 12 feet.
- b. Parking spaces laid out at angles from 46 degrees through 60 degrees to the aisles or driveways shall have a one-way aisle or driveway width of not less than 18 feet.
- c. Parking spaces laid out at angles from 61 degrees through 90 degrees to the aisles or driveways shall have an aisle or driveway width of not less than 24 feet.
- d. Required aisles or driveways to serve other than residential uses shall have a minimum width of 10 feet to accommodate one-way vehicular traffic, and a minimum width of 20 feet to accommodate two-way vehicular traffic, except as otherwise provided in this section.

3. Driveways.

- a. Driveways shall meet the requirements of the Los Angeles Fire Department for fire access.
- b. In residential zones where a specific width is not required by a Fire Department, the minimum driveway width shall be 16 feet for projects with fewer than four units, other than single-family dwellings, and 20 feet for projects with greater than four or more units.

- c. In commercial, industrial, or mixed-use zones where a specific width is not required by a Fire Department, driveways serving to provide vehicular access shall have a width of not less than 16 feet.

B. Parking area circulation.

1. The planned circulation of motor vehicles in a parking lot shall be arranged to permit vehicular traffic to move into and out of the parking area without backing any motor vehicle onto a public right-of-way.
2. Parking areas having more than one aisle or driveway shall have directional signs provided in each aisle or driveway.

C. Compact parking. Whenever off-street parking is provided for commercial and industrial uses pursuant to this chapter, reduced size parking spaces for compact cars shall be permitted for parking facilities providing more than 20 spaces, as follows:

1. Compact spaces make up no more than 10 percent of the total spaces provided;
2. Such spaces comply with the minimum dimensions set forth in Section 20.64.050 (A)(1)(b) CMC;
3. Each space is clearly marked on the pavement in the rear one-third of the space with the word “COMPACT”; and
4. In parking facilities providing 50 or more spaces, any compact spaces that are provided shall be distributed throughout the facility, not concentrated in one place.

D. Tandem parking

Tandem parking shall be permitted through the approval by a Conditional Use Permit. When such approvals are granted, the following shall apply:

1. For commercial and industrial uses, tandem spaces must not make up more than 10 percent of the total spaces provided;
2. For residential uses, tandem spaces may be provided in a garage, but may not be compact spaces;
3. All such spaces must comply with the minimum dimensions set forth in Section 20.64.050 CMC; and
4. For valet parking, parking space size and the number of parking attendants shall be determined on a case-by-case basis as part of the Conditional Use Permit.

§20.64.060 - Parking Development Standards – Maintenance and Paving

All areas used for the required parking of motor vehicles shall be developed as indicated in this chapter and, when required, shall have the following features indicated on any site plan submitted for review:

- A. **Paving.** All required parking spaces and driveways used for access thereto shall be paved with:
 - 1. In residential zones, Portland cement concrete, asphaltic concrete, or equivalent materials, subject to approval of the Director of Community Development, to a minimum thickness of three and five-eighths inches, including expansion joints as necessary.
 - 2. In commercial and industrial zones, concrete surfacing to a minimum thickness of five and five-eighths inches, including expansion joints as necessary, or asphalt type surfacing compacted to a minimum thickness of two inches, laid over a base of crushed rock, gravel, or other similar material, compacted to a minimum thickness of six inches.
 - 3. In all zones, driveways with less than a one percent slope to the street shall be completely paved with concrete only in such thickness as is required by the use of the property as set forth in subsections (A)(1) and (A)(2) of this section.
- B. **Marking parking spaces.** Wherever 10 or more automobile parking spaces are required, each space shall be clearly marked with paint or other easily distinguishable material.
- C. **Bumper guards or wheel stops.** Bumper guards or wheel stops shall be provided for all required parking spaces except spaces established in a private residential garage.

§20.64.070 – Parking Development Standards: Walls, Landscaping, and Lighting

- A. **Walls.**
 - 1. **Front yards.** Where parking facilities for more than five automobiles are located in a front yard setback if permitted by the respective zone or within 10 feet of the front property line, such parking facilities shall have a masonry wall, not more than 42 inches nor less than 36 inches high, established parallel to the front property line. Such wall may not be located nearer than five feet to the front property line when established in any area across the street from a residential zone.
 - 2. **Side or rear yards.** Where parking facilities for more than five automobiles are located on land adjoining a residential zone, such parking facilities shall, except as otherwise provided herein, have a masonry wall, not less than five feet high nor more than six feet high, established along the side and rear lot lines adjoining said zones.

Wherever such wall is located within 10 feet of any street, highway, or alley and would interfere with the line of vision of the driver of an automobile leaving the property on a driveway or moving past a corner at the intersection of two streets, such wall shall not exceed a height of 42 inches nor be less than 36 inches in height.

B. Landscaping.

1. A landscaped strip not less than five feet in width shall be required along the sides of a required parking area bounded by a street or highway, excluding space devoted to driveways or permitted buildings or structures.
2. Where a wall is required to be set back from a property line, the open area between the property line and such wall shall be landscaped and maintained.
3. Required parking facilities for 10 or more automobiles shall include interior landscaping to cover not less than six percent of the area devoted to outdoor parking facilities.
4. Shade trees shall be planted and maintained in all parking lots at a ratio of one tree for every 10 parking spaces. The trees shall be placed throughout the parking lot in a manner that will ensure that most portions of the lot receive tree shade. Trees shall be of a variety that provides a broad canopy. The minimum size of such trees at planting shall be 36-inch box.
5. Required landscaping shall be subject to the provisions of Chapter 20.84 PART 2 CMC.

C. Lighting. Lighting of outdoor parking areas shall be arranged to prevent glare or direct illumination on any adjacent residential property and shall be of the following minimum intensity. All lighting shall comply with performance standards in Section 20.60.050 CMC.

1. In residential or more restrictive zones, all parking areas shall be illuminated with light having an intensity of not less than one foot-candle at grade level.
2. In commercial, industrial and mixed-use zones, all parking areas shall be illuminated with light having an intensity of not less than two foot-candles at grade level.

§20.64.080 - Shared Parking

- A. Shared parking conditions.** Parking facilities for any nonresidential use may share parking facilities with another use only if no substantial conflict exists in the principal operating hours of the uses proposed to share parking facilities. Shared parking shall be located in reasonable proximity to each use as determined by the Director of Community Development.

- B. **Shared parking report required.** A parking report shall be prepared for review and approval by the Director of Community Development documenting the parking requirements of each use proposing to share parking facilities and further documenting how the sharing arrangement will satisfy the parking needs of each affected use.
- C. **Mixed-use with residential.** This subsection applies to mixed-use developments where allowed by Chapter 20.20 CMC and Chapter 20.28 CMC.
1. The number of parking stalls provided shall be as outlined in Table 20.64-1.
 2. Any required guest parking for the residential uses may be provided through the required commercial parking.
 3. The parking for the residential use required to be in a fully enclosed garage may be provided within an underground or aboveground parking structure.
 4. With the exception of the guest parking, parking for the residential uses shall be provided and maintained separate and secure from the on-site public parking.

§20.64.090 - Bicycle Parking

- A. **Minimum bicycle parking required.** Bicycle parking shall be provided for multi-family residential, public and civic facilities, schools, retail, commercial, office, and industrial uses in accordance with CalGreen Building Code.
- B. **Bicycle parking location.** Bicycle parking shall be located on a paved surface, in proximity to a building entrance, in a visibly secure and well-lit location, and adjacent to the building served.
- C. **Bicycle parking minimum dimensions.** The minimum dimensions for bicycle parking spaces shall be two feet by six feet, plus a five-foot wide maneuvering space behind the bicycle rack area.

§20.64.100 - Loading Facilities

The following provisions shall apply to loading facilities, except that loading areas provided inside a building need not be located to adjoin or extend along any existing alley:

- A. **Minimum loading area.** The minimum area required for a loading space shall be not less than 10 percent of the required parking area pursuant to the provisions of this chapter; provided, however, in no event shall the minimum loading space be less than 250 square feet. The loading area required by this section shall not be construed to reduce the required parking area otherwise provided for in this chapter or elsewhere in this code.

- B. **Minimum area per business.** Where buildings are occupied by more than one business, occupant, or tenant, there shall be a minimum of 250 square feet of off-street loading area for each such business, occupant, or tenant.
- C. **Alleys.** On a lot or parcel of land adjoining an alley, the required loading area shall be accessible from the alley. Exceptions to this standard apply: (a) when an existing building being lawfully maintained adjoins the alley and blocks further access from said alley; or (b) when a new building is erected on the same lot or parcel of land blocking access from the alley, but only if adequate and accessible loading facilities are located elsewhere on the same lot or parcel of land.

§20.64.110 - Access Ways for Fire Vehicles

Fire vehicle access ways, signage, and parking restrictions shall be required pursuant to the Los Angeles County Fire Code.

§20.64.120 - Development Review Permit

Development plans shall be submitted to the Director of Community Development, pursuant to the provisions of Chapter 20.84 PART 2 CMC, prior to the establishment of any required parking facilities for 10 or more automobiles.

CHAPTER 20.68 – LOW IMPACT DEVELOPMENT MEASURES

Section	Contents:
§20.68.010	Purpose and Intent
§20.68.020	Applicability
§20.68.030	Effective Date
§20.68.040	Specific Requirements
§20.68.050	Additional Requirements
§20.68.060	Validity

§20.68.010 – Purpose and Intent

- A. **Purpose.** The provisions of this chapter establish requirements for construction activities and facility operations of development and redevelopment projects to comply with the current municipal National Pollutant Discharge Elimination System (NPDES) permit, lessen the water quality impacts of development by using smart growth practices, and integrate Low Impact Development (LID) practices and standards for stormwater pollution mitigation through means of infiltration, evapotranspiration, biofiltration, and rainfall harvest and use. LID shall be inclusive of new development and/or redevelopment requirements.
- B. **Scope.** This chapter contains requirements for stormwater pollution control measures in development and redevelopment projects and authorizes the City to further define and adopt stormwater pollution control measures, and to develop LID principles and requirements, including but not limited to the objectives and specifications for integration of LID strategies, grant waivers from the LID requirements, and collect funds for projects that are granted waivers. Except as otherwise provided herein, the City shall administer, implement, and enforce the provisions of this chapter. Guidance documents supporting implementation of requirements in this chapter are hereby incorporated by reference, including Standard Urban Stormwater Mitigation Plan and LID guidelines (City of Cudahy Low Impact Development (LID) guidelines) available from the City Clerk. Definitions in Chapter 20.88 CMC shall apply.

§20.68.020 – Applicability

Development projects subject to permittee conditioning and approval for the design and implementation of post-construction controls to mitigate stormwater pollution, prior to completion of the project(s), are:

- A. **Greater than one acre.** All development projects equal to one acre or greater of disturbed area that adds more than 10,000 square feet of impervious surface area.
- B. **Industrial parks.** Industrial parks 10,000 square feet or more of surface area.

- C. **Commercial malls.** Commercial malls 10,000 square feet or more of surface area.
- D. **Retail gasoline outlets.** Retail gasoline outlets with 5,000 square feet or more of surface area.
- E. **Restaurants.** Restaurants (Standard Industrial Classification (SIC) of 5812) with 5,000 square feet or more of surface area.
- F. **Parking lots.** Parking lots with 5,000 square feet or more of impervious surface area or with 25 or more parking spaces.
- G. **Streets and roads.** Street and road construction of 10,000 square feet or more of impervious surface area. Street and road construction applies to standalone streets, roads, highways, and freeway projects, and also applies to streets within larger projects.
- H. **Automotive service facilities.** Automotive service facilities (SIC of 5013, 5014, 5511, 5541, 7532 through 7534, and 7536 through 7539) with 5,000 square feet or more of surface area.
- I. **Sensitive areas.** Projects located in or directly adjacent to, or discharging directly to an environmentally sensitive area (ESA), where the development will:
1. Discharge stormwater runoff that is likely to impact a sensitive biological species or habitat; and
 2. Create 2,500 square feet or more of impervious surface area.
- J. **Redevelopment Projects.**
1. Land disturbing activity that results in the creation, addition, or replacement of 5,000 square feet or more of impervious surface area on an already developed site on planning priority project categories.
 2. Where redevelopment results in an alteration to more than 50 percent of impervious surfaces of a previously existing development, and the existing development was not subject to post-construction stormwater quality control requirements, the entire project must be mitigated.
 3. Where redevelopment results in an alteration of less than 50 percent of impervious surfaces of a previously existing development, and the existing development was not subject to post-construction stormwater quality control requirements, only the alteration must be mitigated, and not the entire development.
 4. Redevelopment does not include routine maintenance activities that are conducted to maintain original line and grade, hydraulic capacity, original purpose of facility, or emergency redevelopment activity required to protect public health and safety. Impervious surface replacement, such as the reconstruction of parking lots and

roadways which does not disturb additional area and maintains the original grade and alignment, is considered a routine maintenance activity. Redevelopment does not include the repaving of existing roads to maintain original line and grade.

5. Existing single-family dwellings and accessory structures are exempt from the redevelopment requirements unless such projects create, add, or replace 10,000 square feet of impervious surface area.

K. **Other projects.** Any other project as deemed appropriate by the Director of Community Development based on finding that characteristics of either the project or the site may result in environmental effects that can be mitigated by application of this chapter.

§20.68.030 – Effective Date

The planning and land development requirements contained in this chapter shall become effective 30 days from the adoption of the ordinance codified in this zoning code. This includes planning priority projects that are discretionary permit projects or project phases that have not been deemed complete for processing, or discretionary permit projects without vesting tentative maps that have not requested and received an extension of previously granted approvals within 90 days of adoption of the ordinance codified in this zoning code. Project applications that have been deemed complete within 90 days of adoption of the ordinance codified in this zoning code are not subject to the requirements of this chapter.

§20.68.040 – Specific Requirements

The site for every planning priority project shall be designed to control pollutants, pollutant loads, and runoff volume to the maximum extent feasible by minimizing impervious surface area and controlling runoff from impervious surfaces through infiltration, evapotranspiration, bioretention, and/or rainfall harvest and use.

- A. **Street and road projects.** Street and road construction projects with construction costs greater than \$500,000 and add at least 10,000 square feet of impervious surface shall follow the City of Cudahy's green streets policy manual (available from the City Clerk).
- B. **Planning priority projects.** The remainder of planning priority projects shall prepare a LID plan to comply with the following:
 1. Retain stormwater runoff on site for the stormwater quality design volume (SWQDV) defined as the runoff from:
 - a. The eighty-fifth percentile 24-hour runoff event as determined from the Los Angeles County eighty-fifth percentile precipitation isohyetal map; or
 - b. The volume of runoff produced from a three-quarter inch, 24-hour rain event, whichever is greater.

2. Minimize hydromodification impacts to natural drainage systems as defined in the municipal NPDES permit.
3. To demonstrate technical infeasibility, the project applicant must demonstrate that the project cannot reliably retain 100 percent of the SWQDV on site, even with the maximum application of green roofs and rainwater harvest and use, and that compliance with the applicable post-construction requirements would be technically infeasible by submitting a site-specific hydrologic and/or design analysis conducted and endorsed by a registered professional engineer, geologist, architect, and/or landscape architect. Technical infeasibility may result from conditions including the following:
 - a. The infiltration rate of saturated in situ soils is less than three-tenths inch per hour and it is not technically feasible to amend the in situ soils to attain an infiltration rate necessary to achieve reliable performance of infiltration or bioretention Best Management Practices (BMPs) in retaining the SWQDV on site.
 - b. Locations where seasonal high groundwater is within five to 10 feet of surface grade.
 - c. Locations within 100 feet of groundwater well used for drinking water.
 - d. Brownfield development sites or other locations where pollutant mobilization is a documented concern.
 - e. Locations with potential geotechnical hazards.
 - f. Smart growth and infill or redevelopment locations where the density and/or nature of the project would create significant difficulty for compliance with the on-site volume retention requirement.
4. If partial or complete on-site retention is technically infeasible, the project site may biofiltrate one and one-half times the portion of the remaining SWQDV that is not reliably retained on site. Biofiltration BMPs must adhere to the design specifications provided in the municipal NPDES permit.
 - a. Additional alternative compliance options such as off-site infiltration and groundwater replenishment projects may be available to the project site. The project site should contact the approving agency to determine eligibility.
5. The remaining SWQDV that cannot be retained or biofiltered on site must be treated on site to reduce pollutant loading. BMPs must be selected and designed to meet pollutant-specific benchmarks as required per the municipal NPDES permit. Flow-through BMPs may be used to treat the remaining SWQDV and must be sized based on a rainfall intensity of:

- a. One-fifth inch per hour; or
- b. The one-year, one-hour rainfall intensity as determined from the most recent Los Angeles County isohyetal map, whichever is greater.

§20.68.050 – Additional Requirements

The site for projects not classified with general applicability listed in Section 20.68.030 CMC but resulting in the creation, addition, or replacement of 500 square feet or more of impervious surface area shall be designed to control pollutants, pollutant loads, and runoff volume per the City of Cudahy LID guidelines (available from the City Clerk).

§20.68.060 – Validity

If any provision of this chapter is found to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect remaining provisions of this chapter are declared to be severable.

CHAPTER 20.72 – SIGN REGULATIONS

Section	Contents:
§20.72.010	Intent and Purpose
§20.72.020	Applicability
§20.72.030	General Requirements
§20.72.040	Permit Requirements
§20.72.050	Exempt Signs
§20.72.060	Prohibited Signs
§20.72.070	Temporary Signs
§20.72.080	General Sign Design Standards
§20.72.090	Signs Regulations in the Commercial, Industrial, and Mixed-Use Zone
§20.72.100	Special Requirements
§20.72.110	Maintenance
§20.72.120	Legal Nonconforming Signs

§ 20.72.010 – Intent and Purpose

The objectives, justification, and basis for the various regulations relative to signs as contained in this chapter include, but are not limited to, the following:

- A. To direct persons to various activities and enterprises in order to provide for public convenience.
- B. To provide a responsible system of controls of signs, integrated within and a part of the comprehensive zoning plan set forth by this title and not as a distinct police power exercise separate and apart from the zoning power.
- C. To encourage signs which are well designed.
- D. To minimize overhead visual clutter.
- E. To enhance the economic value of the community and each area thereof through the regulation of size, location, and illumination of signs.
- F. To encourage signs which are compatible with adjacent land uses.
- G. To reduce possible traffic and safety hazards.
- H. To relate sign area and height to viewing distance and optical characteristics of the eye.

§20.72.020 – Applicability

- A. No sign or advertising structure which in any way endangers the safety of any person shall be permitted.
- B. All signs and advertising structures shall be maintained in a neat and orderly condition.
- C. No person shall place, erect, construct, or otherwise maintain any sign which is not established in compliance with this chapter, and except when otherwise indicated in this chapter, no outdoor advertising sign shall be established without such license and permits as are required by applicable state statutes and the Municipal Code.
- D. Commercial signs shall identify at least the name and address of the business or activity to which they refer using Roman letters and Arabic numerals so as to enable the City and the public to identify an establishment for public safety purposes.

§20.72.030 – General Requirements

- A. **Interpretations by Director.** Interpretations of the requirements of this chapter shall be exercised in light of the City’s content-neutrality policy. Where a particular type of sign is proposed in a permit application, and the type is neither expressly allowed nor prohibited by this chapter, or whenever a sign does not qualify as a “structure” as defined in the California Building Code, then the Director of Community Development shall approve, conditionally approve, or deny the application based on the most similar sign type that is expressly regulated by this chapter.
- B. **Content neutrality.** It is the City’s policy to regulate signs in a constitutional manner that is content neutral with respect to both noncommercial and commercial messages. For the purposes of this chapter, a content-neutral regulation is a so-called “time, place, or manner” regulation, which, as the name suggests, does no more than place limits on when, where, and how a message may be displayed or conveyed.
- C. **Message substitution.** Signs authorized by this chapter are allowed to carry noncommercial messages in lieu of any other commercial or noncommercial messages. Substitution of messages may be made without an additional permitting process unless a building permit is required. This provision prevails over any more specific provision to the contrary within this chapter. The purpose of this provision is to prevent an inadvertent favoring of commercial speech over noncommercial speech, or favoring of any particular noncommercial message over any other noncommercial message. This provision does not create a right to increase the total amount of signs or cumulative sign area on a parcel, nor does it affect the requirement that a sign structure or mounting device be properly constructed.

- D. **Rules for non-communicative aspects of signs.** Rules and regulations concerning the non-communicative aspects of signs (e.g., number, type, location, size, height, illumination, spacing orientation, etc.) stand enforceable independently of any permit or review process.

§20.72.040 – Permit Requirements

- A. **Sign permit required.** A sign permit shall be obtained prior to the installation, construction, or alteration of any sign, except as otherwise provided in this chapter. Building permits and/or electrical permits shall also be obtained in accordance with the building and electrical codes. Any change in color, message, copy design, or size of a sign shall require a permit and shall comply with any applicable sign program.
- B. **Applications.** Applications for sign permits shall be submitted to the Director of Community Development in the same manner as a Minor Development Review permit per Chapter 20.84. PART 2 CMC, except when a Conditional Use Permit is required pursuant to subsection (C) (2), and shall be accompanied by the following materials:
1. Three copies of the sign proposal showing the proposed height, size, shape, color, and design of each sign and supporting structure.
 2. A site plan illustrating the placement of the sign in relation to buildings and other structures on the property on which the sign is to be located.
 3. An elevation drawing showing the position of each sign as it will appear on a building or, for a freestanding sign, as it will appear in relation to adjacent buildings or structures.
 4. The name and address of the applicant and the property owner.
 5. The endorsement of either the owner of the site or an authorized representative of the owner.
 6. Such additional information as the Director of Community Development may require to determine compliance with this chapter and all other regulations of the City.
 7. Any application for a sign permit shall not be complete unless accompanied by an application fee in an amount established by resolution of the City Council
 8. All sign applications shall be reviewed by the Director of Community Development, unless Planning Commission approval is required. The Director shall approve, approve with modifications or conditions, or deny an application in accordance with the standards established by this chapter and other applicable requirements and standards of the City.

C. Master sign programs.

1. **Master sign program – staff level.** A master sign program shall be adopted for all commercial or industrial developments in the City that contain two or more uses when signs are in compliance with this chapter. A sign program shall govern the maximum allowable sign area, colors, type of sign, and size of letters for each individual sign that is proposed, subject to a coordinated program that provides a harmonious design treatment among all signs in the program and that is compatible with and integrated into the architectural design of the buildings, landscaping, and lighting of the development. Each sign program shall be submitted to the Director of Community Development for review and approval in the same manner as a Minor Development Review permit per Chapter 20.84. PART 2 CMC.
2. **Master sign program – Planning Commission.** To allow flexibility for creative project identification for unique multi-tenant sites, signage may vary from the standards in this chapter subject to the issuance of a Conditional Use Permit pursuant to Chapter 20.84 PART 2 CMC. This master sign program may allow freestanding signs other than monument-style signs, such as pylon/pole signs, and signs that vary from the standards in terms of number of signs, height, sign area, and setbacks. In no case shall prohibited signs be permitted with the master sign program. The master sign program must establish a coordinated project theme of design elements, and signs shall be proportional to the scale of the project.
3. No permit shall be issued for any sign in or for a multiple-tenant development that is not in conformance with an approved sign program.

§20.72.050 – Exempt Signs

- A. **Signs allowed without a permit in any zone:** The following signs are permitted in any zone without a permit:
1. Governmental or other legally authorized posters, notices, or signs.
 2. Traffic, directional, warning, or informational signs, or advertising structures required or authorized by a public body.
 3. Permanent memorial or historical signs, plaques, or markers erected with the authorization of a public entity.
 4. One building directory sign of up to 10 square feet for a multiple occupancy building. The sign shall be mounted flat on a wall near the primary entrance to the building.
 5. National, state, or municipal flags when displayed in compliance with the Flag Code (36 USC, CFR, Section 173 et seq.)
 6. Signs erected for the purpose of advertising a property for sale, rent, or lease, are subject to the following:

- a. Only one such sign shall be displayed per street frontage of the property to which it refers;
 - b. No such sign shall exceed 10 square feet in sign area; and
 - c. Any such sign shall be placed at least five feet from any property line.
7. Temporary signs not more than 20 square feet in area established upon the site of any building or structure under construction or alteration, provided such sign shall be removed immediately upon issuance of a certificate of occupancy.
 8. Window signs subject to restrictions in subsection 20.72.070 (G) CMC.
 9. One temporary on-site sign erected for the purpose of identifying a garage sale, provided that:
 - a. The sign area does not exceed six square feet in area and four feet in height.
 - b. All such signs are only displayed during the time of the sale.
 10. Street numbers identifying the address of a residence or building are permitted, provided that the sign area shall not exceed two square feet, including those painted on curbs.
 11. Noncommercial signs on private property, provided that such signs are not located within or over a public right-of-way or within any required clear vision triangle, and do not exceed 20 square feet in size or four feet in height, and subject to the restrictions in Section 20.72.070 (H) CMC.

§ 20.72.060 – Prohibited Signs

The followings signs and sign structures are prohibited:

- A. Signs painted directly on an exterior wall, fence, freestanding sign face, parapet, or fascia except murals, paintings, and similar works approved pursuant to this chapter.
- B. Signs which are hazards to pedestrians or motorists or in any other way pose a threat to public safety.
- C. Abandoned signs.
- D. Billboards.
- E. Signs that display “obscene matter,” as that term is defined in Section 311 of the California Penal Code.

