

**Initial Study/ Negative Declaration**

***South El Monte  
Comprehensive Zoning  
Update***

***City of South El Monte  
Los Angeles County, California***

# **Initial Study/ Negative Declaration**

## **South El Monte Comprehensive Zoning Update**

Prepared for:

**City of South El Monte**

1415 Santa Anita Avenue  
South El Monte, CA 91733

Prepared by:

**WSP USA**

**January 2024**

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## List of Acronyms and Abbreviations

APN	Assessor's Parcel Number
BPS	Best Performance Standards
CAA	Clean Air Act
CGS	California Geological Survey
CalEEMod	California Emissions Estimator Model®
CalFire	California Department of Forestry and Fire Protection
CARB	California Air Resources Board
CCR	California Code of Regulations
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CNDDDB	California Natural Diversity Database
CUP	Conditional Use Permit
DOC	Department of Conservation
EIR	Environmental Impact Report
GHG	Greenhouse Gas
IS	Initial Study
IPaC	Information for Planning and Consultation
LOS	Level of Service
MND	Mitigated Negative Declaration
NOA	Notice of Availability
PM <sub>2.5</sub>	Particulate Matter Less Than 2.5 Microns in Size
SCAQMD	South Coast Air Quality Management District
sf	Square Foot
SRA	State Responsibility Area
U.S. EPA	United States Environmental Protection Agency
USFWS	United States Fish and Wildlife Service
VMT	Vehicle Miles Travelled
WDR	Waste Discharge Requirement

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## **1.0 INTRODUCTION**

This Initial Study/Environmental Checklist and Negative Declaration has been prepared pursuant to the California Environmental Quality Act (CEQA) [Public Resources Code [Section 21000, et seq.] and the 2020 State CEQA Guidelines [California Code of Regulations Section 15000, et. Seq.]. Article 6, Sections 15070 to 15075 of the 2020 CEQA Guidelines was referenced in the preparation of this Negative Declaration.

This Initial Study/Environmental Checklist and Negative Declaration determines that the adoption of the City of South El Monte Comprehensive Zoning Code Update project will result in no impacts or less than significant impacts on the environmental resources and issues evaluated herein, and hence not have a significant impact on the environment. As a result, this document serves as a Negative Declaration pursuant to Public Resources Code Sections 21064 and 21080 (c) and Article 6 of the 2020 CEQA Guidelines.

### **1.1 Project Name**

South El Monte Comprehensive Zoning Code Update.

### **1.2 Document Purpose and Organization**

The purpose of this Initial Study is to evaluate the potential environmental impacts of the proposed Zoning Code Update. This document is divided into the following sections:

- 1.0 Introduction
- 2.0 Project Description
- 3.0 Environmental Checklist
- 4.0 References
- 5.0 Appendices

### **1.3 Project Area**

Citywide

### **1.4 Lead Agency Name and Address**

City of South El Monte  
1415 S Santa Anita Avenue  
South El Monte, CA 91733

### **1.5 Lead Agency Staff Contact**

Guillermo Arreola, Community Development Director  
Phone: 626-579-6540  
Email: garreola@soelmonte.org

### **1.6 Project Location**

South El Monte, Los Angeles County, California

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## **1.7 General Plan**

Citywide

## **1.8 Zoning**

Citywide

## **1.9 Discretionary Actions**

The Proposed Zoning Code Update will require the following approvals:

- Adoption of the Zoning Code Update by the City Council of South El Monte
- Recommend adoption of the Negative Declaration by the City Council of South El Monte
- Adoption of the Negative Declaration by the City Council of South El Monte

## **1.10 Impact Terminology**

The following terminology is used to describe the potential level of significance of impacts:

- A finding of no impact is appropriate if the analysis concludes that there is no potential for the project to affect the resource in any way.
- An impact is considered less than significant if the project would not cause a substantial adverse change to the environment and would not require mitigation.
- An impact is considered less than significant with mitigation incorporated if the analysis concludes that the project would not cause a substantial adverse impact to the environment with the inclusion of an environmental commitment that has been agreed to be implemented by the applicant.
- An impact is considered a potentially significant impact if the analysis concludes that the project could have a substantial adverse impact on the environment.

## **2.0 PROJECT DESCRIPTION**

### **2.1 Project Overview**

The City of South El Monte proposes an update of the existing Municipal Code Title 17 to facilitate housing development opportunities throughout the City. This effort includes the development of a Zoning Code Handbook to improve public accessibility and use of the Code.

### **2.2 Purpose of Updates**

The Comprehensive Zoning Code Update will advance the City's 6th Cycle Housing Element Goals, develop and adopt Objective Development Standards, implement pro-housing policies and programs, and revise and adopt housing-supportive parking policies and programs. Specifically, this project is intended to accelerate housing production, reduce housing costs through faster permitting, and improve consistency in local design and development standards. The main objective of the City of South El Monte will be to provide an updated zoning code that is fully consistent with the latest General Plan, State and Federal law, creating a housing-friendly streamlined process that is consistent with the California Department of Housing and Community

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Development's pro-housing goals. These updates will supersede the existing Municipal Code language within Title 17.

### 2.3 Environmental Setting

#### *2.3.1 Project Location*

South El Monte, Los Angeles County, California.

#### *2.3.2 Surrounding Land Uses and Development*

Various.

### 2.4 Project Components

Notable changes to the language and organization of Title 17 include:

- **Reorganization:** several sections of Title 17 were reorganized. For example, 52 existing chapters were condensed into 16. Some sections of the updated code, such as 17.06 Commercial Zones (new chapter), only include text from one existing chapter (17.14 Commercial Zone (C)). Other sections, such as 17.11 Special Uses (new chapter) include text from 20 existing chapters. Other reorganization changes include alphabetizing 17.02 Definitions (new chapter), reorganizing sections within new chapters, and condensing development standards into tables.
- **Non-substantial text deletions:** some outdated existing code text was deleted in order to clean up and modernize the code with State law. Summaries were removed from 17.05 Residential Zones and 17.06 Commercial Zones as they were repetitive with the content in the existing code.
- **Rewording:** Section titles throughout the code were reworded to reflect updated code structure, and to convey more clearly the content of each section. In addition, the updated code text in section 17.10.010 Intent and purpose was revised to place emphasis on the social and health benefits of establishing zoning districts.
- **Moving text (relocation):** additional definitions were moved from the original chapters to the 17.02 Definitions chapters in order to keep the code organized.
- **Non-substantial text additions:** some text was added to new chapters to clarify the code. Several definitions were added to 17.02 Definitions, overview language was added to 17.10 Overlay Zones, and certain non-substantial provisions were added to 17.12 ADUs and 17.13 Density Bonus to clarify ADU and DBL administrative procedures (additions do not constitute changes to density or development standards).