- F. Inflatable signs, banners, and pennants, except as provided in Section 20.72.070 CMC.
- G. Animated signs that rotate, move, glare, flash, change, reflect, blink, or appear to do so.
- H. Signs on public property, except when authorized by the appropriate public agency.
- I. Portable signs and A-frame signs.
- J. Signs which utilize two or more light bulbs suspended from a wire or cord.
- K. Roof signs.
- L. There shall be no additions, tag signs, display boards, appurtenances, or cutouts added to a sign as originally approved except as permitted by the Director of Community Development. Any such unauthorized addition shall be deemed a violation.

§20.72.070 - Temporary Signs

- A. Temporary signage for special events in commercial, industrial, and mixed-use zones shall be subject to the following requirements.
 - 1. Temporary signs for special events including, without limitation, grand openings, inventory sales, and end-of-the-year sales may be displayed up to four times per calendar year; provided that the total cumulative period during which the signs are displayed does not exceed 60 days in any calendar year. If a business generates gross revenue receipts of three-fourths of a million dollars or more per year, temporary signs may be displayed for a maximum cumulative period of six months per calendar year, provided that individual periods of display do not exceed 60 days.
 - 2. Signs for special events may include balloons, pennants, and banners.
 - 3. All special event signs require a sign permit for each special event, pursuant to the provisions of this chapter.
 - 4. Only one banner sign shall be displayed per building elevation. No sign shall be permitted on any elevation of a building that is adjacent to residentially zoned or occupied property which is not separated from the residential property by a street or parking area of the same width as a public street.
 - 5. No banner sign shall exceed three feet from top to bottom, nor 12 feet from side to side, nor 36 square feet in area.
 - 6. Upon the expiration of a permit for a temporary sign, the applicant shall cause the sign to be removed within 24 hours.

- B. Window signs. Temporary signs displayed behind a window or within a building and visible from the sidewalk which occupy up to 25 percent of the window area of the building facade on which they appear.
- C. Noncommercial message signs associated with a particular vote in a scheduled election may be erected as temporary signs, provided such signs are placed no sooner than 90 days prior to the scheduled election and removed within 10 days after that election. Such signs shall be no larger than 32 square feet.

§20.72.080 General Sign Design Standards

In addition to the development regulations contained in Section 20.72.090 CMC, the following design standards shall apply:

- A. **Compatibility.** The design of all permanent signs located within any zone shall be compatible with the architectural character of buildings on the site.
- B. **Illumination.** Signs may be externally or internally illuminated. If internally illuminated, the background of a cabinet sign must be opaque with only the cut-out text and characters of the copy being illuminated, and illumination of individual letters and logos each in a separate cabinet is preferred. No electrical conduits or raceways shall be visible on the exterior of the building facade.
- C. **Monument (freestanding) signs.**
 - 1. All freestanding signs shall be a monument style, meaning at least 50 percent of the base shall be solid. No pole signs are permitted. The base shall use decorative materials that are architecturally compatible with the sign cabinet and the architectural character of building(s) on the site.
 - 2. Landscaping with automatic irrigation shall be provided at the base of the supporting structure and shall extend a minimum distance of three feet in all directions from the sign base for new signs located in the Mixed-Use and Entertainment Zones. As part of the Development Review Permit, the Director of Community Development or Planning Commission may waive this requirement if site conditions make installation of landscaping infeasible.
 - 3. Monument signs shall be encased with materials compatible with the base materials.

§20.72.090 - Sign Regulations in the Commercial, Industrial, and Mixed-Use Zones

- A. Except as otherwise provided in this chapter, the following signs are permitted in the commercial, industrial, and mixed-use zones:

TABLE 20.72-1 Sign Regulations in Commercial, Industrial, and Mixed-Use Zones				
Sign Type	Maximum Number	Maximum Sign Area	Maximum Height	Notes
Wall	1 or more	1 ½ sf of sign area per linear foot of primary building frontage for each tenant	May not be located on any story except first and top stories.	<ol style="list-style-type: none"> 1. Signs may be mounted on the side or rear elevation of a building but such signs shall not exceed 1 sf of sign area per linear foot of primary building frontage. 2. For commercial buildings of three or more stories and for occupancies with an unusually small proportion of building frontage to square footage, the Director of Community Development may approve larger sign area if the additional sign area is necessary for identification of signs. 3. No signs shall be permitted on any elevation of a building that is adjacent to residentially zoned or occupied property which is not separated by a street or substantial parking area. 4. Signs in industrial zones may not exceed 100 sf in size. 5. The measurement of sign area shall include the background and the copy of any sign face or cabinet.
Monument (freestanding)	1 per street frontage	Based on frontage on public street: Less than 100 feet: 32 sf	Based on frontage on public street: Less than 100 feet: 6 feet	<ol style="list-style-type: none"> 1. If an office building or an integrated shopping complex comprised of five or more stores has frontage on two or more commercial streets, two monument signs are permitted, provided the premises has at least

TABLE 20.72-1 Sign Regulations in Commercial, Industrial, and Mixed-Use Zones				
Sign Type	Maximum Number	Maximum Sign Area	Maximum Height	Notes
		100-500 feet: 40 sf	100-500 feet: 12 feet	100 lineal feet of frontage on each street and the two signs are not located on the same street.
		Over 500 feet: 60 sf	Over 500 feet: 18 feet	2. The measurement of sign area shall include the background and the copy of any sign face or cabinet. 3. No portion of any freestanding sign shall project into or over a public right-of-way. The nearest part of the sign shall be located at least 10 feet from any property line or any right-of-way.
Other freestanding signs				See master sign program subsection 20.72.040 (C) (2) CMC

B. Special provision for canopy, projecting or hanging signs. The allowable wall signage may be satisfied through the use of canopy/awning signs, projecting signs, or hanging signs, with the following limitations:

1. For canopy/awning signs, no more than 50 percent of the shed (slope) portion of the awning or canopy and valance portion may be used for signage. The uppermost part of an awning or canopy shall not be located more than two feet above a window or door and a minimum of eight feet of clearance shall be provided between the lowest part of an awning or canopy and the grade below.
2. For projecting or hanging signs, the maximum size shall be eight square feet, and the bottom of the sign shall maintain at least eight feet of pedestrian clearance from the sidewalk level.

§20.72.100 - Special Requirements

A. Service station signs. In addition to the sign area allowed for identification signs, service stations will be permitted an additional 50 square feet of sign area for any signage required by state or federal laws, subject to the provisions of subsection 20.72.080 (B) CMC. The display and placement of all signs is subject to the approval of the Director of Community Development.

- B. Changeable copy signs.** A changeable copy sign shall be permitted; provided, that the sign meets the requirements and standards of this chapter, as well as the following:
1. Changeable copy shall be allowed on the face of freestanding signs only. Changeable copy shall not be allowed on wall-mounted signs.
 2. The changeable copy portion of a sign face shall not exceed 33 percent of the area of that sign face.
 3. Changeable letters shall be subject to the approval of the Director of Community Development.
 4. Changeable copy signs shall not be internally illuminated.
- C. Murals.** Murals may only be installed and maintained through approval by the Director of Community Development. Murals may only be located in nonresidential zones.
- D. Menu/order board signs.** Up to two menu/order board signs for each drive-in or drive-through business are permitted, provided that:
1. The sign area does not exceed 40 square feet and the sign height does not exceed eight feet. Notwithstanding the provisions of subsection 20.72.080 (B) CMC, the background areas of the sign face may be illuminated subject to approval by the Director of Community Development.
 2. All such signs are located adjacent to the driveway.

§20.72.110 - Maintenance

All signs and advertising structures shall be maintained in a clean and attractive condition. All signs shall be cleaned, repaired, or replaced within 30 days following notification by the City that such action is necessary.

§20.72.120 - Legal Nonconforming Signs

- A. Continuance of Nonconforming Signs.** Except as provided in subsection (D), a legal nonconforming sign may be continued and shall be maintained in good condition as required by Section 20.72.110 CMC, but it shall not be:
1. Structurally changed to another nonconforming sign, although its copy and pictorial content may be changed;
 2. Structurally altered to prolong the life of the sign, except to meet safety requirements;
- or

3. Expanded or altered in any manner that increases the degree of nonconformity.

B. Repair and Maintenance. Nonconforming signs shall only be painted and repaired in place and shall not be removed from their existing location unless removal of the sign for painting or repair is part of the sign's customary maintenance and repair.

C. Change of Business Type or Ownership. Upon a change of ownership or business type, the new owner of a nonconforming sign may change the name(s) on the sign so long as there is no change in the structure or configuration of the sign.

D. Removal of Nonconforming Signs. Nonconforming signs shall be removed if:

1. The nonconforming sign is more than 50 percent destroyed and the destruction is other than facial copy replacement. A nonconforming sign shall be deemed to be more than 50 percent destroyed if the estimated cost of reconstruction and repair exceeds 50 percent of the replacement cost, as determined by the Building Official.
2. The nonconforming sign is remodeled, unless the sign is remodeled to comply with the provisions of this Section.
3. Nonconforming signs shall be removed when a property is further developed in compliance with this zoning code.
4. Nonconforming signs shall be removed before the installation of new signs advertising the same business or any new business on the site.
5. The nonconforming sign is located on a structure that is to be enlarged or expanded, if the nonconforming sign is affected by the construction, enlargement, remodel, or expansion. An enlargement, remodel, or expansion of the portion of the structure upon which the nonconforming sign is located or that is more than 50 percent of the structure area shall be deemed to affect the nonconforming sign.
6. The nonconforming sign is temporary.

CHAPTER 20.80 - NONCONFORMING BUILDINGS, STRUCTURES, AND USES

Section	Contents:
§20.80.010	Application of Regulations
§20.80.020	Termination of Legal Nonconforming Uses
§20.80.030	Continuation of Existing Nonconforming Uses

§20.80.010 – Application of Regulations

The following regulations shall apply to all nonconforming uses of property not in violation of this or any other ordinance or law at the time this zoning code or any amendment to the zoning code becomes effective.

- A. **Continuation of legal nonconforming uses.** A legal nonconforming use may be continuously maintained, provided there is no alteration or addition to any structure, nor any enlargement of area, space, or volume occupied by or devoted to such use, except as otherwise provided in this chapter.
- B. **Repairs and alterations to a legal nonconforming use.** Ordinary repairs and maintenance, not exceeding an aggregate cost of 50 percent of the current assessed value as determined by the Building Official, may be made to a nonconforming structure. Where any part of a lawfully nonconforming building or structure is acquired for public use, the remainder of such building or structure may be repaired, reconstructed, or remodeled with the same or similar kind of materials as used in the existing buildings.
- C. **Additions to a legal nonconforming use.** This section does not authorize the extension, expansion, or enlargement of a legal nonconforming use or permit the addition of structures or other facilities in conjunction with such nonconforming use, except as follows:
 1. **Changes required by other laws.** A use may be extended, expanded, or enlarged to the extent required by a subsequently enacted law, ordinance, or regulation.
 2. **Residential uses nonconforming to off-street parking regulations.** Additions may be made to lawfully existing dwelling units without requiring any additional garage, carport, automobile storage space, or driveway paving, provided that such additions do not:
 - a. Increase the number of dwellings on the subject lot; nor

- b. Occupy a portion of the property that the Director of Community Development determines to be the only remaining location appropriate for the garages, carports, or automobile storage space required by this zoning code.
3. **Nonresidential uses nonconforming to off-street parking regulations.** Nonresidential uses which are legally nonconforming as to the off-street parking required by this zoning code may be extended, expanded, or enlarged without providing all the off-street parking otherwise required by this zoning code if the additional off-street parking to meet the requirements of the addition, expansion, or extension under Chapter 20.64 CMC is provided.
 4. **Minor alterations and expansions.** A use may be altered if the Director of Community Development determines that the changes are limited to minor alterations, improvements, repairs, or changes of use which do not increase the degree of nonconformity present and do not constitute or tend to produce an expansion or intensification of a nonconforming use. Any new structure other than garages or carports shall constitute an expansion or intensification of the use and shall not be permitted except under Section 20.80.010 (C) CMC. Notwithstanding, minor expansions limited to an increase in floor area of 25 percent may be permitted with a Conditional Use Permit.
 5. **Preservation of abatement period.** No change or alteration made to any development or use shall be construed to authorize an extension of any time limit for the termination of a nonconformity.
- D. **Repair of damaged or partially destroyed structure.** The following restrictions apply to the repair and/or reconstruction of legal nonconforming uses and structures:
1. Any legal nonconforming structure or structure containing a legal nonconforming use that is damaged or partially destroyed by fire, explosion, act of God, act of a public enemy, collapse, or any other casualty or calamity to the extent that the cost of restoration to the condition in which it existed immediately prior to the occurrence of such damage or destruction, may be reconstructed, provided the reconstruction cost does not exceed one and one-half times the assessed value of the entire structure based on the assessment roll that was current immediately prior to the time of damage or destruction.
 2. All such construction or repairs shall be started within one year from date of damage and shall be pursued diligently to completion. Such repair or reconstruction of damaged legal nonconforming structures shall not extend the termination date of such structure as specified by this zoning code.
 3. In determining the reconstruction cost of any legal nonconforming structure, there shall not be included therein the cost of land or any factors other than those concerning the nonconforming structure itself.

- E. **Structures under construction.** Any structure for which a valid building permit has been issued prior to the effective date of this zoning code may be completed and used in accordance with the plans and specifications on which such building permit was granted, provided construction is commenced within 180 days after the issuance of such permit and diligently pursued to completion.
- F. **Nonconforming uses limit other uses.** While a legal nonconforming use exists on any lot or parcel of land, no new use may be established thereon, unless the following conditions prevail:
1. Each existing and proposed use, including appurtenant structures, improvements, and open space must be located on a lot or parcel of land having the required area for each such use.
 2. These uses must be located so that the lot or parcel of land can be divided into smaller lots or parcels of land, each of which will contain not less than the required area, and on each of which the number and location of structures will comply with the requirements of this zoning code, when considered as a separate lot or parcel of land.

§20.80.020 – Termination of Legal Nonconforming Uses

This section outlines those reasons that may result in the termination of the legal nonconforming status of a nonconforming use or structure.

- A. **Termination by violation of this zoning code.** Any of the following violations of this zoning code shall result in the immediate termination of the right to operate a legal nonconforming use:
1. Changing an existing legal nonconforming use to another nonconforming use, except as otherwise provided in this chapter.
 2. Increasing or enlarging the area, space, or volume occupied by the legal nonconforming use, except as otherwise provided in this chapter.
- B. **Termination by discontinuance.** Discontinuance of a legal nonconforming use as indicated herein shall result in the immediate revocation of the right to operate a nonconforming use:
1. Changing a lawful nonconforming use to a conforming use.
 2. Discontinuance of a legal nonconforming use for a period of six or more successive calendar months.
- C. **Termination by operation of law.** The following legal nonconforming uses and structures shall be discontinued and removed from their sites or made to conform to the

provisions of this zoning code within the time specified in this section, except when extended or revoked as otherwise provided in this chapter.

1. Where the general use is permitted but is nonconforming because it is not operated or used in accordance with the development standards of this zoning code: six months.
2. Where the property is unimproved: one year
3. Where the property is unimproved except for structures of a type for which the City's adopted building code does not require a building permit: three years.
4. Where the property is unimproved except for structures which contain less than 100 square feet of gross floor area: three years.
5. Outdoor advertising signs and structures: See Section 20.72.120 CMC.
6. A legal nonconforming use housed in a structure designed or suitable to serve a use permitted in the zone: five years.
7. The abatement period for other structures will adhere to the following schedule shown in Table 20.80-1.

Table 20.80-1 Abatement Schedule		
Structure Type	Use	Base Period
Light incombustible frame and wood frame structures	Flats, apartments, and double bungalow	30 years
	Other dwellings	35 years
	Stores and factories	25 years
Heavy construction timber and ordinary masonry structures	Apartments, offices, hotels, and residences	40 years
	Structures with stores below and residences, hotel, or offices above	40 years
	Warehouses, stores, garages, and lofts	40 years
	Factories and industrial buildings	50 years
Fire-resistive structures	Apartments and residences	50 years
	Offices and hotels	55 years
	Theaters	60 years
	Warehouses, lofts, stores, and garages	50 years
	Industrial	40 years

- D. Substitution of a legal nonconforming use.** A use that is not in violation of any provisions of this zoning code and is a legal nonconforming use only because it does not meet the requirements of the standards of development may be changed to another use permitted in the zone, but which also does not meet the requirements of the standards of

development. The City must find that the new use is neither more detrimental to the public welfare nor to the property of persons located in the vicinity thereof than the prior use. Any such change of use shall not extend the termination date established for the original nonconforming use, which shall apply to the new use that does not meet the standards of development.

- E. **Public uses.** Any legal existing public use, including but not limited to schools, colleges, parks, libraries, fire stations, sheriff stations, and other public sites may be added to, extended, or altered without a variance, provided such additions, extensions, or alterations do not extend beyond the boundaries of the original site established prior to the time such approval was required, and provided said addition, extension, or alteration does not infringe upon the required off-street parking facilities established pursuant to the provisions of this zoning code.
- F. **Revocation of a legal nonconforming use.** A legal nonconforming use may be revoked subject to a public hearing conducted in the same manner as the the revocation of a variance, Conditional Use Permit, or other action as provided in Chapter 20.84 PART 2 CMC, if the Planning Commission finds:
1. That the condition of the improvements, if any, on the property is such that to require the property to be utilized only for those uses permitted in the zone where it is located would not impair the constitutional rights of such person;
 2. That the nature of the improvements is such that they can be altered so as to be used in conformity with the uses permitted in the zone in which such property is located without impairing the constitutional rights of any person;
 3. The use or development has violated another ordinance or law; or
 4. The use or development is being conducted in a manner detrimental to public health, safety, or welfare, or such use or development constitutes a nuisance.
- G. **Public utilities.** Nothing in this chapter pertaining to nonconforming structures and uses shall be construed or applied so as to require the termination, discontinuance, or removal of, or to prevent the expansion, modernization, replacement, repair, maintenance, alteration, reconstruction or rebuilding, and continued use of public utility buildings, structures, equipment, and facilities, provided that there is no change in the use nor enlargement of those areas so used.
- H. **Extension of a legal nonconforming use.** The following requirements must be adhered to in the consideration and granting of extensions for nonconforming uses:
1. **Initiation.** The owner of a property occupied by a legal nonconforming use may apply to the Planning Commission in the manner set forth in Chapter 20.84 CMC to extend the period for the legal nonconforming use. Such an application is timely only if filed prior to the date the use terminates pursuant to this chapter, or within three

- months of notification from the City of the termination of the nonconforming use, whichever is later.
2. **Notice and hearing.** A hearing on the application of extension shall be noticed pursuant to Section 20.84.100 CMC and shall be held before the Planning Commission within 60 days of the date the application is filed.
 3. **Findings and decision.** The Planning Commission shall approve the request for extension of time if it finds that the required time for termination of the nonconformity otherwise provided by this chapter is insufficient to allow the applicant reasonable amortization of the fixed investment in the nonconforming use. If the Planning Commission is unable to make such a finding, it shall deny the extension or expansion of a legal nonconforming use or an increase in the degree of nonconformity. Notice of the decision shall be given pursuant to Section 20.84.120 CMC.
 4. **Conditions.** Upon approving an extension, the Planning Commission may impose conditions relating to the continuation, modification, conversion, or termination of the use and facilities to protect neighboring properties and to serve the purposes of this zoning code.
 5. **Effective date and appeal.** The decision of the Planning Commission shall be effective and final 15 days after it is rendered unless an appeal is filed pursuant to Section 20.84.160 CMC. Such an appeal shall be considered pursuant to Section 20.84.160 CMC.
 6. **Modification of conditions.** Conditions related to the granting of an extension for a nonconforming use may be modified as long as the following conditions have been met:
 - a. After an extension has been granted, modifications of the conditions, including additions or deletions, may be considered upon an application by the owner of the subject property, filed in accordance with the provisions of this chapter.
 - b. A public hearing on a proposed modification need not be held unless requested by the applicant, or unless the Director of Community Development, the Planning Commission, or the City Council determines that the proposed modifications exceed the intent of the original approval of the extension.
 - c. The hearing, decision, and any appeal in connection with a modification of conditions shall be governed by the provisions of this section which control new applications for extensions of time.

§20.80.030 – Continuation of Existing Nonconforming Uses

Any use established or conducted, or any building or improvement existing in violation of Los Angeles County Ordinance No. 1494 (as amended), also known as the Los Angeles County Zoning Ordinance, upon the effective date of the ordinance codified in this zoning code shall not be deemed to have acquired a legal nonconforming status by reason of the adoption of this zoning code. To the extent that such use, building, or improvement was a violation of Los Angeles County Ordinance No. 1494 (as amended) or any other ordinance, statute, or law, or is a violation of this zoning code, it shall be deemed a continuing violation.

CHAPTER 20.84 PERMIT PROCEDURES

Section Contents:

PART 1	General Provisions
PART 2	Development Review Permits
PART 3	Zoning Clearance
PART 4	Temporary Use Permits
PART 5	Conditional Use Permits and Variances
PART 6	Planned Development Permit
PART 7	Specific Plans
PART 8	Amendments to the General Plan Zoning Code Text and Zoning Map
PART 9	Development Agreements
PART 10	Reasonable Accommodation

PART 1 – General Provisions

§20.84.010 – Intent and Purpose

The purposes of the provisions set forth in this chapter are as follows:

- A. **Discretionary permits and actions.** Establish the overall structure for the review and action of discretionary permits and actions.
- B. **Responsible Approving Authority.** Designate the responsible Approving Authority for the review of such permits and actions.
- C. **Application process.** Outline the application processing procedures for such permits and actions.
- D. **Noticing and hearing requirements.** Establish the noticing and public hearing requirements for such permits and actions.
- E. **Time limits and implementation.** Identify the time limits and implementation requirements of such permits and actions.
- F. **Permit modification and revocation.** Outline the permit modification and revocation restrictions.
- G. **Appeals.** Identify the procedures for filing and processing an appeal.

§ 20.84.020 – Designated Approving Authority

- A. **Approving Authorities.** The Approving Authority, as designated in Table 20.84-1, shall approve, conditionally approve, or deny applications based upon evidence presented by the applicant, by making the applicable findings required for a particular permit or approval in accordance with the requirements of this chapter and other laws and regulations. The table identifies Review, Recommending, Final, and Appeal authorities for each application. A final action of the Approving Authority may be appealed to the appeal authority, pursuant to procedures set forth in Section 20.84.160 CMC.
- B. **Referral authority.** The Director of Community Development may forward an application for a minor development review permit or other Director action to the Planning Commission in order to set the matter for a hearing before the Planning Commission.
- C. **Authority for environmental review.** The designated Approving Authority shall be the Approving Authority for environmental assessments, with the exception that any Director-level permit or action that requires a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report shall be heard by the Planning Commission.

TABLE 20.84-1 Designated Approving Authority			
Type of Permit or Action	Approving Authority		
	Director of Community Development	Planning Commission	City Council
General Plan Amendment	Review	Recommendation	Final
Specific Plan	Review	Recommendation	Final
Zone Change or Text Amendment	Review	Recommendation	Final
Development Agreement	Review	Recommendation	Final
Conditional Use Permit	Review	Final	Appeal
Variance	Review	Final	Appeal
Planned Development Permit	Review	Final	Appeal
Tentative Map (Title 19)	Review	Final	Appeal
Final Map (Title 19)	Review		Final
Lot Line Adjustment (Title 19)	Review	Final	Appeal
Major Development Review Permit	Review	Final	Appeal
Minor Development Review Permit	Final	Appeal	Appeal
Zoning Clearance	Final	Appeal	Appeal
Zoning Code Interpretation	Final	Appeal	Appeal
Temporary Use Permit	Final	Appeal	Appeal
Home Occupation Permits (Zoning Clearance)	Final	Appeal	Appeal
Reasonable Accommodation	Final	Appeal	Appeal

§20.84.030 – Exemptions from Permit Requirements

The following activities and uses of land or structures are exempt from the land use and development permit requirements of this chapter. However, activities and uses shall comply with all other relevant provisions of this zoning code.

- A. **Interior alterations.** Interior alterations that do not increase the gross floor area within the structure, or change or expand the permitted use of the structure.
- B. **Maintenance.** Ordinary repairs and maintenance, if the work does not change the approved land use of the site, add to, enlarge, or expand the area occupied by the floor area of the structure or significantly change the exterior structure and design of the original construction.
- C. **Utilities.** The erection, construction, alteration, or maintenance by a public utility or public agency of underground or overhead utilities intended to service existing or nearby

approved developments (such as water, sewer, stormwater, gas, electric, telecommunication supply or solid waste disposal systems, including wires, mains, drains, pipes, conduits, cables, fire-alarm boxes, police call boxes, traffic signals, hydrants, and similar facilities and equipment), but not including new transmission lines and structures nor wireless communications facilities.

§20.84.040 – Additional Required Permits

A land use that complies with the requirements of this chapter shall also comply with the permit requirements of other provisions of this zoning code and any applicable permit requirements of other agencies before construction or use of the property is commenced. All permits must be obtained prior to starting construction or establishment of the new use. These may include building, grading, or other construction permits; a business license; subdivision approval; or any other applicable county, regional, state, or federal regulations.

§20.84.050 – Burden of Proof

The burden of proof to establish the evidence in support of the required finding for any permit is the responsibility of the applicant.

§20.84.060 – Precedence

Each permit shall be evaluated on a case-specific basis. Therefore, granting of a prior permit does not create a precedent and may not provide justification for granting a new permit.