No amendments to the Zoning Map are proposed as part of this project. Substantive changes to the Municipal Code due to state legislation include:

- **Changes to 17.03, the Permit Approval Procedures chapter to reflect changes per SB 35.** SB 35 creates a ministerial approval process for certain affordable housing development projects. Several sections of 17.03 will receive text additions related to this new process (including an outline of permit filing, processing and approval). The text for this section was sourced from the City of Sacramento's code, California Housing &



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Community Development Department resources and existing City of South El Monte files.

- **Changes to 17.12, the Accessory Dwelling Unit (ADU) chapter to reflect changes per AB 68, AB 881 and SB 13.** These bills update certain development standards such as parking, height restrictions, lot size requirements, ADU size requirements, and setbacks. Sections of 17.12 were updated to reflect these new development standards, specifically that the height limit for ADUs is 16 feet, and that any onsite parking lost due to conversion of a garage, carport or covered parking structure into an ADU cannot be replaced with on-street parking.
- **Changes to 17.13, the Density Bonus Law (DBL) chapter to reflect changes per AB 1763 and AB 2345.** These two bills increase maximum allowable density for certain projects, such as developments containing 100% affordable housing (added density up to 80%). Projects that are 100% affordable developments and are located within a half (1/2) mile of major transit stop are exempt from any maximum controls on density. These two bills also change some development standards, allowing projects containing 100% affordable units and located within ½ mile of a major transit stop to increase their height by up to 3 stories or 33 feet. Finally, these two bills change parking standards for DBL projects. Units with 2-3 rooms may only provide 1.5 spaces. Supportive or special needs housing may not have parking standards imposed upon the project (no parking required). DBL projects with 100% affordable units OR projects for persons 62 years or older meeting affordability restrictions and conditions, and within unobstructed access to a fixed bus route (operating at least 8 times a day) or paratransit service are only required to provide 0.5 space/unit.
- **New Chapter 17.14 Objective Design Standards.** The purpose of the Objective Design Standards is to provide architectural and design requirements aimed at streamlining the approval process for qualifying multi-unit residential projects. These standards serve as the minimum requirements and are mandatory for projects with at least two-thirds of the square footage of the development designated for residential use for which a streamlined approval process is requested pursuant to State law per Government Code Section 65913.4. These standards supplement other objective standards within the zoning district in which the project is located.

### *2.4.1 Zoning Code Handbook*

A Zoning Code Handbook accompanies the Municipal Code updates enabling simple and easy navigation of the code updates. The handbook includes graphics and examples that demonstrate how the public can find answers to frequently requested information in the code (e.g., residential setbacks, lot coverage, commercial building signage, accessory structure standards, development standards, etc.). This is meant as a companion guide to the Municipal Code update.

## **2.5 Proposed Discretionary Approvals**

This Initial Study assessed the potential environmental impacts of the proposed Zoning Code Update. The discretionary actions required by the City of South El Monte City Council include:

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- Adoption of the Initial Study/Negative Declaration
- Adoption of the Municipal Code Update

**3.0 ENVIRONMENTAL CHECKLIST**

The environmental checklist provides a standard evaluation tool to identify a project’s adverse environmental impacts. This checklist identifies and evaluates potential adverse environmental impacts that may be created by the Proposed Project.

**3.1 General Information**

<b>Project Title:</b>	City of South El Monte Comprehensive Zoning Code Update
<b>Lead Agency Name and Address:</b>	City of South El Monte 1415 S Santa Anita Avenue South El Monte, CA 91733
<b>Contact Person and Phone Number:</b>	Guillermo Arreola, Community Development Director Phone: 626-579-6540 Email: garreola@soelmonte.org
<b>Objectives:</b>	This project is intended to accelerate housing production, reduce housing costs through faster permitting, and improve consistency in local design and development standards. This project will provide an updated zoning code that is fully consistent with the latest General Plan and State and Federal law.
<b>Project Location:</b>	South El Monte, Los Angeles County, California
<b>Description of Project:</b>	The Comprehensive Zoning Code Update will advance the City’s 6th Cycle Housing Element Goals, develop and adopt Objective Development Standards, implement pro-housing policies and programs, and revise and adopt housing-supportive parking policies and programs.
<b>Surrounding Land Uses and Setting:</b>	Various.
<b>Discretionary approvals (other public agencies):</b>	Adoption of the Initial Study/Negative Declaration. Adoption of the Municipal Code Update.

**3.2 Environmental Factors Potentially Affected**

The following environmental impact areas have been assessed to determine their potential to be adversely affected by the Proposed Project. As indicated by the checklist on the following pages, environmental topics marked with a “✓” may be adversely affected by the Proposed Project. An

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explanation relative to the determination of impacts can be found following the checklist for each area.