§20.84.070 – Concurrent Processing of Permits

When a proposed project requires more than one permit application with more than one Approving Authority, all project permits shall be processed concurrently at the applicant's own risk as interrelated permits for a project and shall not be bifurcated. The highest designated Approving Authority for all requested permits shall take final action on all permits.

§20.84.080 – Application Regulations

- A. **Application forms.** The Planning Division will provide all application forms.
- B. **Application submittal.** All applications for land use and development permits and actions shall be submitted to the Director of Community Development on a City application form, together with all fees, plans, maps, data, diagrams, photographs, and any other required information to provide the Approving Authority with adequate information on which to base decisions.

- C. **Appeals to City Council.** Notwithstanding Section 20.84.080(B) CMC above, appeals to the City Council shall be filed with the City Clerk.
- D. **Authorized to complete application.** The owner of the property, or an authorized agent, or a plaintiff in an action of eminent domain, shall complete the application. Any agent seeking to complete an application shall be formally authorized in writing by the property owner to do so.

§20.84.090 – General Application Processing Procedures

These procedures are applicable to applications for all land use and development permits and actions. Unique processing procedures are provided with the individual permit regulations in this zoning code.

- A. **Application reviewed for completeness.** All applications filed with the Community Development Department shall be initially reviewed for application completeness. The Director of Community Development or designee shall determine whether or not the application is complete and shall notify the applicant in writing of the determination that: (a) all the submittal requirements have been satisfied and that the application has been accepted as complete; or (b) specific information is still necessary to complete the application. For administrative permits and actions, the applicant shall be notified within seven days. For all other permits and actions, the applicant shall be notified within 30 calendar days of application filing, per Government Code 65943.
- B. **Applications where violations occur.** No application shall be deemed complete if a violation of this zoning code exists on the parcel, unless the acceptance of the application is necessary to abate the existing violation. If a violation of this zoning code is discovered after the application is deemed complete, the application shall be deemed incomplete and no further processing shall occur until the violation is abated, unless the processing of the application is necessary to abate the violation. This provision shall apply whether: (a) the current applicant was the owner of the subject property at the time the violation occurred; or (b) the applicant is the current owner of the subject property with or without actual or constructive knowledge of the violation at the time of acquisition of the subject property.
- C. **Termination of incomplete application.** Upon written notification to the applicant, processing of an incomplete application may be terminated if no reasonable effort has been made by the applicant to complete the application for a period of six months from the date of notification of incompleteness. Notice of termination shall be provided to the applicant at least 30 days prior to termination. All unused fees shall be refunded to the applicant. An extension to this six-month period may be granted by the Director of Community Development on written request by the applicant showing good cause. If terminated, a new application shall be filed, including required fees.
- D. **California Environmental Quality Act (CEQA).** After acceptance of a complete application, the project shall be reviewed in accordance with the environmental review

procedures of the California Environmental Quality Act (Public Resources Code §21000 et seq.).

- E. **Review and comment.** Application materials shall be circulated to other City departments and agencies for review and comment as determined necessary or appropriate by the Director of Community Development. Community Development Department staff shall be responsible for requesting and incorporating comments into project modifications or conditions of approval to ensure conformance with all provisions of this code and other adopted policies and plans.
- F. **Written report.** The Reviewing or Approving Authority, as designated in Table 20.84-1, shall prepare a written report that includes recommendation on the approval, conditional approval, or disapproval of the application, taking into account all supplemental application information, provisions of this chapter, other applicable provisions of this code, the City's general plan, and applicable state law.
- G. **Written notice of decision.** Within 10 days from the final action on an application, the Approving Authority shall send written notice of decision to the project applicant and other affected parties. The notice of decision shall identify the specific action of the Approving Authority, including the date of action, applicable conditions, basis for determination, and appeal period if applicable.

§20.84.100 – Notice of Public Hearing

Public hearings shall be required for all quasi-judicial permits and legislative actions. The hearing shall be held before the designated Approving Authority and shall be noticed in accordance with the following provisions:

- A. **Public notice.** The Approving Authority shall give a public notice not less than 10 days before the scheduled date of a hearing for discretionary actions requiring a public hearing.
- B. **Notice content.** The notice shall state the date, time, and place of the hearing; identify the hearing body; provide a general explanation of the matter to be considered; and provide a general description of the property (text or diagram), if any, which is the subject of the hearing.
- C. **Notice distribution.** Notice of the public hearing shall be mailed, postage prepaid, to all of the following:
 - 1. The owner of the subject real property or the owner's designated agent;
 - 2. Each local agency expected to provide essential facilities or services to the location of the application or proposed project, or whose ability to provide services may be significantly altered by approval of the application or proposed project; and

3. All persons whose names and addresses are listed on the latest equalized assessment roll of the county as the owners of real property situated within 300 feet of the exterior boundary of the real property that is the subject of the hearing. If the number of owners of property within 300 feet of the subject property exceeds 1,000, notice may instead be given as provided in subsection (D) below.
- D. **Notice in newspaper.** Notice shall be published in at least one newspaper of general circulation in the city. If there is no newspaper of general circulation in the city, then notice shall be posted in not less than three public places in the City established by City ordinance.
- E. **Other notices.** This notice shall be given in addition to any other notice required by law for other actions that are to be considered concurrently with an application or proposed project. This notice may be consolidated with any other notice required for other actions being considered concurrently with the action on the application or proposed project.
- F. **Mailing list.** Any person who requests inclusion on a mailing list for notice of hearing for development projects shall submit such request in writing to the City Clerk. The City may impose a reasonable fee for the purpose of recovering the cost of such notification.
- G. **Failure to receive notice.** Pursuant to California Government Code §65093, failure of any person or entity to receive notice required by law of any hearing shall not constitute grounds for any court to invalidate the actions of a designated Approving Authority for which the notice was given.
- H. **Special noticing for temporary uses.** Upon receipt of a complete application for approval of a temporary carnival, circus, fair, or similar event, the Director of Community Development shall mail notice to the recorded owners of all property within 300 feet of the development. The notice shall contain all of the following:
1. A general description of the location of the subject property;
 2. The time and manner in which comments on the proposal may be submitted for the Director of Community Development's consideration;
 3. A description of the manner in which requests for notice of the Director of Community Development decision on the application may be made; and
 4. A description of the manner in which decisions of the Director of Community Development may be appealed.

§20.84.110 – Public Hearing Regulations

- A. **Public hearings held.** Public hearings shall be held at the date, time, and place that appear on the notice given for the hearing. The designated Approving Authority shall conduct the public hearing and allow testimony to be given.

- B. **Minutes.** Summary minutes shall be prepared and made part of the permanent file of the case.
- C. **Continuation.** Any hearing may be continued, and further public notice shall not be required unless the hearing is not continued to a specific date and time, in which case new notice will be required in a manner consistent with Section 20.80.100 CMC for any additional hearings on the matter.
- D. **Withdrawal.** Any application or petition may be withdrawn prior to a public hearing by filing with the City Clerk a written request for withdrawal signed by all persons who signed the original application or petition, or their successors in interest.

§20.84.120 – Record of Decision

- A. **Director decision.** The authorized signature of the Director of Community Development on a designated form, or a stamp approval on a set of plans, shall signify approval of applications for a temporary use permit, zoning clearance, reasonable accommodation, or Minor Development Review.
- B. **Planning Commission decision.** The authorized signature of the Planning Commission, or the Appeal Authority, if the application was approved, on a designated form, or per a stamp approval on a set of plans, shall signify approval of a Conditional Use Permit, variance, or Major Development Review permit.
- C. **City Council decision.** The adoption of a resolution or ordinance approving a general plan amendment, a zoning code text or map amendment, or a Development Agreement shall constitute final action, approval, and record of the amendment.

§20.84.130 – Project Implementation and Time Limits

- A. **Quasi-judicial action effective.** Generally, any action to approve, conditionally approve, or deny an application or proposed project by the Planning Commission shall be effective immediately following expiration of the appeal period.
- B. **Legislative action effective.** Legislative actions of the City Council normally become effective 30 days from the date of final action and may not be appealed. Therefore, administrative and quasi-judicial permits that are processed in conjunction with, or that are contingent upon, a legislative action shall not be acted upon until the effective date of the required legislative action.
- C. **Other approvals.** The approval of a land use or development project authorizes the applicant to proceed with the proposed project upon the effective date of the approval, subject to all conditions or restrictions imposed by the Approving Authority. However, all other permits, licenses, certificates, and other grants of approval to which the proposed

development project is subject must be secured before the development or use may commence.

- D. **Permit expiration.** Unless conditions of approval or other provisions of this zoning code establish a different time limit, any project approval not exercised within one year from the date of final approval shall expire and become null and void, and if the applicant still wishes to pursue the project a new application shall be filed with all requisite fees.
- E. **Transfer of permits and approvals.** Land use and development permits and approvals shall be transferable upon a change of ownership of the site, business, service, use, or structure, provided that the use and conditions of the original permit or approval are fully complied with, and further provided that the project is not modified, enlarged, or expanded, except for the sale of alcoholic beverages.
- F. **Termination of a permit.** A permit shall cease to be of any force and effect if the use has ceased or has been suspended for a consecutive period of two or more years.

§20.84.140 – Project Modification

- A. **Project modification or amendment.** Any person holding a project approval granted under this chapter may request a modification or amendment to the project if it is found that such modification is necessary to protect the public peace, health, and safety. The modification of a project may apply to the terms of project approval, project design, or the waiver or alteration of conditions imposed when the project was approved.
- B. **Project modification by the Director of Community Development.** The Director of Community Development may approve a minor modification upon determining that the proposed modification does not constitute a substantial modification of the project or otherwise exceed the scope of the original approval.
- C. **Project modification public hearing.** If the Director of Community Development cannot find the proposed modification is minor, a public hearing is required for action to modify the project. The original Approving Authority for the subject project shall hold the hearing. The hearing shall be noticed in the same manner required for the granting of the original approval.
- D. **Findings.** A project modification may be granted only when the Approving Authority makes all findings required for the original approval in addition to the finding that changed circumstances sufficiently justify modification of the approval.
- E. **Appeals.** An action on a modification may be appealed in accordance with the provisions of Section 20.84.160 CMC.

§20.84.150 – Revocation

- A. **Revocation.** Approval of an application for a proposed project may be revoked upon a finding of any of the following:
1. The approval was obtained or extended by false, misleading, or incomplete information;
 2. The use or development for which such approval was granted has ceased to exist by voluntary abandonment;
 3. One or more of the conditions upon which the application or proposed project was approved have been violated or have not been complied with;
 4. The use or development has violated another ordinance or law; or
 5. The use or development is being conducted in a manner detrimental to public health, safety, or welfare, or such use or development constitutes a nuisance.
- B. **Revocation initiation.** The revocation of an approval may be initiated by any of the City departments. The responsible department shall specify in writing to the permittee the basis upon which the action to revoke the approval is to be evaluated.
- C. **Revocation public hearing.** A public hearing is required for any action to revoke approval of an application or proposed project. The original Approving Authority for the subject approval shall hold the hearing. The hearing shall be noticed in the same manner required for the granting of the original approval. At its discretion, the designated Approving Authority may revoke the approval, refuse to revoke the approval, or modify or delete conditions of approval or add new conditions of approval in order to address the issues raised by the revocation hearing.
- D. **Appeals.** An action on a revocation may be appealed in accordance with the provisions of Section 20.84.160 CMC.

§20.84.160 – Appeals

- A. **Appeal authority.** Any person dissatisfied with an interpretation or action of the Approving Authority may appeal such action to the Appeal Authority, as designated in Table 20.84-1. Actions made by the City Council are not subject to appeal. For actions not listed in the table, the Appeal Authority is as follows:
1. The Director of Community Development’s decisions may be appealed to the Planning Commission.

2. The Planning Commission’s decisions may be appealed to the City Council.
- B. **Appeal filing.** Appeals shall be filed within 15 days following the date of determination or action for which an appeal is made and shall be accompanied by a filing and processing fee, as determined by resolution of the City Council. All appeals shall be in writing, identifying the action being appealed, specifically stating the basis or grounds of the appeal.
 - C. **Effect of filing.** The filing of a notice of appeal pursuant to this chapter stays all proceedings until a decision on the appeal has been made by the decision-making body.
 - D. **Appeal hearings.** Unless otherwise agreed upon by the person filing the appeal and the applicant, appeal hearings shall be conducted within 45 days from the date of the appeal application being complete. Notice of hearing for the appeal shall be provided pursuant to noticing requirements outlined in Section 20.84.100 CMC.
 - E. **Public hearing attendance.** The person or authorized agent filing the appeal must be present at the public hearing. If the appellant is not present, the Appeal Authority may deny or continue the appeal.
 - F. **Appeal actions.** Each appeal shall be considered de novo (new), and the Appeal Authority may reverse, modify, or affirm the decision in whole or in part based on evidence presented at the hearing and applicable staff reports. In taking its action on an appeal, the Appeal Authority shall state the basis for its action. The Appeal Authority may modify, delete, or add conditions as it deems necessary. The Appeal Authority may also refer the matter back to the original Approving Authority for further action.
 - G. **Effect of denial without prejudice.** An application that has been denied without prejudice on appeal may be refiled at any time, although the appeal must be accompanied by the standard filing fee.
 - H. **Written notice of decision.** Following the process, the Appeal Authority shall provide written notice of the decision to the person filing the appeal and other persons requesting the notice. No person shall seek judicial review of the Appeal Authority's decision until all available appeals to the Appeal Authority have been first exhausted in compliance with this chapter.

PART 2 – Development Review Permits

§20.84.170 – Intent and Purpose

The development review process is established to improve the general standards and orderly development of the City through review of the design, layout, and other features of proposed developments and their environs prior to submission of plans to the Building Division for plan check. Development Review Permits are approved at two levels: (a) Major Development Review

approved by the Planning Commission; and (b) Minor Development Review approved by the Director of Community Development.

§20.84.180 – Applicability

- A. **Development review required.** A Development Review Permit must be obtained prior to the issuance of any permit for the construction of any building or structure. Major and Minor Development Review is required as specified in Table 20.84-2:

TABLE 20.84-2 Review Authority for Development Review (DR) Permit and Zoning Clearance	Role of Review Authority			
	Zoning Clearance*	Director (Minor DR)	Planning Commission (Major DR)	City Council
RESIDENTIAL CONSTRUCTION AND IMPROVEMENTS				
Single-family residential construction, including: a) new construction and expansions over 50 percent of existing floor area b) expansions under 50 percent, façade improvements, and accessory structures visible from the public street c) all second story additions d) accessory dwelling units		Decision	Appeal	
Single-family residential construction, including: a) expansions less than 50 percent of existing floor area, façade improvements, and accessory structures not visible from the public street b) conversions of existing living area in existing structures to an accessory dwelling unit	Decision		Appeal	
Multi-family residential a) expansion, including accessory structures and second stories up to a maximum of 50 percent of the existing gross floor area, but no additional dwelling units b) second stories, proposing up to a maximum of 2 dwelling units c) fences or walls on projects with up to two dwelling units, proposing a fence within the front yard setback over 42 inches in height d) façade improvements		Decision	Appeal	
Multi-family residential a) new construction, including second stories, proposing three or more dwelling units b) expansion, including accessory structures and second stories, over 50 percent of the existing gross floor area c) fences or walls with three or more dwelling units, proposing a fence within the front yard setback over 42 inches in height			Decision	Appeal

TABLE 20.84-2 Review Authority for Development Review Permit and Zoning Clearance	Role of Review Authority			
	Zoning Clearance*	Director (Minor DR)	Planning Commission (Major DR)	City Council
NON-RESIDENTIAL CONSTRUCTION AND IMPROVEMENTS				
a) expansion, including accessory structures, not visible from the public right-of-way, up to a maximum of 50 percent of the existing gross floor area		Decision	Appeal	
b) façade improvements visible from the public street				
a) new construction			Decision	Appeal
b) expansion, including accessory structures, visible from the public right-of-way, over 50 percent of the existing gross floor area				
a) Expansions not visible from the public right-of-way involving less than 50 percent of the existing gross floor area.	Decision		Appeal	
b) Façade improvements not visible from the public street				
FENCES AND WALLS				
Fences and walls, except as specified below	Decision		Appeal	
SIGNS AND MASTER SIGN PROGRAMS				
Sign Permits and Master Sign Programs – Staff Level in compliance with Section 20.72.040 (C) (1) CMC		Decision	Appeal	
Master Sign Programs- Planning Commission in compliance with Section 20.72.040 (C) (2) CMC			Decision	Appeal
OTHER TYPES OF CONSTRUCTION AND IMPROVEMENTS				
Nonconforming Structure Additions/Expansions as allowed by Section 20.80.010 (C) CMC		Decision	Appeal	
Parking lot and/or landscaping modifications		Decision	Appeal	
Solar collection systems located on the roof of an existing structure	Decision		Appeal	
Home occupation permits	Decision		Appeal	

*See Section 20.84 (PART 3) CMC for description of Zoning Clearance

- B. **Discretionary permits.** Applications for development review, both major and minor, are considered discretionary projects subject to the requirements of (CEQA). If a Minor Development Review Permit triggers a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report, the project shall be referred to the Planning Commission for review and approval.

§20.84.190 – Special Noticing Requirements

- A. **Minor development review permits.** No public noticing for Minor Development Review permits is required, except in those cases where the Minor Development Review permit is referred to the Planning Commission per Section 20.84.020(B) CMC.
- B. **Major development review permits.** Public noticing for Major Development Review permits shall follow noticing procedures in Section 20.84.100 CMC.

§20.84.200 – Proceedings

The processing requirements found in PART 1 of this chapter relating to application submittal, review, noticing, and public hearings shall apply to Conditional Use Permits and variances, with exceptions as noted in this section.

§20.84.210 – Findings and Decision for Development Review Permits

The Director of Community Development or Planning Commission shall consider applications for Development Review Permits and shall, with or without conditions, approve any case which is in general accord with the following principles and standards based on findings and conclusions drawn from information and evidence presented at a public hearing, if required. A Development Review Permit shall be granted when the Director of Community Development or Planning Commission determines that the proposed development or activity complies with the following findings:

- A. **Consistency.** The project is consistent with the general plan, any applicable specific plan, all applicable provisions of this zoning code, all other City ordinances and regulations, and any plan of another governmental agency made applicable by statute or ordinance.
- B. **Proportionality.** The height, bulk, and other design features of structures are in proportion to the building site, and external features are balanced and unified so as to present a harmonious appearance.
- C. **Design.** The project design contributes to the physical character of the community, relates harmoniously to existing and anticipated development in the vicinity, and is not monotonously repetitive in and of itself or in conjunction with neighboring uses, and does not contribute to excessive variety among neighboring uses.
- D. **Site layout.** The site layout and the orientation and location of structures and their relationship to one another and to open spaces, parking areas, pedestrian walks, signs, illumination, and landscaping achieve safe, efficient, and harmonious development.
- E. **Site development.** The grading and site development show due regard for the qualities of the natural terrain and landscape and do not call for the indiscriminate destruction of trees, shrubs, and other natural features.

- F. **Signs.** The design, lighting, and placement of signs are appropriately related to the structure and grounds and are in harmony with the general development of the site.
- G. **Equipment and service areas.** Mechanical equipment, machinery, trash, and other exterior service areas are screened or treated in a manner that is in harmony with the design of the structures and grounds.
- H. **Compatibility.** The project shows proper consideration for adjacent residentially zoned or occupied property and does not adversely affect the character of such property.

§20.84.220 – Other Requirements

- A. **Compliance.** After approval of a Development Review Permit and before a building permit is granted or a certificate of occupancy is issued, City staff shall inspect the site for compliance with the approved development plan and with any conditions of approval. Any deficiencies that are not corrected to the satisfaction of the Director of Community Development shall be submitted to the Planning Commission for determination of compliance upon submittal of a written request to the Director by the applicant and the payment of a fee as established by resolution of the City Council.
- B. **Exemption of existing improvements.** Approval of a Development Review Permit shall not require the alteration or improvement of any existing improvements, unless:
 - 1. Such improvements were to be altered in connection with the project as proposed by the applicant;
 - 2. Such improvements are directly affected by the proposed project; or
 - 3. The value of the proposed new or replacement construction, alterations, remodeling, or other improvements exceeds 50 percent of the value of the existing improvements.

PART 3 – Zoning Clearance

§20.84.230 – Intent and Purpose

The zoning clearance process is an administrative review undertaken by the Director of Community Development to ensure that all proposed new and modified uses and structures that do not require any discretionary actions or approvals comply with applicable provisions of this zoning code.

§20.84.240 – Applicability

A zoning clearance is required for any structure or use that requires a building permit or business license. No building permit or business license shall be granted until zoning clearance approval has been issued. Table 20.84-2 outlines improvements that require a zoning clearance only and

do not require a Development Review Permit, Conditional Use Permit, or variance if in compliance all provisions of this zoning code. Home occupations shall be subject to a zoning clearance.

§20.84.250 – Determination

Zoning clearance shall be granted only when the Director of Community Development finds the proposed use or development to be in conformance with all applicable provisions of this zoning code and other applicable City documents. The Director of Community Development may modify plans in whole or in part, apply conditions of approval, or require guarantees to ensure compliance with applicable provisions of this zoning code.

PART 4 – Temporary Use Permits

§20.84.260 – Allowed Temporary Uses

The following temporary uses and developments may be initiated, altered, or maintained upon approval pursuant to this section:

- A. **Outdoor sales.** Temporary uses of land, including temporary outdoor sales and the erection of booths, tents, or parking of trailers for temporary activities conducted either outdoors or within temporary structures, when such uses are allowed in the applicable zone with the approval of the Director of Community Development. The following restrictions apply:
 1. **Number.** Not more than 26 outdoor sales events shall occur within any 12-month period at any one location.
 2. **Duration.** Each sales event shall be limited in duration to not more than two consecutive calendar days. A third day is allowed if the event occurs on a holiday weekend.
 3. **Circulation.** The location of an outdoor sales event shall not interfere with automobile circulation, and shall be designed in a manner to allow free pedestrian movement within and around the vicinity. For purposes of this subsection, the term “location” shall include a parcel or combination of parcels that are owned or occupied by the same owner or business entity.
 4. **Public areas.** Displays located within the public right-of-way on a sidewalk shall maintain a minimum four-foot unobstructed access way for safety purposes.
 5. **Interference.** The location of an outdoor sales event shall not interfere with public fire protection and law enforcement services.
- B. **Outdoor sales of flowers and gifts.** Outdoor sales of flowers and gifts are prohibited, except for a business licensed to sell flowers that has been licensed to sell flowers for more than one year. Flower shops may obtain a temporary use permit, provided the applicant

submits financial statements showing sales of flowers exceeds 25 percent of annual gross receipts for the business. Sales shall be conducted on the same location as the flower shop. A site plan shall be submitted to the Director of Community Development who shall approve a location for the outdoor sales stand.

C. **Temporary carnivals, circuses, fairs, and similar events.** Such temporary uses are subject to the following restrictions:

1. **Duration.** Events shall not exceed four days within any six-month period, provided the event is located on property owned or leased by a public agency, or on the grounds of the sponsoring organization per subsection (C)(2).
2. **Civic events.** Events shall be permissible only if sponsored by a public agency or a religious, educational, fraternal, service, or community based non-profit organization directly engaged in civic or charitable endeavors.
3. **Limitation of days.** Events shall be limited to three days in any six-month period, but the Director of Community Development may authorize a fourth day if the location, conduct, or timing of the event suggests that the event will not unduly impose on its neighbors.

D. **Christmas trees.** The sale of Christmas trees and wreaths between December 1st and December 25th of any calendar year, inclusive, to the extent permitted by other applicable ordinances, statutes, and regulations; provided, that any structures and materials used shall be removed from the premises and the property restored to a neat and broom-clean condition by December 31st.

§20.84.270 – Application Procedures

An application for a temporary use permit shall be submitted and approved before any temporary land use is established, operated, or conducted in any manner. Applications for approval of uses under this section shall include a site plan and other information as may reasonably be required by the Director of Community Development in order to determine compliance with the provisions of this zoning code. The application shall not be deemed complete until the application fee, in an amount set by resolution, has been submitted to the City.

§20.84.280 – Action by the Director of Community Development

The Director of Community Development is required to undertake the following action after the submittal of a temporary use permit application.

- A. **Notice and decision.** Not sooner than 15 days after the notices are mailed, the Director of Community Development shall apply the criteria of Section 20.84.260 CMC and approve, disapprove, or conditionally approve the application. The Director may impose conditions on the permit to ensure that the proposed use or development complies with all applicable

provisions of this zoning code. Non-compliance with any condition of approval shall constitute a violation of this zoning code.

- B. **Notice of decision.** Upon approval by the Director of Community Development, notice of the decision shall be given pursuant to Section 20.84.100 CMC. Notwithstanding Section 20.84.100 CMC, such notice need only be given to persons who request such notice, either in response to notice given under this chapter. Notice of denial need only be given to the applicant.

§20.84.290 – Appeals

No temporary use permit shall be effective until five days after the Director of Community Development’s decision, and no use or development authorized by a temporary use permit shall be initiated sooner than five days after the Director’s decision. Any interested person may appeal the Director’s decision pursuant to Section 20.84.160 CMC. Notwithstanding that section, an appeal of a decision of the Director under this section is not timely unless filed within five days of a decision.