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Aesthetics                | <input type="checkbox"/> Agriculture/Forestry Resources | <input type="checkbox"/> Air Quality                        |
| <input type="checkbox"/> Biological Resources      | <input type="checkbox"/> Cultural Resources             | <input type="checkbox"/> Energy                             |
| <input type="checkbox"/> Geology/Soils             | <input type="checkbox"/> Greenhouse Gas Emissions       | <input type="checkbox"/> Hazards and Hazardous Materials    |
| <input type="checkbox"/> Hydrology/Water Quality   | <input type="checkbox"/> Land Use/Planning              | <input type="checkbox"/> Mineral Resources                  |
| <input type="checkbox"/> Noise                     | <input type="checkbox"/> Population/Housing             | <input type="checkbox"/> Public Services                    |
| <input type="checkbox"/> Recreation                | <input type="checkbox"/> Transportation                 | <input type="checkbox"/> Tribal Cultural Resources          |
| <input type="checkbox"/> Utilities/Service Systems | <input type="checkbox"/> Wildfire                       | <input type="checkbox"/> Mandatory Findings of Significance |

### 3.3 Determination

On the basis of this initial evaluation:

- I find the proposed project COULD NOT have a significant effect on the environment, and that a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be significant effects in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect(s) on the environment, and an ENVIRONMENTAL IMPACT REPORT (EIR) is required.
- I find that the proposed project MAY have a “potentially significant impact” on the environment, but at least one effect: 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards; and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects: 1) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards; and 2) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation

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measures that are imposed upon the Proposed Project, nothing further is required.

**Signature:**  \_\_\_\_\_

**Date:** January 22, 2024

Name Gerardo Marquez  
Title Planning Manager  
Organization City of South El Monte

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**3.4 Evaluation of Environmental Impacts**

No topical areas on the CEQA environmental checklist were found to have unmitigated impacts exceeding applicable thresholds of significance with mitigation incorporated. All topics on the checklist were determined to have Less Than Significant Impact or No Impacts, as discussed below.

**I. Aesthetics**

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>I. Aesthetics.</b> Except as provided in Public Resources Code Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) In nonurbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a) *Have a substantial adverse effect on a scenic vista?*

**Impact:** No Impact.

There is no project component that has the potential to adversely impact scenic vistas in and around the city.

**Mitigation Measures:** None Required.

b) *Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?*

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Impact: No Impact.

The project would not directly or indirectly damage scenic resources. There are no state scenic highways in the project vicinity.<sup>1</sup>

**Mitigation Measures:** None Required.

*c) In nonurbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?*

Impact: No Impact.

See Response (a). The project is intended to better protect and enhance land use compatibility within the community, including through the introduction of additional safeguards for the city’s visual character. The project would not degrade the existing visual character or quality of the city.

**Mitigation Measures:** None Required.

*d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?*

Impact: No Impact.

The Project does not, in itself, propose or authorize development. Therefore, its adoption would not produce physical infrastructure that would create a new source of substantial light or glare that would adversely impact daytime or nighttime views in the area and would have no impact on daytime or nighttime views. No new sources of light or glare would result from the project.

**Mitigation Measures:** None Required.

**II. Agriculture and Forestry Resources**

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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<sup>1</sup> Caltrans, List of eligible and officially designated State Scenic Highways. <https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>

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<p><b>II. Agriculture and Forestry Resources.</b> In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state’s inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:</p>				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a) *Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?*

Impact: No Impact.

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As identified by Map published by the California Department of Conservation's Farmland Mapping and Monitoring Program<sup>2</sup>, no lands within the City of South El Monte or its sphere of influence are of agricultural significance. Further, there is no project component with the potential to convert farmland.

**Mitigation Measures:** None Required.

*b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?*

Impact: No Impact.

Agriculture is not a principally permitted use in the City of South El Monte. There are no lands in the City of South El Monte that are subject to a Williamson Act contract.<sup>3</sup> Further, no project component has the potential to impact agricultural activity or a Williamson Act contract.

**Mitigation Measures:** None Required.

*c) Conflict with existing zoning for, or cause rezoning of, forestland (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?*

Impact: No Impact.

There is no Timberland Production<sup>4</sup> or equivalent zoning district in the City of South El Monte, nor are there any zoning districts in the city that allow timber production as a use by right. There is no component of the project that has the potential to conflict with zoning for, or cause rezoning of, "forest land," "timberland," or lands zoned Timberland Production.

**Mitigation Measures:** None Required.

*d) Result in the loss of forest land or conversion of forest land to non-forest use?*

Impact: No Impact.

The City of South El Monte does not contain forest land and therefore there would be no loss of forest land as a result of the project.

**Mitigation Measures:** None Required.

*e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?*

Impact: No Impact.

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<sup>2</sup> California Department of Conservation, California Important Farmlands Map Viewer. [https://www.arcgis.com/home/webmap/viewer.html?featurecollection=https%3A%2F%2Fgis.conservacion.ca.gov%2Fserver%2Frest%2Fservices%2FDLRP%2FCaliforniaImportantFarmland\\_2018%2FMapServer%3Ff%3Djson%26option%3Dfootprints&supportsProjection=true&supportsJSONP=true](https://www.arcgis.com/home/webmap/viewer.html?featurecollection=https%3A%2F%2Fgis.conservacion.ca.gov%2Fserver%2Frest%2Fservices%2FDLRP%2FCaliforniaImportantFarmland_2018%2FMapServer%3Ff%3Djson%26option%3Dfootprints&supportsProjection=true&supportsJSONP=true)

<sup>3</sup> California Department of Conservation, Williamson Act Program. <https://www.conservacion.ca.gov/dlrp/wa>

<sup>4</sup> California Department of Tax and Fee Administration. Laws, Regulations, and Annotations. Timberland. <https://www.cdfta.ca.gov/lawguides/vol4/ttl/ttl-ch6-7-all.html>



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As noted above in thresholds (a) through (d), no agricultural land or forest lands are present within the City of South El Monte; therefore, there would be no impact to conversion of these land types.

**Mitigation Measures:** None Required.

**III. Air Quality**

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>III. Air Quality.</b> Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or State ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

a) *Conflict with or obstruct implementation of the applicable air quality plan?*

Impact: No Impact.

Adoption of the Proposed Project does not authorize physical development and therefore, would not produce physical environmental impacts that would impact air quality. Additionally, the Project does not change density or intensity of development, or land uses within the City of South El Monte. Therefore, there would be no impact to the implementation of an air quality management plan.

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- b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?*

Impact: No Impact.

No development is proposed or would be likely to occur as a result of the project. Permitted densities, intensities, and land uses would remain substantially the same as they are at present. Therefore, there would be no net increase of any criteria pollutant.

**Mitigation Measures:** None Required.

- c) Expose sensitive receptors to substantial pollutant concentrations?*

Impact: No Impact.

As previously noted, proposed densities, intensities, and land uses would remain substantially the same as they are at present, and there is also no development proposed or that would be likely to occur as a result of the Project. Therefore, the Project does not have the ability to generate pollutants or create odors impacting sensitive receptors. Its adoption would have no impact related to odors or exposing sensitive receptors to substantial pollutant concentrations.

**Mitigation Measures:** None Required.

- d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?*

Impact: No Impact.

See response above. As previously noted, proposed densities, intensities, and land uses would remain substantially the same as they are at present, and there is also no development proposed or that would be likely to occur as a result of the Project. Therefore, the Project does not have the ability to generate pollutants or create odors impacting sensitive receptors. Its adoption would have no impact related to odors or exposing sensitive receptors to substantial pollutant concentrations.

**Mitigation Measures:** None Required.

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**IV. Biological Resources**

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>IV. Biological Resources.</b> Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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- a) *Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?*

Impact: No Impact.

The Proposed Project does not authorize physical development and therefore would not result in adverse impacts to sensitive natural communities, riparian vegetation or protected wetlands.<sup>5</sup> Additionally, the update does not change density or intensity of development, or land uses within the City of South El Monte. Therefore, there would be no impact to special status species, riparian areas, sensitive communities, or federally protected areas.

**Mitigation Measures:** None Required.

- b) *Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife [CDFW] or U.S. Fish and Wildlife Service [USFWS]?*

Impact: No Impact.

The Proposed Project does not authorize physical development and therefore would not result in adverse impacts to sensitive natural communities, riparian vegetation or protected wetlands. Additionally, the update does not change density or intensity of development, or land uses within the City of South El Monte. Therefore, there would be no impact to special status species, riparian areas, sensitive communities, or federally protected areas.

**Mitigation Measures:** None Required.

- c) *Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?*

Impact: No Impact.

The Proposed Project does not authorize physical development and therefore would not result in adverse impacts to sensitive natural communities, riparian vegetation or protected wetlands. Additionally, the update does not change density or intensity of development, or land uses within the City of South El Monte. Therefore, there would be no impact to special status species, riparian areas, sensitive communities, or federally protected areas.

**Mitigation Measures:** None Required.

- d) *Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?*

Impact: No Impact.

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<sup>5</sup> California Department of Fish and Wildlife. CNDDDB Plants and Animals.  
<https://wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>

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The Proposed Project does not authorize physical development with its adoption and therefore would have no impacts to migratory fish or wildlife species or with wildlife corridors or nursery sites.

**Mitigation Measures:** None Required.

*e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?*

Impact: No Impact.

The Proposed Project does not authorize physical development and therefore would not result in impacts from conflict with any applicable policies, plans, or ordinances protecting biological resources.

**Mitigation Measures:** None Required.

*f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?*

Impact: No Impact.

The Proposed Project does not authorize physical development and therefore would not result in impacts from conflict with any provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or any other applicable habitat conservation plans.

**Mitigation Measures:** None Required.

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**V. Cultural Resources**

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>V. Cultural Resources.</b> Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a) *Cause substantial adverse change in the significance of a historical resource pursuant to §15064.5?*

Impact: No Impact.

There is no development or ground disturbance proposed, nor is there any component of the Project that has the potential to adversely impact these historic structures, any other structure, or any unknown historic resources that may be located in the City of South El Monte. Any development that has the potential to do so would be subject to additional analyses under CEQA as well as review by the Planning Division and City Council.

**Mitigation Measures:** None Required.

b) *Cause substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?*

Impact: No Impact.

There would be no development or ground disturbance as a result of the project. Therefore, adoption of the zoning code update would have no impact on archaeological resources.

**Mitigation Measures:** None Required.

c) *Disturb any human remains, including those interred outside of dedicated cemeteries?*

Impact: No Impact.

Adoption of the Proposed Project would not directly result in ground disturbing activities and therefore would have no impacts related to the disturbance of human remains. If human

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remains are found, compliance with the California Native Graves Protection and Repatriation Act, and coordination with the local County Coroner would be required.<sup>6</sup>

**Mitigation Measures:** None Required.

**VI. Energy**

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>VI. Energy.</b> Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

*a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy?*

Impact: Less than Significant Impact.

The Proposed Project is intended to facilitate development by eliminating identified constraints, however, proposed densities, intensities, and land uses would remain substantially the same as they are at present, and there is also no development proposed or that would be likely to occur as a result of the project. As such, there would not be a substantial change in energy demand resulting from the project.

**Mitigation Measures:** None Required.

*b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?*

Impact: No Impact.

See response above. The Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

**Mitigation Measures:** None Required.

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<sup>6</sup> State of California Native American Heritage Commission. CalNAGPRA. <https://nahc.ca.gov/calnagpra/>

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**VII. Geology and Soils**

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>VII. Geology and Soils.</b> Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map, issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>



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Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a) *Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:*

- i. *Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map, issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.*
- ii. *Strong seismic ground shaking?*
- iii. *Seismic-related ground failure, including liquefaction?*
- iv. *Landslides?*

**Impact:** Less than Significant Impact.

The City of South El Monte is located within a liquefaction zone, as identified by the California Geologic Survey and shown on the Alquist-Priolo Earthquake Fault Zoning Map.<sup>7</sup> However, no development is proposed or would be likely to occur as a result of the project. Permitted densities, intensities, and land uses would remain substantially the same as they are at present. Therefore, the project would not directly or indirectly cause potential substantial adverse effects involving rupture of a known earthquake fault, strong seismic ground shaking, seismic related ground failure or landslides, than would occur without the project under current growth trends.

**Mitigation Measures:**

b) *Result in substantial soil erosion or the loss of topsoil?*

**Impact:** No Impact.

Erosion is the process by which soil material is detached and transported from one location to another by wind or water. Erosion occurs naturally in most systems but is often accelerated by human activities that disturb soil and vegetation. The rate at which natural and accelerated erosion occur is largely a function of climate, soil cover, slope conditions, and inherent soil properties. According to the National Resources Conservation Service (NRCS), the principal soil types within the city exhibit a range of erosion potential from low to very high.<sup>8</sup> Nevertheless, there would be no increase in permitted densities and intensities and no land disturbance is proposed.