PART 5 – Conditional Use Permits and Variances

§20.84.300 – Intent and Purpose

- A. **Intent and purpose of conditional use permits.** The City recognizes that certain uses, due to the nature of the use, intensity or size, require special review to determine if the use proposed, or the location of that use, is compatible with surrounding uses; or if through the imposition of conditions on the development and use, it can be made compatible with surrounding uses. The conditional use permit is provided for this purpose and to ensure compatibility with zoning regulations and with surrounding properties.
- B. **Intent and purpose of variances.** California Government Code §65906 establishes the authority of the City to grant exceptions to development standards and provisions of this zoning code in cases where, because of special circumstances applicable to a particular property or unique characteristics of the property, the strict application of this code deprives such property of privileges enjoyed by other property in the vicinity and under identical land use zoning districts.

§ 20.84.310 – Applicability

- A. **Conditional use permits.** Applications for Conditional Use Permits may be submitted only for those uses specified as allowable conditional uses in the applicable zone district. A conditional use permit may not substitute for an amendment to the zoning code text or map.

- B. **Variances.** A variance application shall be filed whenever any deviation from the provisions of this zoning code is proposed. Variances may not be approved for uses or activities not otherwise expressly authorized by this zoning code. A variance may not substitute for an amendment to the zoning code text or map, or for a Conditional Use Permit.

§20.84.320 – Proceedings

The processing requirements found in PART 1 of this chapter relating to application submittal, review, noticing, and public hearings shall apply to Conditional Use Permits and variances with exceptions as noted in this section.

§20.84.330 – Findings and Decision for Conditional Use Permits

The Planning Commission shall consider applications for a Conditional Use Permit and may, with or without conditions, approve any application that is in general accord with the following principles and standards based on findings and conclusions drawn from information and evidence presented at a public hearing. Conditional Use Permits shall be granted only when the Planning Commission determines that the proposed development or activity complies with all of the following findings:

- A. **Consistency.** The use shall be consistent with the general plan and consistent with the integrity and character of the zone in which it is to be located.
- B. **Site suitability.** The site for a proposed conditional use is adequate in size and shape to accommodate the yards, walls and fences, parking and loading, landscaping, and other development standards prescribed in this zoning code, or required by the Planning Commission, City Council, or other authorized agent in order to integrate the conditional use with the land and uses in the neighborhood.
- C. **Neighborhood compatibility.** The Planning Commission shall consider the nature, condition, and development of adjacent uses, buildings, and structures and the effect the proposed conditional use may have on such adjacent uses, buildings, and structures.
- D. **Access and circulation.** The site for a proposed conditional use should relate to streets and highways adequate in width and pavement to carry the kind and quantity of traffic such use would generate. Adequate provisions for public access are available to serve the use.
- E. **Utilities and services.** Adequate provisions for water, sewer, and public utilities and services are available to ensure that the use will not be detrimental to public health and safety.
- F. **Safety and welfare.** The use will not be detrimental to the public interest, health, safety, convenience, or welfare.

- G. **Conditions of Approval.** The Planning Commission may apply such conditions to a proposed conditional use as it deems necessary to protect the public health, safety, and general welfare, including but not limited to:
1. Special yards, open spaces, and buffer areas.
 2. Fences and walls.
 3. Surfacing of parking areas and driveways to specified standards.
 4. Street dedications and improvements.
 5. Vehicular ingress and egress.
 6. Landscaping and maintenance of grounds.
 7. Regulation of nuisance factors such as noise, vibrations, smoke, dust, dirt, odors, gases, noxious matter, heat, glare, electromagnetic disturbances, and radiation.
 8. Regulation of operating hours for activities affecting normal neighborhood schedules and functions.
 9. Regulation of signs and outdoor advertising.
 10. Establish a validation period limiting the time in which development may begin.
 11. Require a bond or other surety that the proposed conditional use will be removed on or before a specified date, or to guarantee faithful performance of condition.
 12. Require a site plan indicating all details and data as prescribed in this chapter.
 13. Require such other conditions as will make possible the development of the proposed conditional use in an orderly and efficient manner and in general accord with all elements of the general plan and the intent and purpose of this zoning code.
 14. The Planning Commission may approve a condition specifying a term for which the conditional use permit is valid.

§20.84.340 – Findings and Decision for Variances

The Planning Commission shall consider applications for a variance and may, with or without conditions, approve any case which is in general accord with the following principles and standards based on findings and conclusions drawn from information and evidence presented at a public hearing. Variances shall be granted only when the Planning Commission determines that the proposed development or activity complies with all of the following findings:

- A. **Special circumstances.** There are special circumstances applicable to the property, including size, shape, topography, location, or surroundings, that do not generally apply to other properties in the same district.
- B. **Similar privileges.** The strict application of this zoning code deprives such property of privileges enjoyed by other properties in the vicinity and other identical zoning classification.
- C. **Consistent privileges.** The granting of the variance does not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which the property is situated. The granting of the variance counteracts a unique burdensome characteristic of the property that otherwise makes it substantially more difficult or impossible to reasonably develop or use the property in compliance with a particular zoning standard as compared to other properties in the vicinity and zone.
- D. **Public health, safety, or general welfare.** The development permitted will not be materially detrimental to the public health, safety, or general welfare, or injurious to property or improvements in the zone or neighborhood in which the property is located.
- E. **Conditions of Approval.** The Planning Commission may, in granting a variance, impose such conditions as are necessary to protect the public health, safety, and general welfare, and assure compliance with the provisions and standards included in this zoning code.

§20.84.350 – Special Requirements for the Manufacturing or Storage of Explosives.

A. Special processing requirements

1. **Application.** An applicant for a Conditional Use Permit for the manufacture or storage of explosives shall submit an application containing such information as is required elsewhere in this zoning code and such additional information and affidavits as are requested by the Planning Commission, City Council, or other authorized agent. In addition to such information, the application shall also contain an affidavit in writing indicating that the applicant will fully and faithfully abide by and comply with the requirements set forth in this section.
2. **Processing of application – Fire Chief.** The Director of Community Development shall immediately notify the Fire Chief of any application or petition for a variance or Conditional Use Permit to manufacture or to keep or store explosives. The Fire Chief shall furnish to the Planning Commission, City Council, or other authorized agent a written report thereon, stating whether or not in the Fire Chief's judgment, explosives in the amounts and kinds mentioned in the application could be manufactured or stored at the place proposed without danger of serious injury to persons other than those employed in or about the plant or magazine, or to property other than that of the applicant.

B. Findings

1. **Conditional Use Permit required.** No quantity of explosives in excess of 100 pounds shall be manufactured, stored or kept in any place, residence, or building without a Conditional Use Permit therefore issued by the Planning Commission or City Council, and then only if said explosives are manufactured or stored in a building or magazine situated, constructed, operated, and maintained in the manner prescribed in the City health and safety code.
2. **Prohibitions.** No building used in whole or in part for the habitation of human beings, or no place of religious assembly, schoolhouse, or building used as a place of public assembly shall be used for the manufacture or storage of explosives.
3. **Distance.** No structure used for the manufacture or storage of explosives shall be located within a distance of one-half mile of any highway used for travel by the public, except as otherwise provided herein.
4. **Limitations.** The storage of not more than 100,000 pounds of explosives in a magazine situated, constructed, operated, and maintained as prescribed in the City health and safety code may be located at a place not less than one-quarter mile distant from any building used in whole or in part for the habitation of human beings, or from any place of religious assembly, schoolhouse, or other public building, or buildings used as a place of public assembly, or from any highway used for travel by the public, if the explosives, within two miles of such buildings or highways, are stored in a magazine surrounded by natural or artificial barriers formed by hills or earth embankments of sufficient height and thickness to prevent serious injury to any building or to any person in or about the buildings or traveling upon any such highway, and provided the hills or earth embankments could deflect the force of all or part of the total amount of explosives stored in the magazine.

§20.84.360 – Exceptions to Expiration Time

The expiration of a Conditional Use Permit or variance shall occur in accordance with PART 1 of this chapter with the following exceptions:

- A. **Government uses.** Where the Planning Commission has approved a proposal to acquire land for a governmental enterprise and has approved a variance or Conditional Use Permit therefore, no time limit shall apply to utilization of the permit, provided that:
 1. Within one year of the date of such approval, the governmental agency either acquires the property involved or commences legal proceedings for its acquisition;
 2. Immediately after the acquisition of the land or the commencement of legal proceedings for its acquisition, the governmental agency shall place signs, each with a surface area of not less than 20 square feet but not more than 40 square feet, on the property so that there shall be one sign facing each street bordering the property, with

the sign located within 50 feet of the street. Where the property in question is not bounded by any street, the applicant shall erect one sign facing the street nearest the property. Each such sign shall indicate the ownership of the property and the purpose to which it is to be developed; and

3. The governmental agency shall maintain these signs on the property in good condition until such time as the variance or Conditional Use Permit privileges are utilized.

B. Extension. Upon an application received prior to the expiration of a Conditional Use Permit or variance, the Planning Commission may extend the expiration date of such permit for a period not to exceed one additional year. Any decision on such an application may be appealed to the City Council pursuant to Section 20.84.160 CMC.

§20.84.370 – Special Requirements for Residential Condominium Conversions

For special noticing requirements and findings for condominium conversions, see Sections 20.52.262 CMC and 2052.265 CMC.

PART 6 – Planned Development Permit

§20.84.380 – Purpose

The Planned Development Permit allows for review and approval of customized development standards for projects where flexibility in standards can produce unique living and business environments. The Planned Development Permit is intended to:

- A. **Provide for efficient use of land and excellence of design.** Create a process that provides for flexibility in the application of zoning code standards to proposed development projects under limited and unique circumstances. The purpose is to allow consideration of innovative site planning and project design to achieve higher quality site planning and excellence of design than may otherwise be possible through the strict application of the development standards;
- B. **Provide for enhanced amenities and innovation in energy efficiency.** Require enhanced amenities (e.g., additional and enhanced private and public open space areas) and provide incentives for enhanced energy-efficiency and sustainable building approaches than generally required by this zoning code; and
- C. **Meet City's expectations.** Meet City expectations that each Planned Development Permit project be of obvious and significantly higher quality than would be achieved through conventional design practices and standards.

§20.84.390 – Applicability

- A. **Allowed development projects.** A Planned Development Permit may only be requested for a residential, industrial, office, commercial retail, or mixed-use development project.
- B. **Planned development permit precedes building or grading permits.** For projects proposing a Planned Development Permit, a Building or Grading Permit shall not be issued until the Planned Development Permit has been approved and become effective in compliance with this Chapter.
- C. **Allow land uses limited to those allowed in the base zone.** A Planned Development Permit may not authorize a land use activity that is not allowed in the base zone. However, a separate Conditional Use Permit may be processed concurrently, if required by this zoning code.
- D. **Modify standards.**
 - 1. The Planned Development Permit may adjust or modify any applicable development standard (e.g. lot size, height, setbacks, fence and wall heights, landscaping, parking, open space, street layout) specified in this zoning code, with the exception of an increase in the applicable density or intensity.
 - 2. Increased density residential development projects may only be approved in compliance with Government Code Section 65915 and Chapter 20.52 PART 10 CMC.
 - 3. Any request to adjust or modify applicable development standards shall include clear, written justification for each adjustment or modification, and shall include proposals for enhanced on- and off-site amenities that contribute to the overall quality of the development project.

§20.84.400 – Proceedings

The processing requirements found in PART 1 of this chapter relating to application submittal, review, noticing and public hearings shall apply to Planned Development Permits with exceptions as noted in this section.

§20.84.410 – Findings and Decision for a Planned Development Permit

The Planning Commission shall consider applications for a Planned Development Permit and may, with or without conditions, approve any application that is in general accord with the following principles and standards based on findings and conclusions drawn from information and evidence presented at a public hearing. Planned Development Permits shall be granted only when the Planning Commission determines that the proposed development or activity complies with all of the following findings:

- A. Accommodate a use that is allowed within the subject base zone;
- B. Be consistent with the purpose, intent, goals, policies, actions, and land use designations of the general plan;
- C. Be generally in compliance with the applicable provisions of this zoning code relating to both on- and off-site improvements that are necessary to accommodate flexibility in site planning and property development and to carry out the purpose, intent, and requirements of this zoning code and the subject base zone(s), including prescribed development standards, except for those provisions adjusted/modified in compliance with this section;
- D. Ensure compatibility of properties in the surrounding neighborhood and will not have a substantial adverse effect on surrounding property or their allowed use;
- E. The proposed project will produce a comprehensive development of superior quality and excellence of design (e.g., appropriate variety of structure placement and orientation opportunities, appropriate mix of structure sizes, high-quality architectural design and materials, significantly increased amounts and varieties of hardscape and landscape and improved open space, improved solutions to the design and placement of parking and loading facilities, incorporation of a program of highly enhanced amenities, energy-efficient related standards than might otherwise occur from more typical development applications;
- F. Appropriate standards and conditions have been imposed to ensure the protection of the public health, safety, and welfare;
- G. Appropriate on-site circulation (e.g., pedestrian and vehicular) and traffic control is designed into the development to ensure facilities equal to or better than what would normally be created by compliance with the minimum setback and parcel width standards;
- H. The subject parcel is adequate in terms of size, shape, topography, and circumstances to accommodate the proposed development; and
- I. Adequate public services and facilities exist, or will be provided, in compliance with the conditions of approval, to serve the proposed development and the approval of the proposed development will not result in a reduction of public services to properties in the vicinity to be a detriment to public health, safety, and general welfare.

PART 7 – Specific Plans

§20.84.420 – Intent and Purpose

The City recognizes that certain properties in the City may benefit from focused planning efforts wherein infrastructure, land use relationships, land use intensities, public service needs, and

resource protection goals can be carefully examined and planned in a comprehensive manner. The specific plan provides a mechanism to carry out such planning efforts. The following regulations establish uniform procedures and guidelines for specific plans prepared pursuant to Title 7, Division 1, Chapter 3, Article 8 of the California Government Code.

§20.84.430 - Specific Plan Initiation

- A. The City Council may identify those portions of the community where a specific plan is appropriate by adopting a resolution of intention for a specific plan designation. At the discretion of the City Council, specific plans may be initiated and prepared by the City or by a property owner or owners of any parcels subject to requirements of this chapter.
- B. For any specific plan application submitted by a property owner or owners, or a designated representative, a pre-application meeting with the Director of Community Development shall be required prior to the formal submission of the specific plan application. The purpose of this meeting is to review with the applicant the City's requirements for specific plan content, applicable policies, infrastructure needs, and other information as determined by the Director of Community Development.
- C. In addition to a formal application completed pursuant to the requirements of this chapter, the applicant shall submit a draft specific plan containing text and diagrams containing all information specified in Government Code §§ 65452 and 65452, as well as other information, standards, and requirements specified by the City.

§20.84.440 – Proceedings

- A. The Planning Commission shall review the application, consider pertinent facts, and provide a recommendation to the City Council on the specific plan application, which shall be in the form of an adopted resolution for approval, approval with modifications, or denial of the application.
- B. If the City Council proposes any substantial modification to the specific plan not previously considered by the Planning Commission, the Council shall refer the matter back to the Planning Commission for consideration. No public hearing shall be required. Failure of the Commission to act within 45 days of receiving the Council's request shall provide the Council with the authority to act without the recommendation.

§20.84.450 – Determination

The City Council shall make the following findings to approve a specific plan and any amendment thereto:

- A. The specific plan is consistent with and provides for the orderly, systematic, and specific implementation of the general plan.

- B. The land use and development regulations within the specific plan are comparable in breadth and depth to regulations contained in this zoning code.
- C. The specific plan will not adversely affect the public health and safety or result in incompatible land uses.
- D. The specific plan provides the framework to phase and pace growth within the specific plan area so as to ensure completion of all necessary public facilities concurrently with completion of development entailed in the specific plan.
- E. The specific plan identifies adequate financing mechanisms for the infrastructure and public facilities required to support the development.

§20.84.460 – Record of Plan

The final action on the specific plan by the City Council shall be adoption of the plan documents by ordinance or resolution. The rezoning of the subject property to a specific plan district shall be adopted by ordinance of the City Council.

§20.84.470 – Specific Plan Amendments

Any specific plan may be amended by the same procedure as the specific plan is adopted. The City may initiate amendments to any portion of a specific plan. The following changes to a specific plan shall require a specific plan amendment:

- A. Changes to the text or maps other than the addition of information that does not change the effect of any regulation.
- B. Changes in any specific plan boundary.
- C. Changes in the specified density for any area.
- D. Changes in standards or regulations, including landscaping and design standards.

PART 8 – Amendments to the General Plan, Zoning Code Text, and Zoning Map

§20.84.480 – Intent and Purpose

The purpose of this section of the zoning code is to identify the process and procedures by which the general plan and zoning code may be amended. The general plan may be amended by changing the boundaries of any general plan designation or the text of any general plan content. The zoning code may be amended by changing the geographic boundaries of any zoning district or by changing

the text of any zone district regulation, requirement, general provision, procedure, or any other provision as provided for in this section.

§20.84.490 – Amendment Initiation

Amendments to the provisions of this section may be initiated in any one of the following manners:

- A. Upon resolution of the City Council.
- B. Upon resolution of the Planning Commission.
- C. Upon application by a property owner, by a property owner's authorized agent, or by any public utility that has exercised eminent domain. If the property for which an amendment is proposed contains more than one ownership, all of the property owners or authorized agents shall join in the initiation of an amendment.

§20.84.500 – Proceedings

The processing requirements found in PART 1 of this chapter relating to application submittal, review, noticing, and public hearings shall apply to general plan and zoning code text or map amendments, with the following additional requirements:

- A. **Planning Commission review.** At the public hearing, the Planning Commission shall review the application and proposal and receive evidence as to how or why the proposed general plan or zoning code amendment is consistent with the objectives of this zoning code, the general plan, and development policies of the City.
- B. **Planning Commission action.** The Planning Commission shall act by resolution to recommend to the City Council approval, approval with modifications, or denial of the proposed application. A majority vote of the quorum present is required to recommend approval or approval with modifications.
- C. **Planning Commission resolution.** The Planning Commission's resolution shall include its recommendation and shall be transmitted to the City Clerk for scheduling the matter for consideration by the City Council.
- D. **Receipt of Planning Commission resolution.** Upon receipt of the Planning Commission resolution for approval or denial of a general plan amendment, zoning map amendment (change of zone), or zoning code text amendment, the City Clerk shall set the matter for hearing before the City Council.
- E. **City Council review.** At the hearing, the City Council shall review the Planning Commission's recommendation and receive evidence as to how or why the proposed

amendment is consistent with the objectives of this zoning code, the general plan, and development policies of the City.

- F. **City Council action.** The City Council shall act to approve or deny the application. Pursuant to Sections 36934 and 65850 of the California Government Code. If the City Council approves a proposed amendment to the general plan or zoning code, the City Council must introduce the amendment at a regular or adjourned City Council meeting and then formally adopt the amendment by ordinance at a subsequent hearing.
- G. **Modifications.** If the City Council proposes any substantial modification to the application not previously considered by the Planning Commission, the City Council shall refer the matter back to the Planning Commission for consideration. No public hearing by the Planning Commission shall be required. Failure of the Planning Commission to act within 45 days of receiving City Council's request shall provide the City Council with authority to act without the Planning Commission's recommendation.

§20.84.510 – Determination

In acting to approve an amendment to the zoning code, the Planning Commission and City Council shall make the following findings about the proposed zoning code amendment:

- A. The amendment is consistent with the goals, policies and objectives of the general plan;
- B. The amendment will not adversely affect surrounding properties;
- C. The amendment promotes public health, safety, and general welfare;
- D. The amendment serves the goals and purposes of the zoning code; and
- E. The amendment is consistent with the portions of the County of Los Angeles Hazardous Waste Management Plan relating to siting, and siting criteria, for hazardous waste facilities.

§20.84.520 – Other Requirements

- A. **Change of zoning map.** A change of zoning district boundaries shall be indicated on the zoning map following the enactment of an ordinance so amending the zoning map.
- B. **Time limits on new applications (re-application).** Following the denial of an application for an amendment, no new application for the same amendment or substantially the same amendment shall be filed within one year after the date of the denial of the application.
- C. **Effective date of amendment approval.** The approval of an amendment shall become effective upon the expiration of 30 calendar days following the date upon which the approval was granted.

PART 9 – Development Agreements

§20.84.530 – Intent and Purpose

The purpose of this section is to establish procedures and requirements for the approval and adoption of development agreements. These procedures and requirements are established pursuant to, and are consistent with, Government Code Sections 65864 through 65869.5. The Planning Commission may recommend, and the City Council may enter into a development agreement with any person having a legal or equitable interest in real property.

§20.84.540 – Development Agreement Application

Any person desiring a development agreement may file an application with the Director of Community Development pursuant to PART I of this chapter. An applicant shall be required to pay a fee as provided in Chapter 20.12 CMC.

§20.84.550 – Initiation of and Requirement of Hearing

- A. **Initiation.** A hearing on a development agreement may be initiated in any of the following manners:
1. Upon the initiative of the City Council;
 2. Upon the recommendation of the Planning Commission and the concurrence of the City Council; or
 3. Upon the filing of a completed application and the payment of fees as provided for by Chapter 20.04 CMC.
- B. **Notice of public hearing.** Upon the filing of a completed application, the Director of Community Development shall set a date for a noticed public hearing before the Planning Commission and shall give notice as required by Section 20.84.100 CMC. The application for a development agreement shall be processed and scheduled for public hearing concurrently with all project-related applications.
- C. **Public Hearing.** The Planning Commission and the City Council shall hold noticed public hearings on every completed application for a development agreement.

§20.84.560 – Special Requirements for Mixed-Use, Entertainment, and HDR Zones

Development Agreements are required for certain new development project in the Mixed-Use, Entertainment, and HDR Zones, pursuant to Section 20.28.040 CMC, Section 20.28.040 CMC, and Section 20.16.050 CMC.

§20.84.570 – Contents of Agreement

- A. **Scope and content.** This section establishes the scope and content of development agreements. A development agreement shall include the following:
1. The duration of the agreement;
 2. The permitted uses of the property;
 3. The density or intensity of use;
 4. The maximum height and size of proposed buildings;
 5. Any provisions for the reservation or dedication of land for public purposes; and
 6. Provision for a periodic review of the applicant’s compliance with the terms of the agreement under Section 20.84.610 CMC.
- B. **Optional provisions.** In addition to the required terms, a development agreement may include any of the following provisions:
1. The specified time for construction to commence;
 2. The specified time for the project, or any phase of the project, to be completed;
 3. Terms and conditions relating to applicant financing of necessary public facilities, and subsequent reimbursement, if any;
 4. Conditions, terms, restrictions, and requirements for subsequent discretionary actions by the City, provided these shall not prevent development of the land for the uses and to the density or intensity set forth in the agreement;
 5. Provisions for the Director of Community Development to approve minor modifications to the development project, with criteria to determine what constitutes a minor modification; or
 6. Any other terms, conditions, and requirements that the City Council deems proper.

§20.84.580 – Approval of Development Agreements

A development agreement shall be approved by resolution. The City Council shall not approve a development agreement unless it finds that its provisions are consistent with the general plan and applicable specific plans.

§20.84.590 – Recording of Development Agreement

The City Clerk shall record a copy of the approved development agreement with the Los Angeles County recorder's office within 10 days after the City Council approves the agreement. Amendments to or modifications of an approved development agreement shall be recorded with the Los Angeles County recorder's office within 10 days after the City Council approves such amendments or modifications.

§20.84.600 – Periodic Review of Development Agreement

The Planning Commission shall conduct a periodic review of an applicant's compliance with the terms of the development agreement at least once every 12 months. During this review the applicant, or the applicant's successor in interest, shall be required to demonstrate good faith compliance with the terms of the development agreement. If the Planning Commission finds and determines on the basis of substantial evidence that the initial applicant, or the applicant's successor in interest, has not complied in good faith with the terms or conditions of the agreement, the Planning Commission may recommend and the City Council may terminate or modify the agreement.

§20.84.610 – Amendment or Cancellation

- A. The applicant and the City Council may by mutual consent amend a development agreement in whole or in part. Notice of intention to amend shall be given pursuant to Section 20.84.100 CMC. The City Council may in its discretion hold a hearing on the proposed amendment. An amendment to a development agreement shall be approved by resolution. An amendment shall not be approved unless the City Council finds it to be consistent with the general plan and applicable specific plans.
- B. The applicant and the City Council may also, by mutual consent, cancel a development agreement in whole or part. Notice of intention to cancel shall be given pursuant to Section 20.84.100 CMC.

§20.84.620 – Modification or Suspension

Provisions of a development agreement which do not comply with state or federal laws or regulations enacted after the City Council's approval of the development agreement shall be modified or suspended as necessary to comply with such laws or regulations.

§20.84.630 – Application of Rules, Regulations, and Policies

All rules, regulations, and official policies governing permitted uses of land, density, and design, improvement and construction standards and specifications that are in force at the time the

development agreement is approved will continue to apply unless the development agreement provides otherwise.

§20.84.640 – Enforcement

- A. Unless and until amended or canceled as provided in this section, or modified or suspended as provided in this section, a development agreement shall be enforceable by any party to the agreement, notwithstanding any change in any applicable general plan, specific plan, zoning, subdivision, or building regulation which alters or amends the rules, regulations, or policies specified in this section.
- B. The burdens of a development agreement shall be binding upon, and the benefits of the agreement shall inure to, all successors in interest to the parties to the development agreement.

PART 10 – Reasonable Accommodation

§ 20.84.650 – Intent and Purpose

The reasonable accommodation process establishes a formal procedure for individuals with disabilities seeking equal access to housing to request a reasonable accommodation to zoning regulations, as provided by the Federal Fair Housing Amendments Act of 1988 and California's Fair Employment and Housing Act, and to establish criteria to be used when considering these requests. The purpose of the reasonable accommodation process is to provide flexibility in the application of land use, zoning or building regulations, policies, or procedures for individuals with disabilities or developers of housing for persons with disabilities when it is necessary to eliminate barriers to equal housing opportunities.