<sup>7</sup> California Department of Conservation. <https://maps.conservation.ca.gov/cgs/EQZApp/app/>

<sup>8</sup> National Resources Conservation Service. Web Soil Survey. <https://www.nrcs.usda.gov/resources/data-and-reports/web-soil-survey>

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**Mitigation Measures:** None Required.

- c) *Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?*

Impact: Less Than Significant.

See Response (a).

**Mitigation Measures:** None Required.

- d) *Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?*

Impact: No Impact.

Expansive or shrink-swell soils are soils that swell when subjected to moisture and shrink when dry. Expansive soils typically contain clay minerals that attract and absorb water, greatly increasing the volume of the soil. However, there is no development proposed as a result of the project. Moreover, permitted densities and intensities would not increase relative to existing conditions. Therefore, there is no impact to the project due to expansive or shrink-swell soils.

**Mitigation Measures:** None Required.

- e) *Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?*

Impact: No Impact.

All development in the City of South El Monte is served by the City's wastewater collection and treatment system.

**Mitigation Measures:** None Required.

- f) *Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?*

Impact: No Impact.

Due to historic ground disturbance and development patterns, the lack of proposed development, and because permitted densities and intensities would not increase, no impacts to undocumented paleontological resources or geological features would occur either.

**Mitigation Measures:** None Required.

**VIII. Greenhouse Gas Emissions**

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>VIII. Greenhouse Gas Emissions.</b> Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a) *Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?*

**Impact:** Less Than Significant Impact.

Permitted densities, intensities, and land uses would remain substantially the same as they are at present under the Proposed Project. There is no development proposed or that would be likely to occur as a result of the Project. As such, there would not be a substantial change in energy demand resulting from the project beyond what would occur without the project under current growth trends. As such, the Project would not increase greenhouse gas emissions or significantly impact the environment.

**Mitigation Measures:** None Required.

b) *Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?*

**Impact:** No Impact.

See response above. The Proposed Project would not conflict with any adopted plans, policies, or regulations adopted for the purpose of reducing greenhouse gas emissions.

**Mitigation Measures:** None Required.

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**IX. Hazards and Hazardous Materials**

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>IX. Hazards and Hazardous Materials.</b> Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a) *Create significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*

Impact: No Impact.

There is no component of the Proposed Project that would result in the routine transport, use, or disposal of hazardous materials.

**Mitigation Measures:** None Required.

b) *Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?*

Impact: No Impact.

There is no component of the Proposed Project that has the potential to create a significant hazard to the public or the environment through the accidental release of hazardous materials into the environment.

**Mitigation Measures:** None Required.

c) *Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?*

Impact: No Impact.

Schools within one-quarter mile of the City of South El Monte include South El Monte High School, Epiphany Catholic School, New Temple Elementary School, and Dean L. Shively Middle School, all of which are located within city limits. There is no component of the project that has the potential to directly or indirectly result in hazardous emissions or the handling of hazardous or acutely hazardous materials, substances, or waste.

**Mitigation Measures:** None Required.

d) *Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code 65962.5 and as a result, would it create a significant hazard to the public or the environment?*

Impact: No Impact.

Although the project is intended to facilitate development by eliminating identified constraints, permitted densities, intensities, and land uses would remain substantially the same as they are at present, and there is no development proposed or that would be likely to occur as a result of the project. The project does not have the potential to exacerbate

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risks associated with identified spill sites or to otherwise create a significant hazard to the public or the environment.

**Mitigation Measures:** None Required.

*e) For a project located within an airport land use plan or where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?*

Impact: No Impact.

No portion of the City of South El Monte is within an airport land use plan. Additionally, there are no public airports or public use airports within two miles of the City of South El Monte.

**Mitigation Measures:** None Required.

*f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

Impact: No Impact.

There is nothing about the Proposed Project that would substantially interfere with an adopted emergency response plan or evacuation plan.

**Mitigation Measures:** None Required.

*g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?*

Impact: No Impact.

Permitted densities, intensities, and land uses will remain substantially the same as they are at present, and there is no development proposed or that would be likely to occur as a result of the Project. The Project is not expected to affect current growth trends. As a result, the project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires.

**Mitigation Measures:** None Required.

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**X. Hydrology and Water Quality**

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>X. Hydrology and Water Quality.</b> Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) result in a substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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- a) *Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?*

Impact: No Impact.

There is no development proposed or that would be likely to result from the project. Permitted densities, intensities, and land uses would remain substantially the same as they are at present and would be consistent with existing land uses. Accordingly, the project does not have the potential to result in a violation of water quality standards or waste discharge requirements, or otherwise substantially degrade surface or groundwater quality.

**Mitigation Measures:** None Required.

- b) *Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?*

Impact: No Impact.

See Response above. The City does not own its own water system. Water is supplied to the City of South El Monte by San Gabriel Valley Water Company (“San Gabriel”). San Gabriel serves the City of South El Monte groundwater produced from its wells located in the Main San Gabriel Basin (“Main Basin”). Main Basin is an adjudicated groundwater basin managed and recharged by Main San Gabriel Valley Watermaster to insure future sustainable and reliable pumping. San Gabriel also serves the City of South El Monte recycled water for irrigation purposes to select sites.

**Mitigation Measures:** None Required.

- c) *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:*
- i. *result in a substantial erosion or situation on- or off-site;*
  - ii. *substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;*
  - iii. *create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or*
  - iv. *Impede or redirect flood flows?*

Impact: No Impact.

See Responses 4.10(a) and 4.10(b) above. While the project is intended to facilitate development by eliminating identified constraints, proposed densities, intensities, and land uses would remain substantially the same as they are at present. There is also no development proposed or that would be likely to occur as a result of the project. Accordingly, the project would not impact the existing drainage pattern of the city or surrounding area or result in substantial erosion or siltation. There is nothing about the project that has the potential to increase the rate or amount of surface runoff or that has the potential to result in flooding. There would be no increase in stormwater runoff as a result



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of the project. there are no changes proposed that would increase development potential within the flood zones or floodway. Further, should future development occur within an identified flood hazard area, it would be required to comply with Municipal Code Chapter 17.58: Development Within Flood Hazard Area.