§ 20.84.660 – Applicability

- A. **Requests.** A request for reasonable accommodation may be made by any person with a disability, or a representative of such person, when the application of a zoning, land use, or building regulation, policy, or practice acts as a barrier to equal housing opportunities.
- B. **Grant to an individual.** If a reasonable accommodation request is approved, the request shall be granted to an individual and shall not run with the land unless the Director of Community Development determines that:
 - 1. The modification is physically integrated into the residential structure and cannot easily be removed or altered to comply with applicable codes; or
 - 2. The accommodation is to be used by another disabled person.

§ 20.84.670 – Proceedings

- A. The Community Development Department shall prominently display at City Hall a notice advising those with disabilities or their representatives that they may submit a request for reasonable accommodation. A request for reasonable accommodation in laws, rules, policies, practices, and/or procedures may be filed on an application form provided by the Community Development Department at any time that the accommodation may be necessary to ensure equal access to housing.
- B. A request for reasonable accommodation shall state the basis of the request including, but not limited to, a modification or exception to the regulations, standards, and practices for the siting, development, and use of housing or housing-related facilities that would eliminate regulatory barriers and provide a disabled person equal opportunity to housing of his or her choice.
- C. The Director of Community Development may request additional information necessary for making a determination on the request for reasonable accommodation that complies with the fair housing law protections and the privacy rights of the disabled person to use the specified housing. If additional information is requested, the specified review period for the reasonable accommodation stops until additional information is provided.

§ 20.84.680 – Findings

The written decision of the Director of Community Development to grant or deny a request for reasonable accommodation will be consistent with the California Fair Employment and Housing Act, the Federal Fair Housing Act, Section 504 of the Rehabilitation Act, and the Americans with Disabilities Act. The following findings must be analyzed, and adopted before any action is taken to approve or deny a request for reasonable accommodation:

- A. The housing that is subject to the request will be used by an individual with a disability, as defined under California Fair Employment and Housing Act, the Federal Fair Housing Act, Section 504 of the Rehabilitation Act, and the Americans with Disabilities Act.
- B. The request for reasonable accommodation is necessary to make specific housing available to an individual with a disability.
- C. The requested reasonable accommodation would not impose an undue financial or administrative burden on the City.
- D. The requested reasonable accommodation would not require a fundamental alteration in the nature of a City program or law, including but not limited to land use and zoning.

- E. There are no other alternative reasonable accommodations that may provide an equivalent level of benefit at a similar cost while providing greater consistency with the City’s laws and regulations.

§20.84.690 – Determination

- A. The Director of Community Development or Building Official, as appropriate, shall have the authority to consider and act on requests for reasonable accommodation. The Director of Community Development shall issue a written determination within 30 days of receipt of a completed application that either grants, grants with modifications or denies a request for reasonable accommodation. In granting a request for reasonable accommodation, the Director of Community Development or Building Official may impose any conditions of approval deemed reasonable and necessary to ensure that the reasonable accommodation would comply with the findings listed in Section 20.84.730 CMC.
- B. Requests for reasonable accommodation submitted for concurrent review with another discretionary land use application shall be reviewed by the authority reviewing the discretionary land use application.

§ 20.84.700 – Record of Reasonable Accommodation

The authorized signature of the Director of Community Development, on a designated form, or per a stamp approval on a set of plans, shall signify approval of a reasonable accommodation request.

Chapter 20.88 – Definitions

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§20.88.250	X Definitions
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§20.88.10 – Purpose and Applicability

This chapter includes definitions for specific terms used herein. This list of terms is designed to clarify the zoning code's intent as it relates to land uses and development requirements. The word "shall" indicates a mandatory requirement, except when used in connection with an action or decision of the City Council, Planning Commission, or any official. In these latter instances, the word "shall" will be directory only. Whenever used in this zoning code, the word "day" shall mean a single calendar day.

§20.88.020 – A Definitions

ABUT/ABUTTING. See “*Adjoining.*”

ACCESS. The place, means, or way by which pedestrians and vehicles shall have safe, adequate, and usable ingress and egress to a lot from a public street, private street, or alley; the place or way by which pedestrians and vehicles are provided adequate and usable ingress and egress to a property or use as required by this zoning code.

ACCESSORY USE. A use incidental to, related, and clearly subordinate to the principal use established on the same lot or parcel of land where such accessory use is located.

ADJACENT. Two or more lots or parcels of land separated by an alley, street, highway, or recorded easement, or two or more objects located near or in close proximity to each other.

ADULT-ORIENTED BUSINESSES

SEXUALLY ORIENTED BUSINESS OR ADULT-ORIENTED BUSINESS shall mean any of the following:

SEXUALLY ORIENTED ARCADE. A “sexually oriented arcade” is an establishment where, for any form of consideration, as a regular and substantial course of conduct one or more still or motion picture projectors, or similar machines, for viewing by five or fewer persons each, are used to show films, computer-generated images, motion pictures, video cassettes, slides, or other photographic reproductions that are characterized by an emphasis upon specified sexual activities or the exposure of specified anatomical areas.

SEXUALLY ORIENTED CABARET. A “sexually oriented cabaret” is an establishment that serves food or beverages and that, for any form of consideration, as a regular and substantial course of conduct presents live performances that either: (a) are characterized by specified sexual activities; or (b) feature any semi-nude person.

SEXUALLY ORIENTED HOTEL/MOTEL. A “sexually oriented hotel/motel” is a hotel, motel or similar establishment offering public accommodations for any form of consideration that either:

Provides patrons with closed-circuit television transmissions, films, motion pictures, videos, slides, or other photographic or electronic reproductions that are characterized by an emphasis upon specified sexual activities or the exposure of specified anatomical areas; and advertises the availability of such material by means of a sign visible from the public right-of-way, or by means of any off-premises advertising, including but not limited to newspapers, magazines, pamphlets, leaflets, radio, or television.

Rents, leases, or lets any single guest room for less than any 10-hour period.

Rents, leases, or lets any single guest room more than twice in any 24-hour period.

Allows a tenant or occupant to sub-rent a guest room for a time period less than 10 hours.

SEXUALLY ORIENTED MOTION PICTURE THEATER. A “sexually oriented motion picture theater” is an establishment that, for any form of consideration, as a regular and substantial course of conduct offers to show films, computer-generated images, motion pictures, video cassettes, slides, or other photographic reproductions that are characterized by an emphasis upon specified sexual activities or the exposure of specified anatomical areas.

SEXUALLY ORIENTED RETAIL STORE. A “sexually oriented retail store” is an establishment that, for any form of consideration, as a regular and substantial course of conduct offers for sale, rent, or viewing either sexually oriented material, sexually oriented merchandise, or both.

SEXUALLY ORIENTED THEATER. A “sexually oriented theater” is an establishment that, for any form of consideration, as a regular and substantial course of conduct presents live performances that either: (a) are characterized by specified sexual activities; or (b) feature any semi-nude person.

Any establishment that, for any form of consideration, as a regular and substantial portion of business offers to its patrons products, merchandise, services, or entertainment that are distinguished or characterized by an emphasis on specified sexual activities or the exposure of specified anatomical areas.

CHARACTERIZED BY AN EMPHASIS UPON. The dominant or essential theme of the object described by such phrase.

ENTERTAINER. A person who, for any form of consideration, performs at a sexually oriented business. Such persons shall constitute “entertainers” regardless of their legal relationship (e.g., employee, owner, or independent contractor) with the sexually oriented business.

HEARING OFFICER. The City Manager of the City of Cudahy, or the designee thereof.

OWNER. For purposes of the regulation of sexually oriented businesses, owner shall mean the following:

The sole proprietor of a sexually oriented business;

Any general partner of a partnership that owns and operates a sexually oriented business;

The owner of a controlling interest in a corporation that owns and operates a sexually oriented business; and

The person designated by the officers of a corporation to be the permit holder for a sexually oriented business owned and operated by the corporation.

PARK. For purposes of the regulation of sexually oriented businesses, a park, playground, swimming pool, golf course, or athletic field within the City that is under the control, operation, or management of the City or any other public agency.

PERFORM AT A SEXUALLY ORIENTED BUSINESS. To engage in or participate in any live performance at a sexually oriented business that either: (a) is characterized by an emphasis upon specified sexual activities; or (b) features any semi-nude person.

PERMITTEE. Any person who has been issued a permit pursuant to this regulation of sexually oriented businesses.

PERSON. Any individual, partnership, copartnership, firm, association, joint stock company, corporation, or combination of the above in whatever form or character.

REGULAR AND SUBSTANTIAL COURSE OF CONDUCT. “Regular and substantial course of conduct” and “regular and substantial portion of business” shall mean that any of the following conditions exist:

At least 20 percent of the stock-in-trade is devoted to sexually oriented material, sexually oriented merchandise, or both; provided, however, that this criteria shall not apply to mail order businesses or wholesale businesses with no patrons on the premises.

At least 20 percent of the total display area is devoted to sexually oriented material, sexually oriented merchandise, or both; provided, however, that these criteria shall not apply to mail order businesses or wholesale businesses with no patrons on the premises.

The business presents any type of entertainment, live or otherwise, characterized by an emphasis on specified sexual activities or featuring any semi-nude person on any four or more separate days within any 30-day period.

At least 20 percent of the gross receipts of the business are derived from the sale, trade, rental, display or presentation of services, products, materials, or entertainment that is characterized by an emphasis on specified sexual activities or the exposure of specified anatomical areas.

SCHOOL. For the purposes of the regulation of sexually oriented businesses:

Any child or day care facility; and

Any institution of learning for minors, whether public or private, offering instruction in the courses of study required by the California Education Code and maintained pursuant to standards set by the State Board of Education. This definition includes a nursery school, kindergarten, elementary school, middle or junior high school, senior high school, or any

special institution of education, but it does not include a vocational or professional institution of higher education, including a community or junior college, college, or university.

SEMI-NUDE. A state of dress in which clothing covers no more than the genitals, pubic region, buttocks, areola, and nipple of the female breast, as well as portions of the body covered by supporting straps or devices.

SEXUALLY ORIENTED MATERIAL. Any book, periodical, magazine, photograph, drawing, sculpture, motion-picture film, videotape recording, or other visual representation, that is characterized by specified sexual activities or the exposure of specified anatomical areas.

SEXUALLY ORIENTED MERCHANDISE. Sexually oriented implements or paraphernalia, such as, but not limited to: dildos; auto sucks; sexually oriented vibrators; edible underwear; benwa balls; inflatable orifices; anatomical balloons with orifices; simulated vaginas and similar sexually oriented devices that are designed or marketed primarily for the stimulation of human genital organs or sadomasochistic activity.

SPECIFIED ANATOMICAL AREAS.

Less than completely and opaquely covered human (a) genitals or pubic region; (b) buttocks; and (c) female breast below a point immediately above the top of the areola;

Human male genitals in a discernibly turgid state, even if completely and opaquely covered;

Any device, costume, or covering that simulates any of the body parts included in subsections (Q)(1) and (2) of this section.

SPECIFIED SEXUAL ACTIVITIES. Whether performed directly or indirectly through clothing or other covering:

The fondling or other erotic touching of human genitals, pubic region, buttocks, anus, or female breast;

Sex acts, actual or simulated, including intercourse, oral copulation, or sodomy;

Masturbation, actual or simulated;

Excretory functions as part of, or in connection with, any of the other activities described in of this section.

SUBSTANTIALLY ENLARGED. The increase in floor area occupied by a sexually oriented business by more than 10 percent of its floor area as it existed at the time a sexually oriented business operator permit was issued for the business.

ALCOHOL SALES.

ALCOHOLIC BEVERAGES. A fermented or distilled beverage including alcohol, spirits, liquor, wine, beer, and every other liquid or solid containing alcohol, spirits, wine, or beer which contains one-half of one percent or more of alcohol by volume and which is fit for beverage purposes either alone or when diluted, mixed, or combined with other substances.

BEER AND WINE CONVENIENCE STORE. Any proposed retail establishment, other than a vehicle service station, which will consist of less than 23,000 square feet in gross floor area, and which is proposed to sell for off-premises consumption of beer and wine as defined in California Business and Professions Code Sections 23006 and 23007, as those code sections may be amended, supplemented, or renumbered, for off-premises consumption, shall be deemed for the purpose of this section a beer and wine convenience store.

GROCERY STORES SELLING LIQUOR. Any proposed retail establishment, other than a vehicle service station, which will consist of 23,000 square feet or more in gross floor area and which is proposed to sell alcohol for off-premises consumption shall be deemed for the purpose of the regulation of alcohol sale a grocery store selling liquor.

LIQUOR STORE. A retail store, of any size, where the establishment's total yearly alcohol sales make up more than 25 percent of the establishment's total yearly gross sales, and not limited to beer and wine.

OFF-SITE. The consumption of an alcoholic beverage off the premises of an establishment wherein alcoholic beverages are sold, served, or given away.

ON-SITE. The consumption of alcoholic beverages on the premises of an establishment wherein alcoholic beverages are sold, served, or given away.

ALLEY. A public or private right-of-way, other than a street or highway, permanently reserved as a secondary means of vehicular access to adjoining properties.

AMENDMENT. A change in the wording, context, content, or substance of this zoning code or in the zoning map. Such changes must be adopted by ordinance of the City Council in the manner prescribed by law.

AMUSEMENT ARCADE. Any place open to the public where five or more amusement games are maintained for use by the public. When only a portion of the premises is used for the operation of amusement games, only that portion shall be considered as an amusement arcade.

AMUSEMENT GAME. Any entertainment device for which a fee is paid to play, including but not limited to, pinball, video, or other electronic games.

ANIMALS – RETAIL SALES. See "*Pet Stores.*"

APARTMENT. See "*Dwelling, Multi-Family.*"

APARTMENT, EFFICIENCY. An efficiency apartment, also known as a studio apartment, is a self-contained, small apartment which combines living area, sleeping accommodations, and kitchen and eating facilities into a single room.

APARTMENT UNIT. A room or suite of two or more rooms with a single kitchen in a multiple family dwelling, suitable for occupancy as a dwelling unit for one household.

ARCADE. See “*Amusement Arcade.*”

ARTIST’ STUDIO. See “*Studio, Art, and Music.*”

ASSEMBLY/MEETING FACILITIES, PUBLIC OR PRIVATE. A facility for public or private assembly and meetings, exclusive of “Places of Religious Assembly,” which is defined separately. This definition does not include “adult” business establishments. Examples of these uses include:

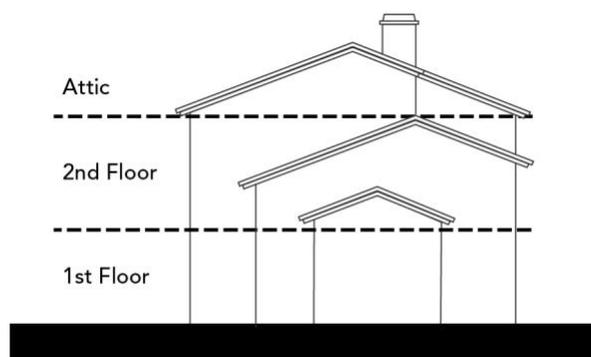
- banquet rooms
- civic and private auditoriums
- community centers
- conference/convention facilities
- meeting halls for clubs and other membership organizations

ASSESSED VALUE. The then-assessed value of the land, building, or structure, as is shown on the current equalized assessment role in effect as of the time of the making of the determination of such assessed value.

ASSESSOR. The assessor of the County of Los Angeles.

ATLANTIC AVENUE CORRIDOR. A specific portion of the City located adjacent to, or in the vicinity of, Atlantic Avenue, as shown on the General Plan map.

ATTIC. The area located between the top plate of the uppermost habitable floor and the roof or ridge of a building, as further defined in the Building Code as adopted by the City of Cudahy.



AUTOMATED TELLER MACHINE (ATM). A machine that may or may not be on the premises of a financial institution that engages in receiving deposits and dispensing cash money from walk-up individuals. This definition does not include an automated teller machine that is located wholly within the confines of a retail seller engaged primarily in the business of selling consumer goods and/or perishables.

AUTOMOBILE DISMANTLING YARD. Any lot used for the purpose of dismantling of motor vehicles and/or trailers for sale or storage of such parts, vehicles, and/or trailers.

AWNING. A sheet of canvas or other material stretched on a frame and used to keep the sun or rain off a storefront, window, doorway, or deck.

§20.88.030 – B Definitions

BALCONY. A platform that projects from the wall of a building, or an outdoor space recessed into the façade of a building, typically located above the first level, and enclosed by a combination of exterior walls and by a rail, balustrade, or parapet on one or more sides.

BALLOON. A floating air-filled or gas-filled object tethered to a fixed location (also see "*Sign, Balloon*").

BANK/FINANCIAL INSTITUTION. See "*Financial Institution.*"

BARS AND COCKTAIL LOUNGES. Establishments where alcoholic beverages are sold for consumption on the premises. This classification excludes restaurants and commercial recreation uses that may serve alcoholic beverages incidental to the primary use.

BASEMENT. That portion of a building located below the ground level or first floor of a structure, generally partially or fully subterranean.

BEDROOM. A bedroom is a private room intended primarily for sleeping. In order to qualify as a bedroom, such a room must provide a closet and a means of egress.

BILLIARD PARLOR. Establishment that provides five or more billiard and/or pool tables.

BOARDINGHOUSE. A dwelling unit where non-transient lodging, with or without meals, is provided for compensation to one or more persons who are not members of the household occupying the premises. For purposes of this definition, lodging shall be deemed non-transient if it is occupied by the same tenant(s) for at least 31 consecutive days. Notwithstanding the foregoing, the following shall not be deemed a boardinghouse when the dwelling unit is used to serve six or fewer persons and the occupant or owner of the dwelling unit has all licenses required by law for such service:

1. An “intermediate care facility/developmentally disabled-habilitative” or an “intermediate care facility/developmentally disabled-nursing,” as defined in California Health & Safety Code § 1250.
2. A residential facility as defined in California Health & Safety Code § 1502.
3. A residential care facility as defined in California Health & Safety Code § 1568.01.
4. A residential care facility for the elderly as defined in California Health & Safety Code § 1569.2.
5. An alcoholism or drug abuse recovery or treatment facility as defined in California Health & Safety Code § 11834.11.
6. Or any other use which state law precludes being deemed as a boardinghouse.

BREWERY/WINERY/DISTILLERY. An establishment which produces ales, beers, meads, hard ciders, wine, liquor and/or similar beverages on-site. Breweries and wineries may also serve beverages on site and sell beverages for off-site consumption in keeping with the regulations of the State Alcohol Beverage Control (ABC) and the Federal Bureau of Alcohol, Tobacco, and Firearms (ATF).

BUILDING. Any structure having a roof supported by columns or by walls and intended for the shelter, housing, or enclosure of persons, animals, or property of any kind. See also “*Structure.*”

BUILDING, ACCESSORY. A detached subordinate building, the use of which is incidental to that of the primary building or to the principal use of the land, and which is located on the same lot or parcel of land with the main building or principal use of the land.

BUILDING HEIGHT OR HEIGHTS. The vertical distance as measured continuously along a line at existing grade bisecting the width of the lot to the highest point of a building or structure, except as provided elsewhere in this zoning code. See also “Measurement of Building Height” in Section 20.56.060 CMC.

BUILDING, MAIN. A building in which is conducted a principal use of the lot or parcel of land upon which it is situated. In a residential or agricultural zone, any residential unit shall be deemed to be a main building upon the lot or parcel of land on which it is situated.

BUILDING WALL. The vertical surface, or any element thereof, including any structural member or group of structural members attached to the vertical surface that defines the exterior boundaries of a building.

BUILDING MATERIAL SALES AND SERVICES. An establishment engaged in retailing or wholesaling of building supplies or equipment. This classification includes lumber yards and tool and equipment sales, but excludes businesses engaged in the retail sales of paint and hardware, building contractor's yards, and activities classified under "equipment leasing and rentals."

BUSINESS AND TRADE SCHOOL. See “*School, Business and Professional.*”

BUSINESS SERVICES. An establishment within a building, providing other businesses with various services including maintenance, repair and service, testing, rental, etc. Also includes:

- blueprinting
- computer and small electronic services
- publishing
- film processing and photofinishing
- equipment rental businesses within buildings
- heavy equipment repair services where repair occurs on the client site
- janitorial and window-cleaning services
- mailbox services
- outdoor advertising services

§20.88.040 – C Definitions

CANNABIS.

COMMERCIAL CANNABIS ACTIVITIES. The cultivation, possession, manufacture, distribution, processing, storing, laboratory testing, packaging, labeling, transportation, delivery, or sale of cannabis and cannabis products.

CANNABIS. 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” also means marijuana as defined by Section 11018 of the California Health and Safety Code as enacted by Chapter 14017 of the Statutes of 1972. 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 zoning code, cannabis does not mean industrial hemp as that term is defined by Section 81000 of the California Food and Agricultural Code or Section 11018.5 of the California Health and Safety Code.

CANNABIS PRODUCT. Cannabis that has undergone a process whereby the plant material has been transformed into a concentrate, or other cannabis derivative, including, but not limited to, concentrated cannabis, or an edible or topical product containing cannabis or concentrated cannabis and other ingredients.

MAUCRSA. The California Medicinal and Adult-Use Cannabis Regulation and Safety Act, codified at California Health and Safety Code §§ 11018 et seq., 11362.7, California Business and Professions Code §§ 26001 et seq., California Revenue and Tax Code § 34010 and California Food and Agriculture Department Code §§ 81000 et seq., as may hereinafter be amended.

YOUTH CENTER. For purposes of cannabis regulations only, any public or private facility that is primarily used to host recreational or social activities for minors, including but not limited to private youth membership organizations or clubs, social service teenage club facilities, video arcades, or similar amusement park facilities.

CANOPY. Same meaning as "awning" as defined in this chapter, except that a canopy contains separate supporting posts and is not supported entirely from the exterior wall of a building.

CASINO. A business or enterprise licensed and defined pursuant to Chapter 5.08 CMC.

CARPORT. A permanently roofed structure with no more than two enclosed sides, used or intended to be used for automobile shelter and storage.

CELLAR. See "*Basement.*"

CENTER-LINE. The centerline of any street, as established by the City Engineer per official surveys, and on file in the office of the City Engineer.

CHECK-CASHING/PAY DAY LOANS. A business that, for compensation, engages in the business of cashing checks, warrants, drafts, money orders, or other commercial paper serving the same purpose. This classification does not include a state or federally chartered bank, savings association, credit union, or industrial loan company. Further, this classification does not include establishments selling consumer goods where the cashing of checks or money orders is incidental to the main purpose of the business.

CHIEF OF POLICE. The designated officer in charge of the Los Angeles County Sheriff or the Sheriff of the County or such law enforcement officer designated by the City as the officer responsible for law enforcement with the City.

CHILD CARE CENTER. See "*Day Care Center, Children.*"

CITY. The City of Cudahy, State of California, referred to in this zoning code as "City," and everyone acting on behalf of the City of Cudahy, including employee, associate, attorney, accountant, representative, officer, city manager, director, or agent of the City of Cudahy.

COMMERCIAL RECREATION, INDOORS. Establishments providing indoor participant or spectator recreation, for a fee or admission charge. Illustrative examples of these uses include:

- billiards and pool halls
- bowling alley
- family fun centers
- indoor rock climbing
- skating rink (ice or roller skating)

COMMERCIAL RECREATION, OUTDOORS. Establishments providing outdoor participant or spectator recreation, for a fee or admission charge. Illustrative examples of these uses include:

- batting cages
- country clubs
- golf courses
- outdoor rock climbing
- outdoor skating rink (ice, roller skating, skateboards)

COMMERCIAL ENTERTAINMENT, INDOOR. An establishment offering predominantly spectator uses conducted within an enclosed building. Typical uses include motion picture theaters, live performance theaters, meeting halls, and dance halls.

COMMERCIAL VEHICLE. A vehicle which, when operated on a street, is required to be registered as a commercial vehicle under the State Vehicle Code, and which is used or maintained for the transportation of persons for hire, compensation, or profit, or which is designed, used, or maintained primarily for the transportation of property.

COMMISSION. Means the Planning Commission of the City of Cudahy.

COMMUNITY CENTER. A building, buildings, or portions thereof used for recreational, social, educational, and cultural activities where buildings and associated improvements are owned and/or operated by a public, nonprofit, or private serving group or agency.

CONDOMINIUM. An undivided interest in common in a portion of real property coupled with a separate interest in space called a "unit," the boundaries of which are described on a recorded final map, parcel map, or condominium plan. The description of the unit may refer to: (a) boundaries described in the recorded final map, parcel map, or condominium plan, (b) physical boundaries, either in existence, or to be constructed, such as walls, floors, and ceilings of a structure or any portion thereof, (c) an entire structure containing one or more units, or (d) any combination thereof. An individual condominium within a condominium project may include, in addition, a separate interest in other portions of the real property. This term shall also include stock cooperative developments.

CONDOMINIUM PROJECT. A common interest development consisting of condominiums. The following terms, when used in reference to condominiums or condominium projects, shall be defined as follows:

CONDOMINIUM COMMON AREA. The entire project excepting all units or common area granted or reserved.

CONDOMINIUM DOCUMENTS. The declaration and the condominium plan.