**Mitigation Measures:** None Required.

*d) In flood hazard, tsunami or seiche zones, risk release of pollutants due to project inundation?*

Impact: No Impact.

The City of South El Monte is not located near an ocean or large body of water. No development or change in land use is proposed or would be likely to occur within the floodplain or elsewhere in the city as a result of the project. Permitted land uses and development densities and intensities would remain substantially the same and consistent with existing development, and there would no change to the risk of pollutant release associated with flooding in the city.

**Mitigation Measures:** None Required.

*e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?*

Impact: No Impact.

The project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

**Mitigation Measures:** None Required.

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**XI. Land Use and Planning**

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XI. Land Use and Planning.</b> Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a) *Physically divide an established community?*

Impact: No Impact.

There is no component of the Project that has the potential to result in a physical division of the community.

**Mitigation Measures:** None Required.

b) *Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?*

Impact: No Impact.

The City of South El Monte General Plan includes various policies and programs to avoid or mitigate potential environmental effects. The project would not eliminate, revise, or conflict with any General Plan policy or program, nor would it conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

**Mitigation Measures:** None Required.

**XII. Mineral Resources**

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XII. Mineral Resources.</b> Would the project:				
a) Result in the loss of availability of a known mineral resource that would be a value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

*a) Result in the loss of availability of a known mineral resource that would be a value to the region and the residents of the state?*

Impact: No Impact.

There is no component of the project that has the potential to result in the loss of available known mineral resources of value to the region or residents of the state.

**Mitigation Measures:** None Required.

*b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?*

Impact: No Impact.

See Response above. Per the City of South El Monte Resources Element of the General Plan, there are no known mineral resources of significant value or categorized as locally important within the City of South El Monte.

**Mitigation Measures:** None Required.

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**XIII. Noise**

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XIII. Noise.</b> Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

*a) Generation of substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies?*

Impact: No Impact.

There is no development proposed or that would be likely to result from the project. While the project is intended to facilitate development by eliminating identified constraints, permitted densities, intensities, and land uses would remain substantially the same as they are at present. Accordingly, there would be no increase in noise as a result of the project beyond what would be expected by current growth trends.

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**Mitigation Measures:** None Required.

- b) *Generation of excessive groundborne vibration or groundborne noise levels?*

Impact: No Impact.

There is no development proposed or that would be likely to occur because of the project. The project does not have the potential to generate groundborne vibration or noise.

**Mitigation Measures:**

- c) *For a project located within the vicinity of a private airstrip or an airport land use plan or where such a plan has not been adopted within two miles of a public airport or public use airport would the project expose people residing or working in the project area to excessive noise level?*

Impact: No Impact.

There is no private airstrip or airport land use plan within the City of South El Monte.

**Mitigation Measures:** None

**XIV. Population and Housing**

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XIV. Population and Housing.</b> Would the project:				
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

*a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?*

Impact: Less Than Significant.

While the project is intended to facilitate development by eliminating identified constraints, proposed densities, intensities, and land uses would remain substantially the same as they are at present. No development is proposed or would be likely to occur as a result of the project. Accordingly, the project would not result in a substantial increase in population beyond what is expected under current growth trends.

**Mitigation Measures:** None Required.

*b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?*

Impact: No Impact.

There is no component of the project that has the potential to, directly or indirectly, displace people or housing.

**Mitigation Measures:** None Required.

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**XV. Public Services**

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XV. Public Services.</b> Would the project:				
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a) *Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:*

*Fire Protection?*

*Police Protection?*

*Schools?*

*Parks?*

*Other Public Facilities?*

**Impact:** Less than Significant.

*Fire Protection*

Although the project is intended to facilitate development by eliminating identified constraints, proposed densities, intensities, and land uses would remain substantially the same as they are at present. There is no development proposed or that would be likely to occur as a result of the project. As such, the project would have little to no impact on the provision of fire protection services.

*Police Protection*

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There is no development proposed or that would be likely to occur as a result of the project. As such, the project would have little to no impact on the provision of police protection services.

*Schools*

The project would not create new housing or a substantial increase in students such that there would be a need for new or altered school facilities.

*Parks*

The project would have little to no impact on parks.

*Other Public Facilities*

The project would not have a substantial impact on any other government services or facilities.

**Mitigation Measures:** None Required.

**XVI. Recreation**

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XVI. Recreation.</b>				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a) *Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?*

Impact: No Impact.

Density, intensity, and land use would remain substantially the same under the proposed project. Additionally, there is also no development proposed or that would be likely to occur as a result of the project. As such, there would be no increase in the use of existing



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neighborhood and regional parks or other recreational facilities that would accelerate deterioration of the facility.

**Mitigation Measures:** None Required.

*b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?*

Impact: No Impact.

See response above. The project does not include or require the construction or expansion of recreational facilities.

**Mitigation Measures:** None Required.

**XVII. Transportation**

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XVII. Transportation.</b> Would the project:				
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict or be inconsistent with CEQA Guidelines §15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

*a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?*

Impact: No Impact.

The project would not conflict with any program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities.

**Mitigation Measures:** None Required.

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*b) Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)?*

Impact: Less Than Significant Impact.

CEQA Guidelines Section 15064.3(b) provides criteria for analyzing transportation impacts based on a vehicle miles traveled (VMT) methodology instead of the now superseded level of service (LOS) methodology. However, Section 15064.3(b)(3) also allows an agency to determine a project's transportation impact on a qualitative basis if a VMT methodology is unavailable, as is the case with the proposed project. There is no development proposed or that would be likely to occur as result of the project. Further, permitted densities, intensities, and land uses would remain substantially the same as they are at present. As a result, the project would not result in a substantial increase in VMT, area traffic, or otherwise negatively affect the level of service on city roadways.

**Mitigation Measures**: None Required.

*c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?*

Impact: No Impact.

No new design elements or equipment associated with incompatible uses would be introduced into or surrounding the City of South El Monte as a result of the project. The project would not increase hazards.

**Mitigation Measures**: None Required.

*d) Result in inadequate emergency access?*

Impact: No Impact.

The project would not impair emergency access to or from the City of South El Monte.

**Mitigation Measures**: None Required.

**XVIII. Tribal Cultural Resources**

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XVIII. Tribal Cultural Resources.</b>				
a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code §21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code §5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- a) *Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:*
- i. *Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or*

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- ii. *A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code § 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.*

**Impact:** Less than Significant.

There are no tribal cultural resources in the city that are listed in, or which are known to be eligible for listing in, the California Register of Historic Resources or a local register of historical resources. There is also no development proposed or that would be likely to occur as a result of the project and no adverse impacts to tribal cultural resources would occur.

Pursuant to AB 52, the Gabrieleno Band of Mission Indians of the Kizh Nation were notified of the project with an invitation for consultation. The tribe sent a response stating that because there won't be any type of ground disturbances taking place, there will be no need for a consultation. The notification letter as well as the response are included in Appendix B.

**Mitigation Measures:** None Required.

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**XIX. Utilities and Service Systems**

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XIX. Utilities and Service Systems.</b> Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

*a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?*

Impact: No Impact.

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The project is intended to facilitate development by eliminating identified constraints, however, permitted densities, intensities, and land uses would remain substantially the same as they are at present. There is no development proposed or that would be likely to occur as a result of the project. Accordingly, the project would not require or result in the relocation or construction of new utilities, including but not limited to water, wastewater treatment, stormwater, drainage, electric power, natural gas, and/or telecommunications facilities.

### **Mitigation Measures:**

*b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?*

Impact: Less Than Significant Impact.

See response above. The project would not generate a substantial increase in water demand beyond what is anticipated under current growth trends. The City of South El Monte is served by adequate water supplies and has planned for expansion of its water system as needed to accommodate growth.

**Mitigation Measures:** None Required.

*c) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?*

Impact: Less than Significant.

See responses above. With proposed densities, intensities, and land uses remaining substantially the same as they are at present, and no development proposed or likely to occur as a result of the project, the project would not generate a substantial increase in wastewater beyond what is anticipated under current growth trends.

**Mitigation Measures:** None Required.

*d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?*

Impact: Less Than Significant Impact.

See responses above. Because proposed densities, intensities, and land uses would remain substantially the same as they are at present, and no development is proposed or would be likely to occur as a result of the project, the project would not generate a substantial increase in solid waste beyond what is expected under current growth trends.

**Mitigation Measures:** None Required.

*e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?*

Impact: No Impact.

The City of South El Monte will continue to comply with all state and federal statutes regarding solid waste.

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**Mitigation Measures:** None Required.

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**XX. Wildfire**

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XX. Wildfire.</b> If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a) *Substantially impair an adopted emergency response plan or emergency evacuation plan?*

**Impact:** No Impact.

Under the project, permitted densities, intensities, and land uses would remain substantially the same as they are at present. There is no development proposed or that would be likely to occur as a result of the project. As such, there is no component of the project that has the potential to impair an adopted emergency response plan or emergency evacuation plan.

**Mitigation Measures:** None Required.



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- b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?*

Impact: No Impact.

See response above. There is no development proposed or that would be likely to occur as a result of the project. Permitted densities, intensities, and land uses would remain substantially the same as they are at present and consistent with existing development. As such, there is nothing about the project that has the potential to exacerbate wildfire risks or expose a much greater number of people to elevated wildfire risk than without the project. Further, any development that occurs subsequent to the project would continue to be subject to applicable fire safety regulations adopted by the State of California and City of South El Monte for the purpose of reducing wildfire risk.

**Mitigation Measures:** None Required.

- c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?*

Impact: No Impact.

The project would not generate the need for installation or maintenance of additional infrastructure, and it does not have the potential to result in improvements that would exacerbate fire risk or result in temporary or ongoing impacts to the environment.

**Mitigation Measures:** None Required.

- d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?*

Impact: No Impact.

No development is proposed or would be likely to occur as a result of the project. Permitted densities, intensities, and land uses would remain substantially the same as they are at present. Therefore, the project would not exacerbate wildfire-related hazards or expose a much greater number of people to wildfire-related hazards than would occur without the project under current growth trends.

**Mitigation Measures:** None Required.

**XXI. Mandatory Findings of Significance**

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XXI. Mandatory Findings of Significance.</b>				
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

*a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?*

Impact: No Impact.

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The project does not have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of rare or endangered plants or animals, or eliminate important examples of the major periods of California history or prehistory.

**Mitigation Measures:** None Required.

b) *Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)*

Impact: Less than Significant.

CEQA Guidelines Section 15065(a) states that a Lead Agency shall consider whether the cumulative impact of a project is significant and whether the effects of the project are cumulatively considerable. The assessment of the significance of the cumulative effects of a project must, therefore, be conducted in connection with the effects of past projects, other current projects, and probable future projects.

As described in the impact analyses in Sections I through XXI above, all potential impacts to resources are less than significant and would not require mitigation measures to reduce impacts. The Proposed Project would not contribute substantially to adverse cumulative conditions, or create any substantial indirect impacts (i.e., increase in population could lead to an increased need for housing, increase in traffic, air pollutants, etc.).

As currently designed, and by complying with applicable codes and regulations, the Proposed Project would not contribute to a cumulative impact. Thus, the cumulative impacts of pending, approved, and completed projects would be less than cumulatively considerable and therefore *less than significant*.

**Mitigation Measures:** None Required.

c) *Does the project have environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly?*

Impact: No Impact.

The project does not have the potential to result in environmental effects that could cause substantial adverse effects on human beings.