CONVALESCENT FACILITIES. See "*Residential Care Facility.*"

CONVERSION (CONDOMINIUM). A change in the type of ownership of a parcel or parcels of land, together with the existing structures, from rental housing, as defined in this chapter, to a condominium, community apartment, stock cooperative, or common interest development.

COTTAGE FOOD OPERATION. A use located within a dwelling where certain low-risk food products that do not require refrigeration are made and sold, and as defined in Section 113758 of the California Health and Safety Code.

COUNTY. Refers to the County of Los Angeles.

COURT. An open, unoccupied space bounded on two or more sides by the walls of a building. "Inner court" is a court entirely enclosed within the exterior walls of a building. All other courts are referred to as outer courts.

§ 20.88.050 – D Definitions

DANCE STUDIO. See "*Health/Fitness Facilities.*"

DAY CARE CENTER, ADULT. A state licensed facility designed to provide necessary care and supervision to persons 18 years of age or older on less than a 24-hour basis. "Adult day care centers" include the various types of adult day services as defined under state law that include "adult day care facilities," "adult social day care facilities," and "adult day health care facilities."

DAY CARE CENTER, CHILDREN. A state licensed facility, other than a family day care home, providing nonmedical care and supervision to children under 18 years of age on less than a 24-hour basis. "Child day care centers" shall include "day care centers" as defined under state law, which include infant centers, preschools, and extended day care facilities.

DAY CARE HOME, SMALL FAMILY. Day care facilities located in single-family dwellings where an occupant of the dwelling provides care and supervision for eight or fewer children. Children under the age of 10 years who reside in the dwelling count as children served by the day care facility. To be considered a small family child care home, such use must comply with all applicable state regulations, and specifically those set forth in the California Health and Safety Code commencing with Section 1596.70.

DAY CARE HOME, LARGE FAMILY. Day care facilities located in single-family dwellings where an occupant of the dwelling provides care and supervision for nine to 14 children. Children under the age of 10 years who reside in the dwelling count as children served by the day care facility. To be considered a large family child care home, such use must comply with all applicable state regulations, and specifically those set forth in the California Health and Safety Code commencing with Section 1596.70,.

DECK. An outdoor platform other than a balcony, either freestanding or attached to a building, without a roof, that is supported by pillars, posts, or walls.

DIRECTOR, DIRECTOR OF PLANNING, AND PLANNING DIRECTOR. Refers to the Director of Community Development or designee.

DISABILITY. As defined under the federal Fair Housing Amendments Act of 1988 and the California Fair Employment and Housing Act, a physical or mental impairment that limits one or more major life activities of a person. An individual with a disability is anyone who is regarded as having that type of impairment, or anyone who has a record of that type of impairment. The disability discrimination provisions of the Fair Housing Act do not extend to persons who claim to be disabled solely on the basis of having been adjudicated a juvenile delinquent, having a criminal record, or being a sex offender. Furthermore, the Fair Housing Act does not protect persons who currently use illegal drugs, persons who have been convicted of the manufacture or sale of illegal drugs, or persons with or without disabilities who present a direct threat to the persons or property of others.

DRIVE-THROUGH ESTABLISHMENT. A business or institution providing services accessible to persons who remain in their motor vehicles.

DRIVEWAY. An appropriately paved and privately-owned surface or road that provides access to off-street parking or loading facilities.

DWELLING. A building containing one or more dwelling units.

DWELLING, DUPLEX OR TRIPLEX. A structure consisting of two or three dwelling units, respectively.

DWELLING, MULTI-FAMILY. One or more buildings located on a lot containing a total of four or more dwellings within a structure. This category includes townhomes and condominiums.

DWELLING, SINGLE-FAMILY. A structure consisting of one dwelling unit, designed exclusively for the occupancy of a single household, no portion of which shall be rented, leased, or otherwise conveyed as additional dwelling units, except as otherwise provided.

DWELLING UNIT, ACCESSORY. An attached or detached dwelling unit which provides complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family dwelling is situated.

DWELLING UNIT. A building, or portion thereof, consisting of one or more rooms, including a kitchen, which is designed and used or available for use exclusively as a single residence and which otherwise conforms to the provisions of this zoning code.

§ 20.88.060 – E Definitions

EASEMENT. A portion of a lot that is reserved or used for utility rights-of-way, access, or any public or private use, as indicated on a subdivision map, deed restriction, or other recorded document.

EAVE. The protecting lower edges of a roof overhanging the wall of a building.



EQUIPMENT RENTAL. Establishment that rents equipment, including large home appliances such as washing machines, ovens, and refrigerators, and/or office equipment repair and maintenance such as copy machines. Does not include maintenance and repair of vehicles.

EMERGENCY SHELTER. Housing for homeless persons or a cumulative period of six months or less, and where supportive services are provided to homeless persons. No individual or household may be denied emergency shelter because of an inability to pay.

§ 20.88.070 – F Definitions

FAMILY. A group of persons, whether related or unrelated, who live together in a nontransient and interactive manner, including the joint use of common areas of the premises which they occupy, and sharing household activities and responsibilities such as meals, chores, and expenses. And, notwithstanding the foregoing, any group of persons required to be considered as a “family” for zoning purposes pursuant to California Health & Safety Code §§ 1267.8, 1566.3, 1568.0831, 1569.85, 11834.23 or any other state law shall be deemed to be a family for purposes of this code.

FENCE. An artificially constructed barrier of any material or combination of materials erected to enclose or screen areas of land.

FINANCIAL INSTITUTIONS. A full-service state or federally chartered bank, savings association, credit union, or industrial loan company, but does not include any business whose primary function is check cashing, money wiring, or the operation of freestanding automated teller machines/kiosks. This definition does not include “Check Cashing and/or Payday Loans.”

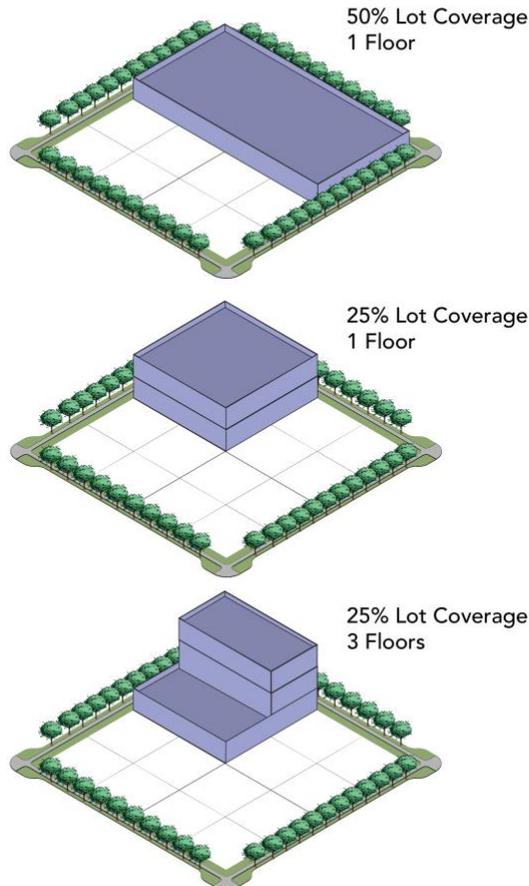
FLOOR AREA, GROSS. The total horizontal area of all the floors of a building included within the surrounding walls, exclusive of vent shafts and courts.

FLOOR AREA, NET. The total usable floor area within all floors of a building included within the surrounding walls.

FLOOR AREA RATIO. The numerical value obtained through dividing the gross floor area of a building or buildings by the total area of the lot or parcel of land on which such building or buildings are located.

Possible Building Configurations for 0.5 FAR

$$\text{Floor Area Ratio (FAR)} = \frac{\text{Gross Floor Area (All Floors)}}{\text{Lot Area}}$$



NOTE: Variations may occur if upper floors are stepped back from ground level lot coverage.

FOOD AND BEVERAGE SALES. A business establishment where the primary use involves the retail sales of food and beverages for off-site preparation and consumption. Typical uses include grocery markets and delicatessens.

FOOD AND BEVERAGE SALES, CONVENIENCE STORE. A high-volume retail facility that sells a variety of products for consumption off-premises, including but not

limited to, food and beverages, snacks, alcoholic beverages, household goods, magazines, and accessory automobile supplies.

FOOD AND BEVERAGE SALES, GROCERY STORE. A self-service food, beverage, and associated consumer goods store divided into departments and also offering prepared foods and food service. May include secondary uses within the store for visitor convenience, such as banking services, retail sales of non-food items, and a pharmacy.

FOOD AND BEVERAGE SALES, SPECIALTY STORE. Includes establishments such as delis, coffee shops, bakeries, and produce stores.

§20.88.080 – G Definitions

GAMBLING GAME. Any games as licensed and defined by Chapter 5.08 CMC.

GARAGE, COMMON PARKING GARAGE. A structure with a common vehicular entrance and exit which is used to park vehicles in parking spaces and which otherwise conforms to the requirements of this zoning code.

GARAGE, PRIVATE. A detached accessory building, or a portion of a main building on the same lot, enclosed on three sides and with a door capable of enclosing the fourth side, for the parking or temporary storage of vehicles owned by the occupants of the premises.

GENERAL PLAN. The General Plan of the City of Cudahy, consisting of the General Plan and Map, adopted by the City Council.

GLARE. Any brightness within a person's field of vision of such a character as to cause annoyance, discomfort, or interference with vision or loss in visual performance and visibility.

GOVERNMENT CODE. The California Government Code.

GOVERNMENT AND COMMUNITY FACILITIES, PUBLIC. A building or structure owned, operated, or occupied by a governmental agency to provide a governmental or community service to the public.

GRADE, EXISTING. The surface of the ground or pavement at a specific location as it existed prior to disturbance in preparation for a construction project.

GRADE, FINISHED. The finished surface elevation of the ground or pavement at a specific location after the completion of a construction project.

GRADE, GROUND LEVEL. The average level of the finished ground surface surrounding a building, measured at the center of all walls of the building.

GRADIENT. The rate of vertical change of a ground surface expressed in a percentage and determined by dividing the vertical distance by the horizontal distance.

GROUP HOME. A residential home that provides 24-hour non-medical care for six or fewer persons 18 years of age or older, or emancipated minors, with chronic, life-threatening illness in need of personal services, protection, supervision, assistance, guidance, or training essential for sustaining the activities of daily living, or for the protection of the individual, as licensed by the State of California.

GUEST HOUSE. Living quarters, having no kitchen facilities, located within an accessory building located on the same premises with a main building and occupied solely by members of the family, temporary guests, or persons permanently employed on the premises.

§20.88.090 – H Definitions

HAZARDOUS WASTE. Any waste, or combination of wastes, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may: (a) exhibit toxicity, corrosivity, flammability, and/or reactivity; (b) cause, or significantly contribute to, an increase in serious irreversible, or incapacitating reversible, illness; or (c) present a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, or disposed of, or otherwise managed.

HAZARDOUS WASTE FACILITY. All contiguous land, structures, other appurtenances, and improvements within a property, used for handling, treating, storing, or disposing of hazardous wastes.

HEALTH AND PHYSICAL FITNESS FACILITIES. Private athletic clubs and gymnasiums including but not limited to, weight training facilities, aerobic exercise floors, dance, racquetball courts, swimming pools, and similar athletic facilities.

HEIGHT. See “*Building Height.*”

HOME OCCUPATION. Any commercial activity conducted entirely within a particular dwelling unit by the inhabitants of such dwelling unit. Home occupations are incidental uses that do not change the character of the dwelling unit nor adversely affect permitted uses in the surrounding area.

HOSPITAL. A facility providing medical, surgical, psychiatric, and/or emergency medical services to sick or injured persons, primarily on an in-patient basis. This classification includes incidental facilities for out-patient treatment, as well as training, research, and administrative services for patients and employees.

HOTEL OR MOTEL. One or more buildings containing guest rooms or dwelling units, with one or more such rooms or units having a separate entrance leading directly from the outside of the building or from an interior court. Such facilities are designed to be used, or intended to be used,

rented, or hired out for temporary or overnight accommodations for guests, and are offered primarily to patrons by signs or other advertising media. This classification may contain public meeting rooms and eating, drinking, and banquet services associated with the facility.

HOUSEHOLD. A single individual or group of individuals unrelated or related by blood or marriage, residing in a dwelling unit and meeting the definition of “family.”

HOUSEHOLD PET. A domesticated animal commonly maintained within a residence.

§ 20.88.100 – I Definitions

IMPROVEMENT. Any construction, building, paving, or landscaping activity which materially adds to the value of a property or facility, substantially extends its useful life, or adapts it to new uses. Repairs performed for the purpose of maintaining a facility in good operating condition but which do not materially add to the value of a facility or substantially extend its useful life are not considered improvements.

INDUSTRIAL. Establishments engaged in the manufacturing of finished parts or products, either from raw materials or previously prepared materials, within an enclosed structure. Includes processing, fabrication, assembly, treatment, testing (e.g., laboratories), packaging, incidental office storage, sales, and distribution of the parts or products; and laundry and dry cleaning plants. Excludes “Vehicle, Rentals,” “Vehicle, Major Repair,” “Vehicle, Minor Repair,” and “Wholesaling, Distribution, and Storage.”

INDUSTRIAL, LIGHT. The manufacture and/or processing of consumer-oriented goods in a manner that does not produce noticeable odors, air emissions, or other environmental effects, and that has limited associated trucking activity. Light industries generally require limited amounts of raw materials to produce goods. Examples of light industries include, but are not limited to, the manufacture of baked goods (industrial bakeries) clothes, shoes, furniture, consumer electronics, and household items.

INDUSTRIAL, HEAVY. The manufacture and/or processing of materials and goods utilizing large quantities of raw materials and generally requiring high capitalization and production of large quantities of output. Heavy industry often sells output to other business users rather than consumers. Characteristics of heavy industry include but are not limited to, heavy trucking activity, noise, emissions requiring federal or state environmental permits, use of large quantities of hazardous materials as defined the U.S. Environmental Protection Agency, and requirement for specialized permits from federal and state occupational health and safety agencies.

§ 20.88.110 – J Definitions

JUNK YARD. The use of a lot, or the use of any portion of a lot, for the dismantling of machinery or for the storage or keeping for sale of parts and equipment resulting from such dismantling or

wrecking, or for the storage or keeping of junk, including scrap metals or other scrap materials.

§ 20.88.120 – K Definitions

KENNEL. Any lot or premises on which four or more dogs or cats at least four months of age are boarded or trained.

KITCHEN. Any room or space in a building or dwelling unit that is used in the cooking or preparation of food.

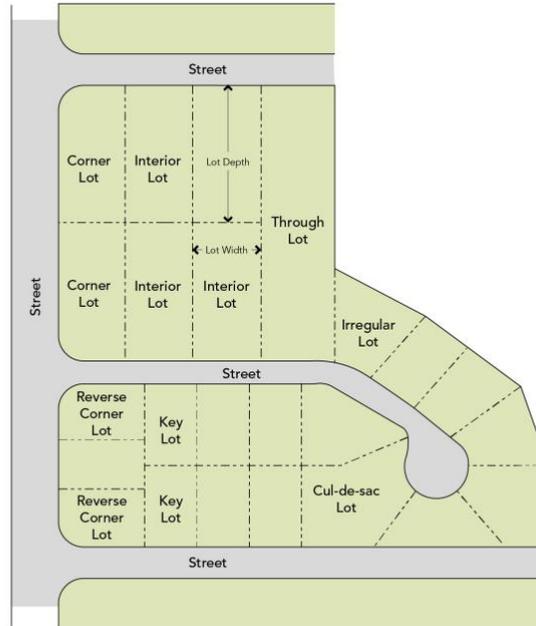
§ 20.88.130 – L Definitions

LABORATORY. An establishment providing analytical or testing services, including but not limited to, chemical labs, dental-medical labs, optical labs, and labs conducting mechanical, electrical, physical, or environmental tests, as well as research and development.

LANDSCAPING. The planting and maintenance of live trees, shrubs, ground cover, and lawn areas, including the installation of irrigation systems required by the provisions of this zoning code. "Landscaping" may include inorganic decorative materials of natural or manmade origin if used to accent or complement, but in no case imitate, the natural vegetation. Inorganic decorative materials used in landscaping may include rock, stone, wood, waterfalls, fountains, pools, sculptures, benches, and architectural screens, walls, and fences.

LOADING SPACE. An off-street space on the same lot with a main building, or contiguous to a group of buildings, for the temporary parking of commercial vehicles while loading or unloading and which has access from a street, alley, or other permanent means of ingress and egress.

LOT. Real property with a separate and distinct number or other designation shown on a plat recorded in the office of the County Recorder as a part of an approved subdivision.



LOT AREA. The total area, measured in a horizontal plane, included within the lot lines of a lot or parcel of land.

LOT, CORNER. A lot located at the intersection of two or more streets at an angle of not more than 135 degrees. If the angle is greater than 135 degrees, the lot shall be considered an interior lot.

LOT, CUL-DE-SAC. A lot located on the curving portion of a cul-de-sac street.

LOT DEPTH. The horizontal distance between the front and rear lot lines, measured in the mean direction of the side lot lines.

LOT, INTERIOR. A lot other than a corner or reversed corner lot.

LOT, IRREGULAR. A lot of irregular, rather than rectangular, shape.

LOT, KEY. Any lot where the side property line abuts the rear property line of one or more lots, and where such lots are not separated by an alley or any public way.

LOT LINE. Any line bounding a lot as defined in this chapter.

LOT LINE, EXTERIOR. A lot line abutting a street.

LOT LINE, FRONT. On an interior lot, the front lot line of the property line abutting the street, except in those cases where the latest tract deed restrictions specify another line as the front lot line. On a corner or reversed corner lot, the front lot line is the shorter property line abutting a street. On a through lot, or a lot with three or more sides abutting a street, or a corner or reversed corner lot with lot lines of equal length, the Director of Community Development shall determine which property line shall be the front lot line for purposes of compliance with the setback provisions of this zoning code.

LOT LINE, INTERIOR. A lot line not abutting a street.

LOT LINE, REAR. A lot line not abutting a street that is opposite and most distant from the front lot line. For triangular lots where there is no rear lot line, the rear lot line shall be defined as the point at which the side lot lines intersect.

LOT LINE, SIDE. Any lot line that is not classified as a front lot line or rear lot line.

LOT LINE, ZERO. A lot line that does not have any side yard setback.

LOT, REVERSED CORNER. A corner lot, the rear of which abuts the side of another lot.

LOT, THROUGH. A lot having frontage on two parallel or approximately parallel streets. A through lot may have no rear lot line.

LOT WIDTH. The horizontal distance between the side lot lines measured at right angles to the lot depth line at a distance located midway between the front and rear lot lines.

LOW IMPACT DEVELOPMENT (LID).

AUTOMOTIVE SERVICE FACILITY. For purposes of the regulation of stormwater pollution control, a facility that is categorized in any one of the following Standard Industrial Classification (SIC) and North American Industry Classification System (NAICS) codes. For inspection purposes, permittees need not inspect facilities with SIC Codes 5013, 5014, 5511, 5541, 7532 through 7534, and 7536 through 7539; provided, that these facilities have no outside activities or materials that may be exposed to stormwater (Order No. R4-2012-0175).

BASIN PLAN. The water quality control plan, Los Angeles Region, Basin Plan for the Coastal Watersheds of Los Angeles and Ventura Counties, adopted by the Regional Water Board on June 13, 1994, and subsequent amendments (Order No. R4-2012-0175).

BEST MANAGEMENT PRACTICES (BMPs). Practices or physical devices or systems designed to prevent or reduce pollutant loading from stormwater or non-stormwater discharges to receiving waters, or designed to reduce the volume of stormwater or non-stormwater discharged to the receiving water (Order No. R4-2012-0175).

BIOFILTRATION. A LID BMP that reduces stormwater pollutant discharges by intercepting rainfall on vegetative canopy, and through incidental infiltration and/or evapotranspiration, and filtration. Incidental infiltration is an important factor in achieving the required pollutant load reduction. Therefore, the term "biofiltration" as used in this chapter is defined to include only systems designed to facilitate incidental infiltration or achieve the equivalent pollutant reduction as biofiltration BMPs with an underdrain (subject to approval by the Regional Board's executive officer). Biofiltration BMPs include bioretention systems with an underdrain and bioswales (Order No. R4-2012-0175).

BIORETENTION. A LID BMP that reduces stormwater runoff by intercepting rainfall on vegetative canopy, and through evapotranspiration and infiltration. The bioretention system typically includes a minimum two-foot top layer of a specified soil and compost mixture underlain by a gravel-filled temporary storage pit dug into the in situ soil. As defined in this chapter, a bioretention BMP may be designed with an overflow drain, but may not include an underdrain. When a bioretention BMP is designed or constructed with an underdrain it is regulated by Order No. R4-2012- 0175 as biofiltration (Order No. R4-2012-0175).

BIOSWALE. A LID BMP consisting of a shallow channel lined with grass or other dense, low-growing vegetation. Bioswales are designed to collect storm water runoff and to achieve a uniform sheet flow through the dense vegetation for a period of several minutes (Order No. R4-2012-0175).

CLEAN WATER ACT (CWA). The Federal Water Pollution Control Act enacted in 1972, by Public Law 92-500, and amended by the Water Quality Act of 1987. The Clean Water Act prohibits the discharge of pollutants to waters of the United States unless the discharge is in accordance with a National Pollutant Discharge Elimination System (NPDES) permit.

COMMERCIAL DEVELOPMENT. For purposes of the regulation of stormwater pollution control, any development on private land that is not heavy industrial or residential. The category includes, but is not limited to: hospitals, laboratories and other medical facilities, educational institutions, recreational facilities, plant nurseries, car wash facilities, mini-malls and other business complexes, shopping malls, hotels, office buildings, public warehouses, and other light industrial complexes (Order No. R4-2012-0175).

COMMERCIAL MALLS. For purposes of the regulation of stormwater pollution control, any development on private land comprised of one or more buildings forming a complex of stores which sells various merchandise, with interconnecting walkways enabling visitors to easily walk from store to store, along with parking area(s). A commercial mall includes, but is not limited to: mini-malls, strip malls, other retail complexes, and enclosed shopping malls or shopping centers (Order No. R4-2012-0175).

CONSTRUCTION ACTIVITY. For purposes of the regulation of stormwater pollution control, any construction or demolition activity, clearing, grading, grubbing, or excavation or any other activity that results in land disturbance. Construction does not include

emergency construction activities required to immediately protect public health and safety or routine maintenance activities required to maintain the integrity of structures by performing minor repair and restoration work, maintain the original line and grade, hydraulic capacity, or original purposes of the facility. See "routine maintenance" definition for further explanation. Where clearing, grading, or excavating of underlying soil takes place during a repaving operation, state general construction permit coverage by the State of California general permit for stormwater discharges associated with industrial activities or for storm water discharges associated with construction activities is required if more than one acre is disturbed or the activities are part of a larger plan (Order No. R4-2012-01 75).

CONTROL. To minimize, reduce or eliminate by technological, legal, contractual, or other means, the discharge of pollutants from an activity or activities (Order No. R4-2012-01 75).

DEVELOPMENT. For purposes of the regulation of stormwater pollution control, construction, rehabilitation, redevelopment, or reconstruction of any public or private residential project (whether single-family, multi-unit or planned unit development); industrial, commercial, retail, and other nonresidential projects, including public agency projects; or mass grading for future construction. It does not include routine maintenance to maintain original line and grade, hydraulic capacity, or original purpose of facility, nor does it include emergency construction activities required to immediately protect public health and safety (Order No. R4-2012-0175).

DIRECTLY ADJACENT. Situated within 200 feet of the contiguous zone required for the continued maintenance, function, and structural stability of the environmentally sensitive area (Order No. R4-2012-0175).

FLOW-THROUGH TREATMENT BMPs. Modular, vault type "high flow biotreatment" devices contained within an impervious vault with an underdrain or designed with an impervious liner and an underdrain (Order No. R4-2012-0175).

FULL CAPTURE SYSTEM. Any single device or series of devices, certified by the executive officer, that traps all particles retained by a five-mm mesh screen and has a design treatment capacity of not less than the peak flow rate Q resulting from a one-year, one-hour storm in the sub-drainage area (Order No. R4-2012-0175).

DISCHARGE. Any release, spill, leak, pump, flow, escape, dumping, or disposal of any liquid, semi-solid, or solid substance.

DISTURBED AREA. An area that is altered as a result of clearing, grading, and/or excavation (Order No. R4-2012-0175).

GENERAL CONSTRUCTION ACTIVITIES STORMWATER PERMIT (GCASP). The general NPDES permit adopted by the state board which authorizes the discharge of stormwater from construction activities under certain conditions (Order No. R4-2012- 01 75).

GENERAL INDUSTRIAL ACTIVITIES STORM WATER PERMIT (GIASP). The general NPDES permit adopted by the state board which authorizes the discharge of stormwater from certain industrial activities under certain conditions (Order No. R4-2012-0175).

GREEN ROOF. A LID BMP using planter boxes and vegetation to intercept rainfall on the roof surface. Rainfall is intercepted by vegetation leaves and through evapotranspiration. Green roofs may be designed as either a bioretention BMP or as a biofiltration BMP. To receive credit as a bioretention BMP, the green roof system planting medium shall be of sufficient depth to provide capacity within the pore space volume to contain the design storm depth and may not be designed or constructed with an underdrain (Order No. R4-2012-0175).

INDUSTRIAL/COMMERCIAL FACILITY. For purposes of the regulation of stormwater pollution control, any facility involved and/or used in the production, manufacture, storage, transportation, distribution, exchange or sale of goods and/or commodities, and any facility involved and/or used in providing professional and nonprofessional services. This category of facilities includes, but is not limited to, any facility defined by either the Standard Industrial Classifications (SIC) or the North American Industry Classification System (NAICS). Facility ownership (federal, state, municipal, private) and profit motive of the facility are not factors in this definition (Order No. R4-2012-0175).

INDUSTRIAL PARK. For purposes of the regulation of stormwater pollution control, land development that is set aside for industrial development. Industrial parks are usually located close to transport facilities, especially where more than one transport modalities coincide: highways, railroads, airports, and navigable rivers. It includes office parks, which have offices and light industry (Order No. R4-2012-0175).

INFILTRATION BMP. A LID BMP that reduces stormwater runoff by capturing and infiltrating the runoff into in situ soils or amended on-site soils. Examples of infiltration BMPs include infiltration basins, dry wells, and pervious pavement (Order No. R4-2012-0175).

LOW IMPACT DEVELOPMENT. Consists of building and landscape features designed to retain or filter stormwater runoff (Order No. R4-2012-0175).

MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4). A conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains):

1. Owned or operated by a state, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to state law) having jurisdiction over disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under state law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization,

- or a designated and approved management agency under Section 208 of the CWA that discharges to waters of the United States;
2. Designed or used for collecting or conveying stormwater;
 3. Which is not a combined sewer; and
 4. Which is not part of a publicly owned treatment works (POTW) as defined at 40 Code of Federal Regulations (CFR) Section 122.2. (40 CFR Section 122.26(b)(8)) (Order No. R4- 2012-01 75)

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES). The national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements, under CWA Sections 307, 402, 318, and 405. The term includes an "approved program" (Order No. R4-2012-01 75).

NATURAL DRAINAGE. SYSTEM. A drainage system that has not been improved (e.g., channelized or armored). The clearing or dredging of a natural drainage system does not cause the system to be classified as an improved drainage system (Order No. R4-2012-01 75).

NEW DEVELOPMENT. For purposes of the regulation of stormwater pollution control, land disturbing activities; structural development, including construction or installation of a building or structure, creation of impervious surfaces; and land subdivision (Order No. R4-2012-0175).

NON-STORMWATER DISCHARGE. Any discharge to a municipal storm drain system that is not composed entirely of stormwater (Order No. R,4- 2012-0175).

OUTFALL. A point source as defined by 40 CFR Section 122.2 at the point where a municipal separate storm sewer discharges to waters of the United States and does not include open conveyances connecting two municipal separate storm sewers, or pipes, tunnels or other conveyances which connect segments of the same stream or other waters of the United States and are used to convey waters of the United States. (40 CFR Section 122.26(b)(9)) (Order No. R4-2012-0175).

PARKING LOT. For purposes of the regulation of stormwater pollution control, land area or facility for the parking or storage of motor vehicles used for businesses, commerce, industry, or personal use, with a lot size of 5,000 square feet or more of surface area, or with 25 or more parking spaces (Order No. R4- 2012-017 5).

POLLUTANT. Any "pollutant" defined in Section 502(6) of the Federal Clean Water Act or incorporated into the California Water Code Section 13373 (Order No. R4-2012-0175). Pollutants may include, but are not limited to, the following:

1. Commercial and industrial waste (such as fuels, solvents, detergents, plastic pellets, hazardous substances, fertilizers, pesticides, slag, ash, and sludge).
2. Metals (such as cadmium, lead, zinc, copper, silver, nickel, chromium, and nonmetals such as phosphorus and arsenic).
3. Petroleum hydrocarbons (such as fuels, lubricants, surfactants, waste oils, solvents, coolants, and grease).
4. Excessive eroded soil, sediment, and particulate materials in amounts that may adversely affect the beneficial use of the receiving waters, flora, or fauna of the state.
5. Animal wastes (such as discharge from confinement facilities, kennels, pens, recreational facilities, stables, and show facilities).
6. Substances having characteristics such as pH less than six or greater than nine, or unusual coloration or turbidity, or excessive levels of fecal coliform, or fecal streptococcus, or enterococcus.

PROJECT. For purposes of the regulation of stormwater pollution control, all development, redevelopment, and land disturbing activities. The term is not limited to "project" as defined under CEQA (Pub. Resources Code Section 21065) (Order No. R4-2012-0175).

RAINFALL HARVEST AND USE. A LID BMP system designed to capture runoff, typically from a roof but can also include runoff capture from elsewhere within the site, and to provide for temporary storage until the harvested water can be used for irrigation or nonpotable uses. The harvested water may also be used for potable water uses if the system includes disinfection treatment and is approved for such use by the local building department (Order No. R4-2012-0175).

RECEIVING WATER. "Water of the United States" into which waste and/or pollutants are or may be discharged (Order No. R4-2012-0175).

REDEVELOPMENT. For purposes of the regulation of stormwater pollution control, land-disturbing activity that results in the creation, addition, or replacement of 5,000 square feet or more of impervious surface area on an already developed site. Redevelopment includes, but is not limited to: the expansion of a building footprint; addition or replacement of a structure; replacement of impervious surface area that is not part of routine maintenance activity; and land disturbing activity related to structural or impervious surfaces. It does not include routine maintenance to maintain original line and grade, hydraulic capacity, or original purpose of facility, nor does it include emergency construction activities required to immediately protect public health and safety (Order No. R4-2012-0175).

REGIONAL BOARD. The California Regional Water Quality Control Board, Los Angeles Region.

RESTAURANT. For purposes of the regulation of stormwater pollution control, a facility that sells prepared foods and drinks for consumption, including stationary lunch counters and refreshment stands selling prepared foods and drinks for immediate consumption (SIC Code 5812) (Order No. R4- 2012-0175).

RETAIL GASOLINE OUTLET. For purposes of the regulation of stormwater pollution control, any facility engaged in selling gasoline and lubricating oils (Order No. R4-2012-0175).

ROUTINE MAINTENANCE. Includes, but is not limited to, projects conducted to:

1. Maintain the original line and grade, hydraulic capacity, or original purpose of the facility.
2. Perform as needed restoration work to preserve the original design grade, integrity and hydraulic capacity of flood control facilities.
3. Includes road shoulder work, regrading dirt or gravel roadways and shoulders and performing ditch cleanouts.
4. Update existing lines* and facilities to comply with applicable codes, standards, and regulations regardless if such projects result in increased capacity.
5. Repair leaks.

Routine maintenance does not include construction of new** lines or facilities resulting from compliance with applicable codes, standards and regulations.

*Update existing lines includes replacing existing lines with new materials or pipes.

** New lines are those that are not associated with existing facilities and are not part of a project to update or replace existing lines (Order No. R4- 2012-0175).

STORM DRAIN SYSTEM. Any facility or any parts of the facility, including streets, gutters, conduits, natural or artificial drains, channels and watercourse that are used for the purpose of collecting, storing, transporting, or disposing of stormwater and are located within the city.

STORM WATER OR STORMWATER. Runoff and drainage related to precipitation events (pursuant to 40 CFR Section 122.26(b)(13); 55 Fed, Reg. 47990, 47995 (Nov. 16, 1990)).

URBAN RUNOFF. Surface water flow produced by storm and nonstorm events. Nonstorm events include flow from residential, commercial, or industrial activities involving the use of potable and nonpotable water. (Ord. 640 § 1, 2014).

§ 20.88.140 – M Definitions

MAIN BUILDING. A building that is designed and used for, or intended to be used, to accommodate the principal use on the lot. In residential zones, any dwelling shall be considered the main building on the lot.

MANUFACTURED HOUSING. A mobile home, or manufactured housing unit, as defined by and installed in accordance with California Health and Safety Code Sections 18008 and 18551, respectively, and factory-built housing as defined by California Health and Safety Code Section 19971.

MEDICAL CLINIC. Any facility providing physical or mental health service, and medical or surgical care of the sick or injured, but shall not include in-patient or overnight accommodations. Activities included within this definition are health centers and health clinics.

MEDICAL AND DENTAL OFFICES. A use where medical and/or dental services are provided. Includes facilities for the diagnosis and treatment of human patients and laboratories incidental to the office use.

MOBILE HOME. A transportable structure that is built on a permanent chassis and designed to function as a dwelling when connected to the required utilities, including plumbing, heating, air conditioning, and electrical systems (pursuant to California Health and Safety Code §§ 18007 and 18008). Consistent with the California Health and Safety Code definitions, a mobile home is included in the definition of manufactured home.

MOBILE HOME PARK. Any area or tract of land where two or more lots are rented or leased, held out (or were formerly held out) for rent or lease to accommodate manufactured homes or mobile homes used for human habitation (pursuant to California Health and Safety Code § 18214). A mobile home park provides utility services and other facilities either separately or in common to mobile home spaces therein.

MORTUARY. An establishment providing services such as preparing the deceased for burial, and arranging and managing funerals and related services, and may include limited caretaker facilities. This classification excludes cemeteries, crematoriums, and columbariums.

MOTEL. See “*Hotel.*”

MURAL. An artistic image or design painted or affixed to the exterior surface of a wall that does not contain any commercial text or message nor relates to the business upon whose premises it is painted.

§ 120.88.53.220.150 – N Definitions

NONCONFORMING IMPROVEMENT. A building and/or improvement, or portion thereof, which does not conform to current zoning code regulations.

NONCONFORMING STRUCTURE, LAWFUL OR LEGAL. Any structure or improvement that was lawfully established and in existence at the time this zoning code or any amendment became effective, but no longer complies with all the applicable regulations and standards of the zone in which the structure or improvement is located.

NONCONFORMING LOT. Any subdivision of land that was lawfully established and in compliance with all applicable ordinances and laws at the time the property was subdivided, but which, due to a subsequently enacted ordinance or law, no longer complies with all the applicable regulations and standards of the zone in which the property is located.

NONCONFORMING USE, LAWFUL OR LEGAL. Any use of land or property that was lawfully established and in effect at the time this zoning code or any amendment became effective, but no longer complies with all of the applicable regulations and standards of the zone in which the use is located.

§ 20.88.160 – O Definitions

OFFICES, GOVERNMENT. Administrative, clerical, or public contract offices of a government agency, including postal facilities, together with incidental storage and maintenance of vehicles.

OFFICES, BUSINESS AND PROFESSIONAL. Offices for firms or organizations providing professional, executive, management, or administrative services, such as architectural, engineering, real estate, insurance, investment, or legal offices. This classification excludes savings and loan associations, banks, and medical offices.

OFF-STREET PARKING FACILITY. A lot, or portion thereof, improved and used for the parking of vehicles, including but not limited to, enclosed garages and parking structures, open parking areas, aisles, driveways, and appurtenant landscaped planters and their improvements.

OPEN SPACE. An area or a lot, other than a required yard area, driveway, or off-street parking facility, which has no building or structure located therein, except for landscaping, walls, fences, patios, swimming pools, and other permitted buildings or structures, used exclusively for recreational purposes.

COMMON OPEN SPACE. An open space area, located at grade, which is available for the common use or enjoyment of all persons residing on the lot upon which such open space is located.

PRIVATE OPEN SPACE. That open space, other than a required yard area, which is immediately adjacent to the dwelling unit served thereby, and which is available for the exclusive use of the occupants of the dwelling unit.

OUTDOOR ADVERTISING. The use of signs, billboards, or other measures soliciting public support or directing public attention to the sale, lease, hire, or use of any objects, products, services, or functions which are not produced, sold, or otherwise available on the premises where such signs are erected or maintained.

OUTDOOR LIVING SPACE. Either an open passive landscaped area specifically designed, improved, and maintained to enhance the architectural design, privacy, and general environmental quality of a residential development or an easily accessible public or private activity area specifically designed, improved, and maintained for outdoor living and/or recreation by occupants of the residential development.

§ 20.88.170 – P Definitions

PARCEL. A contiguous quantity of land owned by, or recorded as the property of, the same claimant or person.

PARKING SPACE. A space within an off-street parking facility that has the minimum attributes of size, location, and design specified in Chapter 20.64 CMC.

PARKS AND RECREATION FACILITIES. Uses include, but are not limited to, land and interests in land; swimming pools; tennis, volleyball and basketball courts; baseball grounds; play areas; turf; sprinkler systems; community center buildings; recreation buildings; and other works, properties, structures, and facilities necessary or convenient for public park, playground, or recreation purposes.

PAWN SHOP. A business establishment engaged in the buying or selling of new or secondhand merchandise and offering loans secured by personal property.

PERSONAL SERVICES, CONVENIENCE AND IMPROVEMENT. Establishments that provide recurrently needed services of a personal nature. Excluded are massage establishments and tattoo shops. Examples of these uses include:

- acupuncture and acupressure
- barber shops, hair salon
- clothing rental shops
- dry cleaning pick up stores with limited on-site cleaning equipment
- locksmiths
- nail salon
- shoe repair shops
- tailors and seamstresses

- ticket services shops

PET STORES. The retail sales of small animals (such as dogs, cats, birds, and fish), provided such activities take place within an entirely enclosed building.

PLACE OF RELIGIOUS ASSEMBLY. A facility used for religious worship and incidental religious education and/or activities, but not including private schools as defined in this chapter.

PLANNING COMMISSION. The Planning Commission of the City of Cudahy.

PLANT NURSERY. A site used to raise trees, shrubs, flowers, and other plants for sale or for transplanting, and where all merchandise (other than plants) is kept within an enclosed building or fully screened enclosure, and fertilizer of any type is stored and sold in package form only.

PUBLIC BUILDING. A building owned and operated by a public agency for public use.

§ 20.88.180 – Q Definitions

RESERVED.

§ 20.88.190 – R Definitions

RECHARGING STATION. A location that supplies electricity for the recharging of electric vehicles (including plug-in hybrids).

RECREATIONAL FACILITY. A publicly owned and operated recreational structure or building, such as a tennis court, swimming pool, multipurpose community building, youth center, or similar use.

RECREATIONAL EQUIPMENT, SALES AND RENTALS. Sales and rental of bicycles, scooters, skate boards, ice skates, skis, snowboards, surfboards, and similar recreational vehicles and equipment that are human-powered and do not include a motor, including on-site storage and incidental maintenance that does not require pneumatic lifts.

RECYCLABLE MATERIAL. Reusable nonputrescible material, including but not limited to, metals, glass, plastic, and paper, and which is intended for reuse, remanufacture, or reconstitution for the purpose of using the altered form. "Recyclable material" shall not include refuse or hazardous materials. "Recyclable material" may include used motor oil collected and transported in accordance with Sections 25250.11 and 25143.2(b)(4) of the State Health and Safety Code.

RECYCLING FACILITY. A center for the collection and/or processing of recyclable materials.

CERTIFIED RECYCLING FACILITY or CERTIFIED PROCESSOR. A recycling facility certified by the State Department of Conservation as meeting the requirements of the State

Beverage Container Recycling and Litter Reduction Act of 1986. A "recycling facility" does not include storage containers or processing activities located on the premises of a residential, commercial, or manufacturing use, and used solely for the recycling of material generated by such residential property, business, or manufacturer.

RECYCLING, COLLECTION FACILITY. A center for the acceptance of recyclable materials from the public by donation, redemption, or purchase.

RECYCLING, PROCESSING FACILITY. A building or enclosed space used for the collection and processing of recyclable materials. "Processing" means the preparation of material for efficient shipment, or to an end user's specifications, by such means as baling, briquetting, compacting, flattening, grinding, crushing, mechanical sorting, shredding, cleaning, and remanufacturing.

RENTAL UNIT. A housing unit leased for the occupancy of a residential household.

REPAIR SERVICES, APPLIANCES AND SMALL EQUIPMENT. Establishments that provide home appliance and/or electronic or office equipment repair and maintenance, or building maintenance services. Does not include maintenance and repair of vehicles (see "*Vehicle Repair and Service*"). Illustrative examples of appliances and small equipment serviced include stoves, refrigerators, vacuum cleaners, copy machines, furniture, and bicycles. Service and repair of small electronic devices, such as computers and cellular phones, are considered a business services.

RESIDENCE. One or more rooms designed, used, or intended to be used as permanent living quarters for a household and not as temporary or overnight accommodations.

RESIDENTIAL CARE FACILITY. Any facility, place, or building which is maintained and operated to provide 24-hour care of persons in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual. Convalescent facilities, rest homes, and board and care facilities are included. May include ancillary medical services for facility residents. See also "*Supportive Housing and Transitional Housing*."

RESTAURANT. A place which is regularly and in a bona fide manner used and kept open for the serving of meals to guests for compensation, and which has suitable kitchen facilities connected therewith, containing conveniences for cooking an assortment of foods which may be required for ordinary meals, the kitchen of which must be kept in a sanitary condition with the proper amount of refrigeration for keeping of food on the premises, and must comply with all regulations of the local Department of Health. Any establishment, business, or facility that satisfies the foregoing criteria, but has areas designated for uses other than food preparation or consumption, such as a bar/lounge area, billiards, dart boards and the like, in excess of 30 percent of the total floor area of the premises, shall not be deemed a "restaurant."

RETAIL SALES. A business establishment engaged in the retail sale of merchandise not specifically listed under another use classification as defined in this chapter. This classification includes, but is not limited to: department stores, clothing stores, furniture stores, drug stores, and

businesses retailing the following goods: toys, hobby materials, hand-crafted items, jewelry, cameras, photographic supplies, books, electronic equipment, records, sporting goods, kitchen utensils, hardware, appliances, antiques, art supplies, paint and wallpaper, carpeting and floor covering, office supplies, bicycles, and new automotive parts and accessories (excluding service and installation). This classification specifically excludes secondhand stores, pawn shops, and tobacco shops.

REVERSE VENDING MACHINE. An automated mechanical device which accepts all empty beverage containers required to be recycled by the State Division of Recycling pursuant to AB2020, including but not limited to aluminum cans, glass, non-aluminum metal cans, and plastic bottles, and issues a cash refund or redeemable credit slip with a value not less than the containers redemption value as determined by the state. A reverse vending machine may sort and process containers mechanically provided that the entire process is enclosed within the machine.

RIGHT-OF-WAY. A defined area of land, either public or private, on which a right of passage has been recorded.

ROOM. An unsubdivided portion of the interior of a dwelling, excluding bathrooms, kitchens, closets, hallways, and service porches.

§ 20.88.200 – S Definitions

SCHOOL, PRIVATE. A private academic educational institution, including boarding schools; colleges and universities; elementary, middle/junior, and high schools; military academies; and businesses providing instruction in arts and languages. This definition does not include Trade and Vocational Schools, Tutoring and Education Centers, or non-tuition part-time instruction at places of religious assembly.

SCHOOL, PUBLIC. A publicly funded academic educational institution, including colleges and universities; elementary, middle/junior, and high schools; military academies; and charter schools. This definition does not include Business and Professional Schools, Tutoring and Education Centers, or non-tuition part-time instruction at places of religious assembly.

SCHOOL, BUSINESS AND PROFESSIONAL. An establishment which provides on-site training of business, commercial, and/or trade skills such as accounting, data processing, and computer repair. This classification excludes establishments providing training in an activity that is not otherwise permitted in the applicable zone. Incidental instructional services in conjunction with another primary use shall not be considered a business and trade school.

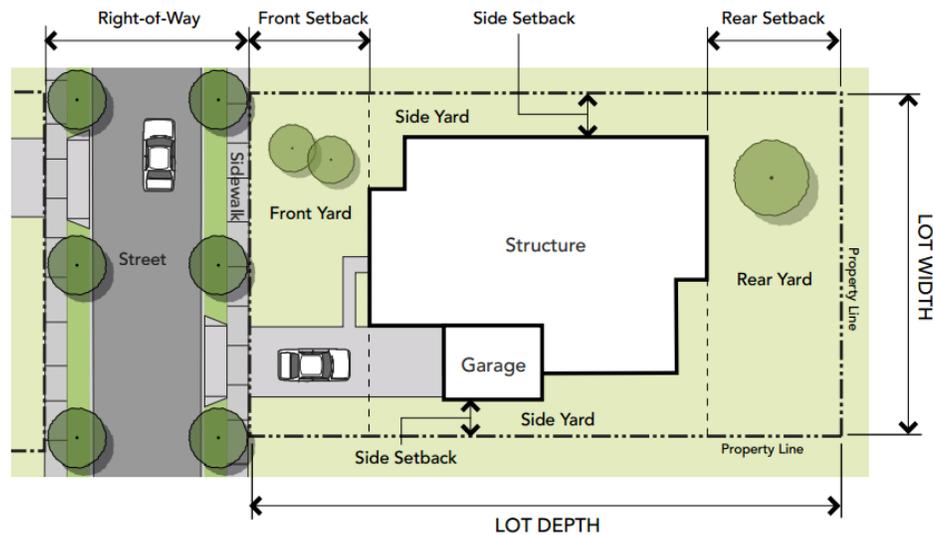
SECONDARY RESIDENTIAL UNIT. See “*Dwelling Unit, Accessory.*”

SECONDHAND STORE. A business involved in the retail sale of used goods and merchandise such as a thrift store, whereby the sale of such used goods and merchandise comprise 25 percent or more of total monthly sales volume. This definition specifically excludes pawn shops, swap meets, or antique shops.

SELF-STORAGE FACILITIES. A warehouse operation serving the public where customers rent or lease, and have direct access to, individual storage areas, compartments, or rooms within a larger building or buildings provided for storage use. This use may also include limited caretaker facilities. This definition does not include the use of outdoor storage, sheds, shipping containers, or other self-contained modules as any part of a self-storage facility.

SERVICE STATION. See “*Vehicle-Service Station.*”

SETBACK. A required open space on an improved lot that is unoccupied by buildings and unobstructed by structures from the ground upward, except for projections and accessory buildings permitted by the provisions of this zoning code. Setbacks shall be measured as the shortest distance between a property line and the nearest vertical support or wall of the building, enclosed or covered porch, or other structure.



SETBACK, BETWEEN BUILDINGS OR SETBACK BETWEEN DWELLING UNITS means a required open space between separate buildings or between separate dwelling units on the same lot or building site. Such setback shall be measured as the minimum distance between the nearest vertical support or wall of each building or of each enclosed or covered porch.

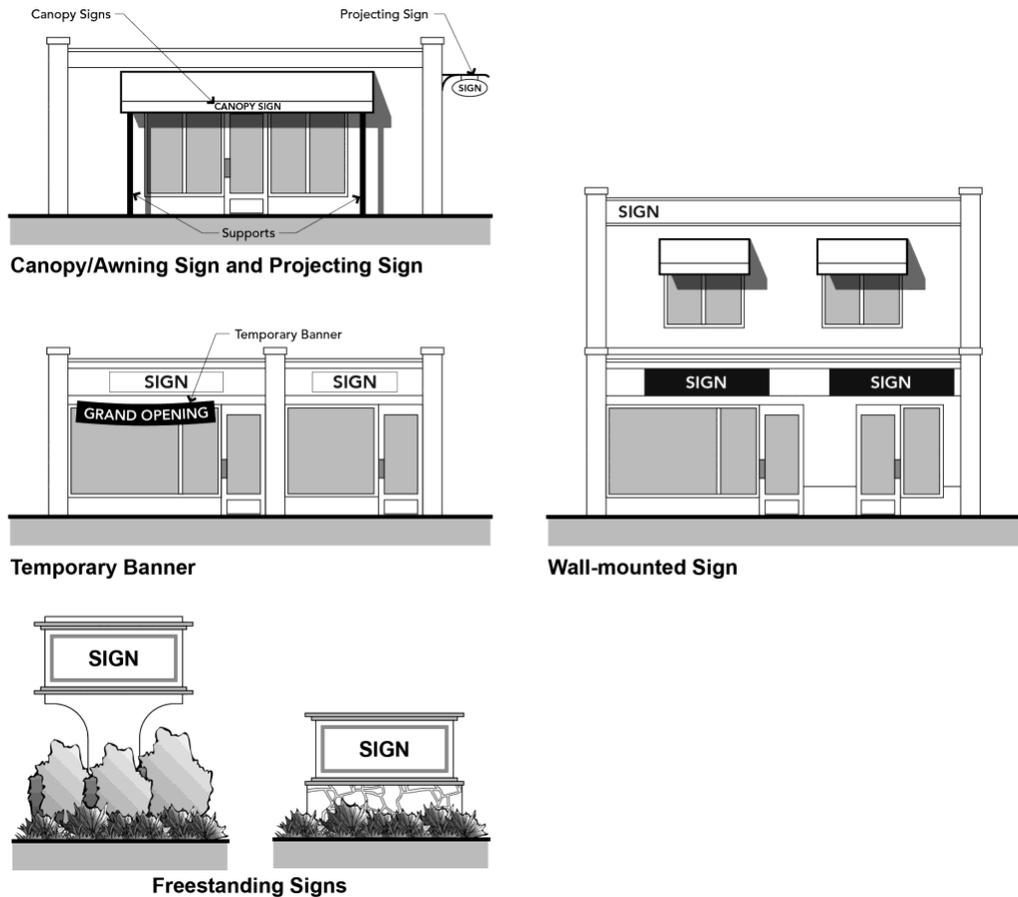
SETBACK, EXTERIOR SIDE. A side setback abutting a street.

SETBACK, FRONT. A setback extending across the full width of the front of the lot, the minimum and/or average dimensions of which are determined by the property development standard of the applicable zone in which such lot is located.

SETBACK, REAR. A setback extending across the full width of the rear of a lot, the minimum and/or average dimensions of which are determined by the property development standards of the applicable zone in which such lot is located.

SETBACK, SIDE. A setback extending from the required front setback to the required rear setback, or to the front and/or rear property lines where no front and/or rear setback is required by the provisions of this zoning code, the minimum and/or average dimensions of which are determined by the property development standards of the applicable zone in which such lot is located.

SIGN. Any device used for visual communication that includes any announcement, declaration, demonstration, display, illustration, or insignia, visible from the outside, and which is used to advertise or promote the interests of any person, business, group, or enterprise.



SIGN, A-FRAME. A freestanding sign usually hinged at the top or attached in a similar manner, and widening at the bottom to form a shape similar to the letter "A." Such signs are usually designed to be portable and are not considered to be permanent signs or displays.

ABANDONED SIGN. A sign is abandoned where for a period of six months or more, there is no sign copy appearing on the sign or where the establishment to which the sign is

attached has ceased operation, and where it is clear that the sign has been forsaken or deserted.

SIGN, ANIMATED. Any sign that uses movement or change in lighting, either natural or artificial, to depict action or create a special effect or scene. "Animated signs" shall include, but are not limited to any sign, all or a portion of which rotates, moves, or appears to move in some manner by mechanical, electrical, natural, or other means; and flashing riders, arrows, and other similar attachments which, by method or manner of illumination or lighting, flash on or off, wink, or blink, with varying light intensity, show motion or create the illusion of motion, or revolve in a manner to create the illusion of being on or off. "Animated signs" do not include time-temperature signs.

SIGN AREA. The entire area within a single continuous perimeter that encloses the extreme limits of writing, representation, emblem, or any figure of similar character, together with any frame, background area of sign, internally illuminated area, structural trim, or other material or color forming an integral part of the display or used to differentiate such sign from the background against which it is placed. Those portions of the sign structure such as the base that supports the sign and that does not function as a sign shall not be considered part of the sign area.

SIGN, AWNING OR CANOPY. A nonelectric sign that is printed on, painted on, or attached to an awning or canopy.

SIGN, BALLOON. One or more balloons used as a permanent or temporary sign or as a means of directing attention to any business or profession, or to a commodity or service sold, offered, or manufactured, or to any entertainment.

SIGN, BANNER OR FLAG. Any cloth, bunting, plastic, paper, or similar material used for advertising purposes attached to or pinned on or from any structure, staff, pole, line, framing, or vehicle, but not including official national, state, or municipal flags.

SIGN, BILLBOARD. A structure of any kind erected or used for promoting or advertising an interest other than that of a business, individual, products, or service available on the premises where the sign is located. Signs of an official nature are not considered billboard signs.

SIGN, CONSTRUCTION. A temporary sign erected on the lot on which construction is taking place indicating the names of the architects, engineers, contractors, painters, and similar artisans, and the owner, financial supporters, sponsors, and similar individuals or firms having a major role or interest with respect to the structure or project.

SIGN COPY. The words, letters, or symbols displayed on a sign.

SIGN, DIRECTIONAL. A sign designed solely to provide direction or guidance to pedestrians or vehicular traffic.

SIGN, DIRECTORY. A sign listing the tenants or occupants and their suite number of a building or center.

SIGN, FREESTANDING. A sign that is completely supported by structures or other supports that are placed on or anchored in the ground and are independent from any building or other structure.

SIGN, HANGING. A sign which is supported or suspended from the underside of an awning, canopy, overhang of a building, or pedestrian arcade.

SIGN, IDENTIFICATION. A sign which identifies the occupants of a building, lot or premises or the merchandise available at the building, lot, or premises where the sign is located.

SIGN, INFORMATION. A sign which provides a service, direction, or courtesy information intended to assist the public and which is not displayed for the general purpose of advertising products or services. Information signs shall include those indicating the location of business facilities (such as store entrances, walk-up windows, self-service operations); and courtesy information (such as hours of operation, menus, "credit cards accepted," restrooms, "no solicitors"). Information signs do not include fuel price signs or traffic directional signs, nor shall they be part of any sign whose primary function is business identification.

SIGN, LOGO. A symbol, design, or graphic representation, separate from the sign text that identifies a business, activity, product, or company.

SIGN, MENU BOARD. A freestanding sign permanently affixed to the ground in connection with drive-through restaurant service. This definition is not meant to apply to signs displaying menu information that are attached to a building (such signs are included within definitions for wall or projecting signs, whichever the case may be).

SIGN, MONUMENT. A freestanding, low-profile sign where at least 50 percent of the base is solid.

SIGN, PENNANT. Any all-weather lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in series, designed to move in the wind.

SIGN, POLITICAL. A temporary sign supporting or opposing political candidates, ballot propositions, or issues of national, state, or local concern.

SIGN, PORTABLE. Any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including but not limited to the following:

- a. Signs designed to be transported on wheels

- b. A-frame or T-frame signs
- c. Menu signs
- d. Umbrellas used for advertising
- e. Signs attached to or painted on a vehicle parked and visible from the public right-of way unless the vehicle is normally used for some purpose other than bearing a sign

SIGN, PROJECTING. Any sign which projects from and is supported by a wall of a building with the display surface of the sign perpendicular to the building wall.

SIGN, CHANGEABLE COPY. A sign announcing events or containing text and/or graphics, the message of which is periodically changed.

SIGN, REAL ESTATE. A temporary sign advertising real property for sale, rent, or lease.

SIGN, ROOF. A sign erected on a roof or projecting above the eave of a building or coping of a parapet. A sign erected on top of a canopy, arcade, awning, or marquee is a roof sign.

SIGN, TEMPORARY. Any sign not constructed or intended for long-term use. Temporary signs include but are not limited to banners, flags, pennants, balloons, dirigibles, beacons, and searchlights.

SIGN, TIME-TEMPERATURE. An electronic or mechanical device that indicates time and/or temperature, but contains no business identification or advertising.

SIGN, VEHICLE. Any sign permanently or temporarily attached to or placed on a vehicle or trailer.

SIGN, WALL. Any sign affixed to a building face or wall in such a manner that the face of the sign is substantially parallel to the plane of the building face or wall.

SIGN, WINDOW. Any sign that is displayed on or through a window and which may be viewed from a street, walkway, parking lot, or pedestrian area.

SMOKING LOUNGES. An establishment where consumption and smoking of tobacco products and/or electronic cigarette and vaping devices is either an accessory or main use, such as hookah lounges, vaping rooms, cigar clubs, and other private smoking businesses. Smoking lounges do not include legally permitted cannabis businesses where cannabis smoking is permitted.

SOLID FILL. Any noncombustible materials insoluble in water, such as soil, rock, sand, or gravel that can be used for grading land or filling depressions.

STORY. The portion of a building included between the upper surface of any floor and the upper surface of the next floor above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling above. See also “*Basement*” and “*Attic*.” Underground floors are not considered a story.

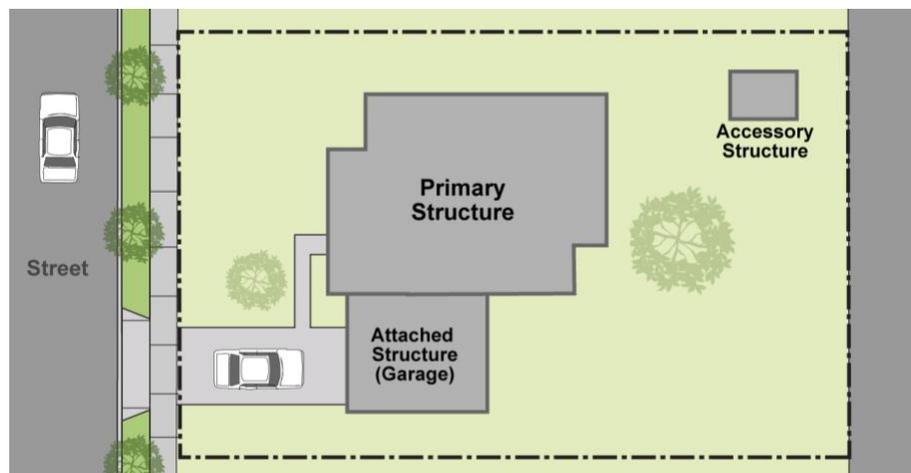
STREET. A public thoroughfare or right-of-way acquired for use as such, or an approved private thoroughfare or right-of-way, other than an alley, which affords the principal means of access to abutting property. "Street" shall include all major and secondary highways, traffic collector streets, and local streets.

STREET, CENTER-LINE. See "*Center-line.*"

STREET LINE. The boundary line between the street right-of-way and abutting property.

STRUCTURAL ALTERATION. Any change in the supporting members of a building, such as bearing walls, columns, beams, girders, floor joists, ceiling joints, or roof rafters.

STRUCTURE. Any physical improvement constructed or erected, including an edifice or building of any kind, or any piece of work artificially constructed or composed of parts joined together in some definite manner, and which structure requires permanent location on or in the ground or is attached to another improvement on or in the ground, and including fences, walls, swimming and wading pools, and patios.



STRUCTURE, ADVERTISING. A structure existing, erected, or maintained to serve exclusively as a stand, support, frame, or background for the support or display of signs.

STUDIO, ART AND MUSIC. Small-scale instructional facilities or a small practice space for the individual artist, musician, or any individual practitioner of the activities defined here, typically accommodating one group of students at a time, in no more than one instructional space. Examples include individual and group instruction and training in the arts, production rehearsal, photography, and the processing of photographs produced only by users of the studio facilities. Also includes production studios for individual filmmakers, musicians, painters, sculptors, photographers, and other artists. These uses may also include accessory retail sales of products

related to the services provided. Does not include dance, yoga, gymnastics, and martial arts studios (see “*Health/Fitness Facilities*”).

STUDIO, RECORDING. An establishment engaged in broadcasting, recording, or other communication services accomplished through electronic or telephonic mechanisms. This classification includes but is not limited to radio, television, or motion picture recording studios.

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 residents in retaining permanent housing, improving health status, and maximizing ability to live and, when possible, work in the community, as defined by Section 50675.14 of the Health and Safety Code. Supportive housing shall be considered a residential use of property and shall be subject to only those restrictions that apply to other residential dwellings of the same type in the same zone.

SWAP MEET. Any indoor or outdoor place, location, or activity where new or used goods or secondhand personal property are offered for sale or exchange to the general public by a multitude of individual licensed vendors, usually in compartmentalized spaces, and where a fee may be charged to prospective buyers for admission, or a fee may be charged for the privilege of offering or displaying such merchandise for sale. The term "swap meet" is interchangeable with, and applicable to, flea markets, auctions, open air markets, and other similarly named or labeled activities. The term does not include supermarket or department store retail operations.

§ 20.88.210 – T Definitions

TANDEM PARKING. A sequence of two or more parking spaces, occurring in a single row, one behind the other, connected by the smaller side of the parking stall, usually front and back.

TARGET POPULATION. Persons, including persons with disabilities, and families who are homeless, as that term is defined by Section 1 I302 of Title 42 of the United States Code, or who are homeless youth, as that term is defined by paragraph (2) of subdivision (e) of Section 11139.3 of the Government Code.

THRIFT SHOP. See “*Secondhand Store.*”

TOBACCO SHOP. A retail establishment that primarily sells tobacco products, tobacco paraphernalia, electronic cigarette and vaping devices, and/or electronic cigarette and vaping accessories. See also “*Smoking Lounge.*”

TRAILER COACH. See “*Mobile Home.*”

TRAILER PARK OR MOBILE HOME PARK. See “*Mobile Home Park.*”

TRANSFER STATION, WASTE. A facility including any necessary building or structures for the temporary storage and the salvage of rubbish, garbage, or industrial waste prior to its transfer to a landfill or other ultimate disposition. This definition also includes material recovery facilities.

TRANSITIONAL HOUSING. The term Transitional Housing (per California Government Code Section 65582[h], as may be amended) shall mean buildings configured as rental housing developments, but operated under program requirements that require the termination of assistance and recirculating of the assisted unit to another eligible program recipient at a predetermined future point in time that shall be no less than six months from the beginning of assistance. Transitional housing may be designed as a residential group living facility or as a regular residential use and includes the following:

TRANSITIONAL HOUSING, HOUSING TYPE. Two or more dwelling units on one parcel, where each unit functions as a single housekeeping unit and no on-site social services are provided.

TRANSITIONAL HOUSING, RESIDENTIAL CARE FACILITY SMALL TYPE. One residential facility on a parcel with six residents or fewer (including minor children), excluding staff, that operates as a group living facility, where the residents share a common living area and a kitchen.

TRANSITIONAL HOUSING, RESIDENTIAL CARE FACILITY LARGE TYPE. A residential facility with seven or more residents that operates as a group living facility where the residents share a common living area and a kitchen.

TRANSITIONAL USE. Commercial, mixed-use, or industrial parking lots in residential zones located adjacent to a commercial, mixed-use, or industrial zone.

TRIPLEX. See “*Dwelling, Duplex or Triplex.*”

TRUCKING TERMINAL. A business engaged in the storage and distribution of goods and having an enclosed truck docking and warehousing facility that can accommodate the simultaneous loading or unloading of at least six heavy trucks (having a rating of more than 10,000 pounds and/or an unladen weight of more than 6,000 pounds), but excluding trucking accessory to another industrial use on the site.

§ 20.88.220 – U Definitions

URBAN AGRICULTURE. The growing of fruit and vegetable gardens, fruit trees, and nut trees, including private greenhouses and the off-site sale of the products produced on the premises.

USE. The purpose for which land or a building is arranged, designed, or intended, or for which either land or a building is or may be occupied, utilized, or maintained.

UTILITY STRUCTURES AND SERVICE FACILITIES. A building or structure used by any public utility, including but not limited to, any gas treatment plant, reservoir, tank, or other storage facility, water treatment plant, well, reservoir, tank or other storage facility, electric generating plant, distribution or transmission substation, telephone switching or other communications plant, earth station or other receiving or transmission facility, any storage yard for public utility equipment or vehicles, and any parking lot for parking vehicles or automobiles to serve a public utility. The term "public utility" shall include every gas, electrical, telecommunications, and water corporation serving the public or any portion thereof for which a certificate of public convenience and necessity has been issued by the California Public Utilities Commission.

§ 20.88.230 – V Definitions

VARIANCE. A modification of a literal provision of this zoning code, granted by an administrative or quasi-judicial act in accordance with the provisions of this zoning code.

VEHICLE – AUTOMOBILE WASHING. A business engaged in the washing, waxing, cleaning, and/or detailing of automobiles or similar light vehicles.

VEHICLE – RENTALS. A business engaged in the sale, lease, and/or rental of automobiles and light trucks (having a rating of less than 10,001 pounds, an unladen weight of less than 6,001 pounds, and any open box-type bed must be less than nine feet in length), including storage and incidental maintenance and repair.

VEHICLE – MAJOR REPAIR. Major repair of automobiles, motorcycles, recreational vehicles, or trucks, including light-duty trucks having a gross vehicle weight of 10,000 pounds or less and heavy-duty trucks having a gross vehicle weight of more than 10,000 pounds. Examples of such uses include full-service motor vehicle repair garages, body and fender shops, brake shops, machine shops, painting shops, towing services, and transmission shops. Does not include vehicle dismantling or salvage and tire retreading or recapping.

VEHICLE – MINOR REPAIR. Minor repair of automobiles, motorcycles, recreational vehicles, or light trucks, vans, or similar size vehicles that have gross vehicle weights of less than 10,000 pounds, including installation of electronic equipment (such as alarms, audio equipment, etc.); servicing of cooling and air conditioning, electrical, fuel and exhaust systems; brake adjustments, relining, and repairs; oil and air filter replacement; wheel alignment and balancing; tire sales, service, and installation shops; shock absorber replacement; chassis lubrication; smog checks; engine tune-ups; and installation of window film and similar accessory equipment.

VEHICLE – SALES. Sale of automobiles, motorcycles, recreational vehicles, trucks, and similar vehicles and equipment, including display, storage, maintenance, repair, and incidental rental of the vehicles and equipment. May include the sale, installation, and servicing of related equipment and parts.

VEHICLE – SERVICE STATION. A business establishment primarily engaged in the retail sale of vehicle fuel and lubricants. This classification includes facilities having service bays for vehicle

service and repair. Such service and repair may include the sale of tires, batteries, and other parts and products related to the operation of a motor vehicle; minor tune-up; lubrication and parts replacement; and other light work related to preventive maintenance and upkeep, but may not include maintenance and repair of large trucks or other large vehicles, or body and fender work on any vehicles.

VEHICLE – TOWING/STORAGE. A business establishment providing towing and/or storage of operative or inoperative vehicles. This classification includes the storage of parking towaways, impound yards, and storage lots for buses and recreational vehicles, but does not include vehicle dismantling.

VETERINARY SERVICES (ANIMAL HOSPITAL/CLINIC). Establishments where household animals receive medical and surgical treatment and may be temporarily boarded (more than one night stay) in association with such medical or surgical treatment. Short-term animal boarding may be provided as an accessory use.

VISUAL OBSTRUCTION. Any physical obstruction which limits the visibility of persons in motor vehicles or pedestrians approaching intersecting or intercepting streets, alleys, driveways, bicycle lanes, sidewalks, or other public rights-of-way.

§ 20.88.240 – W Definitions

WALL OR FENCE. A structure forming a physical barrier, including but not limited to concrete, concrete block, wood, or other materials which are solid and are so assembled as to form a barrier.

WHOLESALE, DISTRIBUTION, WAREHOUSING, AND STORAGE. A business engaged in storage and distribution, and allowing only five or fewer heavy trucks (having a rating of more than 10,000 pounds and/or an unladen weight of more than 6,000 pounds) on the premises at any one time. Wholesaling establishments may include no more than 10 percent or 1,000 square feet of floor area, whichever is less, for the incidental direct sale to consumers of only those goods distributed wholesale. This classification excludes "self-storage facilities" and "vehicle - towing/storage."

WIRELESS TELECOMMUNICATIONS FACILITIES.

AMATEUR RADIO STATION ANTENNA. Any antenna, and its accompanying support structure, that is used solely for the purpose of transmitting and receiving radio signals in connection with the operation of an amateur radio station in accordance with licenses issued by the Federal Communications Commission.

ANTENNA, ANTENNA ARRAY, OR WIRELESS TELECOMMUNICATIONS ANTENNA ARRAY. One or more rods, poles, panels, discs, or similar devices used for the transmission or reception of radio frequency signals, which may include omnidirectional antennas (whip), directional antennas (panel), and parabolic antennas (disc), but excluding any support structure as defined below.

CO-LOCATION. The use of a common wireless telecommunications antenna facility, or a common site, by two or more providers of wireless telecommunications services.

FCC. The Federal Communications Commission.

MAST. A support structure that is designed and constructed for the specific purpose of elevating a satellite earth station antenna in order to receive broadcast signals of an acceptable quality.

SATELLITE EARTH STATION ANTENNA. A parabolic or dish-shaped antenna or other apparatus or device that is designed for the purpose of receiving radio or television broadcast signals.

SUPPORT STRUCTURE, OR WIRELESS TELECOMMUNICATIONS ANTENNA ARRAY SUPPORT STRUCTURE. A freestanding structure that is designed and constructed for the specific purpose of supporting an antenna array and that may consist of a mono-pole, a mast, a self-supporting lattice tower, a guy-wire support tower, or other similar structures.

WIRELESS TELECOMMUNICATIONS ANTENNA FACILITY, OR WIRELESS COMMUNICATIONS ANTENNA FACILITY. An unstaffed facility for the transmission or reception of wireless telecommunications services, commonly consisting of an antenna array, connection cables, a support structure to achieve the necessary elevation, and an equipment facility to house accessory equipment, which may include cabinets, pedestals, shelters, security enclosures, and similar protective structures.

WIRELESS TELECOMMUNICATIONS SERVICES, OR WIRELESS COMMUNICATIONS SERVICES. Any personal wireless services as defined in the Federal Telecommunications Act of 1996, including federally licensed wireless telecommunications services consisting of cellular services, personal communications services (PCS), specialized mobile radio services (ESMR), paging, and similar services that currently exist or that may be developed in the future.

§ 20.88.250 – X Definitions

RESERVED.

§ 20.88.260 – Y Definitions

YARD. An open space on a lot or parcel of land, other than a court, unoccupied and unobstructed by a building from the ground upward (see Setbacks diagram).

YARD, FRONT. A yard extending across the full width of the lot or parcel of land. The depth of a required front yard shall be a specified horizontal distance between the front lot line, where the front lot line is coterminous with the street line, and any part of the front elevation of the structure located on the lot.

YARD, REAR. A yard extending across the full width of the lot or parcel of land. The depth of a required rear yard shall be a specified horizontal distance between the rear lot line and a line parallel thereto on the lot or parcel of land.

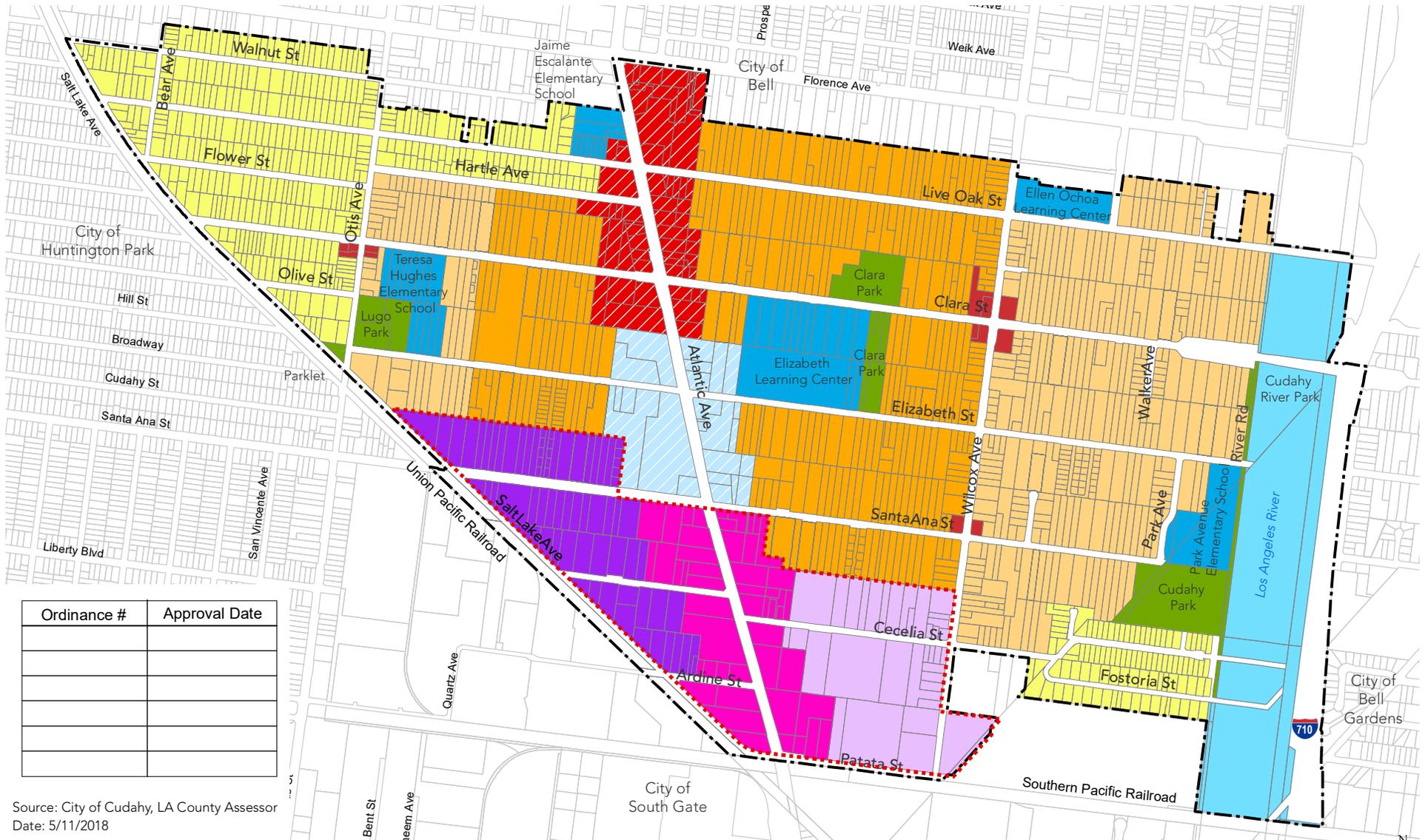
YARD, SIDE. A yard extending from the required front yard, or the front lot line where no front yard is required, to the required rear yard or the rear lot line where no rear yard is required. The width of a required side yard shall be a specified horizontal distance between each side lot line and a line parallel thereto on the lot or parcel of land. Where a side yard is bounded by a street, the width of such required side yard shall be a specified horizontal distance between the side lot line on the street side, where said side lot line is coterminous with the street line of a fully widened street or the ultimate street line of a partially widened street, and a line parallel thereto on the lot or parcel of land.

§ 20.88.270 – Z Definitions

ZONING MAP. The official zoning map delineating the boundaries of zones within the City of Cudahy.

CITY OF CUDAHY ZONING MAP

EXHIBIT "A" TO TITLE 20



Ordinance #	Approval Date

Source: City of Cudahy, LA County Assessor
Date: 5/11/2018

ZONING DISTRICTS

- Low Density Residential (LDR)
- Medium Density Residential (MDR)
- High Density Residential (HDR)
- Commercial Mixed-Use (CMU)
- Civic Mixed-Use (Civic MU)
- Neighborhood Commercial (NC)
- Entertainment (Ent)
- Innovative Industrial (I-Ind)
- Light Industrial (LI)
- City Parks/ Parklets (P)
- School (S)
- Los Angeles River (LAR)
- Urban Agriculture Overlay
- Cudahy Boundary