**Mitigation Measures:** None Required.

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#### 4.0 REFERENCES

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## **5.0 APPENDICES**

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**APPENDIX A – DRAFT TITLE 17 ZONING OF THE CITY OF SOUTH EL  
MONTE MUNICIPAL CODE**

## Title 17

### ZONING

#### Chapters:

- 17.01 GENERAL PROVISIONS
- 17.02 DEFINITIONS
- 17.03 PERMIT APPROVAL PROCEDURES
- 17.04 ZONING MAP
- 17.05 RESIDENTIAL ZONES – STANDARDS AND USES
- 17.06 COMMERCIAL ZONES – STANDARDS AND USES
- 17.07 MIXED-USE ZONES – STANDARDS AND USES
- 17.08 PUBLIC FACILITIES ZONES – STANDARDS AND USES
- 17.09 INDUSTRIAL ZONES – STANDARDS AND USES
- 17.10 OVERLAY ZONES – STANDARDS AND USES
- 17.11 SPECIAL USES – STANDARDS AND USES
- 17.12 ACCESSORY DWELLING UNITS
- 17.13 DENSITY BONUS
- 17.14 OBJECTIVE DESIGN STANDARDS
- 17.15 ADVERTISING SIGNS
- 17.16 OFF-STREET PARKING AND LOADING

Chapter 17.01  
GENERAL PROVISIONS

Sections

- 17.01.010 Purpose and applicability.
- 17.01.020 Repeal of Ordinance No. 182.

17.01.010 Purpose and applicability.

The purpose of these regulations is to serve the public health, safety and general welfare by establishing zone districts designed to obtain the social, health, and economic advantages resulting from the planned use of land, and by establishing those regulations of the use of land and improvements within the various districts which are deemed necessary to ensure that the growth and development of the city shall be orderly and proper for the maximum benefit of its citizens. This title shall also be known by its short title the "Zoning Ordinance." When there is any question regarding the interpretation of the provisions of the Zoning Ordinance codified in this title, or its application to any specific case or situation, the planning commission shall have the authority to interpret the intent of the provisions of this title by written resolution, approved by a majority of its membership. Thereafter, such interpretation shall be followed in applying the provisions of this title unless the commission's interpretation is changed by the city council, on appeal.

An appeal of any planning commission interpretation must comply with the appeal procedures codified within this title. A majority vote of the whole council shall be required to change an interpretation made by the planning commission.

This title and the various sections, subsections, and clauses thereof, are declared to be severable. If any section, subsection, or clause is adjudged unconstitutional or invalid, it is provided that the remainder of the title shall not be affected thereby. The city council of the city hereby declares that it would have passed this title and each section, subsection, paragraph, sentence, clause and phrase thereof, irrespective of the fact that any one or more portions thereof be declared invalid. (Ord. 963 §1, 1995; Ord. 822 §1, 1989)

17.01.020 Repeal of Ordinance No. 182.

Ordinance Number 182, and all other ordinances amending said Ordinance No. 182, are hereby repealed. Subdivisions, plot plan conditional use permits, variances, and any other action approved by the city council and/or planning commission subject to the provisions of the Ordinance No. 182 and any amendments thereto, shall remain in full force and effect in accordance with the terms and conditions specified in the motions, resolutions or ordinances permitting them, except that uses made nonconforming by this title shall be subject to the provisions of Section 17.03.170. (Ord. 822 §1, 1989)



## Title 17

### ZONING

#### Chapters:

- 17.01 GENERAL PROVISIONS
- 17.02 DEFINITIONS
- 17.03 PERMIT APPROVAL PROCEDURES
- 17.04 ZONING MAP
- 17.05 RESIDENTIAL ZONES – STANDARDS AND USES
- 17.06 COMMERCIAL ZONES – STANDARDS AND USES
- 17.07 MIXED-USE ZONES – STANDARDS AND USES
- 17.08 PUBLIC FACILITIES ZONES – STANDARDS AND USES
- 17.09 INDUSTRIAL ZONES – STANDARDS AND USES
- 17.10 OVERLAY ZONES – STANDARDS AND USES
- 17.11 SPECIAL USES – STANDARDS AND USES
- 17.12 ACCESSORY DWELLING UNITS
- 17.13 DENSITY BONUS
- 17.14 OBJECTIVE DESIGN STANDARDS
- 17.15 ADVERTISING SIGNS
- 17.16 OFF-STREET PARKING AND LOADING

Chapter 17.02  
DEFINITIONS

Sections

17.02.010 Generally.

17.02.020 Definitions.

17.05.010 Generally.

For the purpose of this title, unless it is plainly evident from the context that a different meaning is intended certain terms used herein are defined as follows:

- A. Words used in the present tense include the future, the singular number includes the plural and the plural the singular.
- B. The terms shall and will are imperative, the words can and may are permissive. (Ord. 822 §1, 1989)

17.05.020 Definitions.

Abut, Adjoining or Contiguous.

Having a common border, boundary point, or lot line.

Access.

"Access" means the place, or way, by which pedestrians and vehicles shall have safe, adequate, and usable ingress and egress to a property or use as required by zoning regulations. (Ord. 822 §1, 1989)

Accessory building.

An "accessory building" means a portion of the main building, or a detached subordinate building located on the same lot, the use of which is customarily incident to that of the main building, or to the use of the land. Notwithstanding the foregoing, the term "accessory building" does not include second units. Where a substantial part of the wall of an accessory building is a part of the wall of the main building, or where the accessory building is attached to the main building in a substantial manner by a roof, such accessory building shall be considered as a part of the main building. (Ord. 1051 §2, 2003; Ord. 822 §1, 1989)

Accessory dwelling unit.

"Accessory dwelling unit" means an attached or a detached residential dwelling unit which provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated. An accessory dwelling unit may be attached to, or located within, an attached garage, storage area, or accessory structure. An accessory dwelling unit also includes the following:

- A. An efficiency unit, as defined in Section 17958.1 of the California Health and Safety Code.
- B. A manufactured home, as defined in Section 18007 of the California Health and Safety Code.

Accessory structure.

"Accessory structure" means a structure that is accessory and incidental to a dwelling located on the same lot.

Accessory use.

An "accessory use" means a use incidental, appropriate, subordinate and devoted exclusively to the main use of the lot or building. Notwithstanding the foregoing, the use of a building as a second unit shall not constitute an "accessory use." (Ord. 1051 §3, 2003; Ord. 822 §1, 1989)

Acreage, Gross.

The total land area within the lot lines of a parcel of land before the deduction of areas for public rights-of-way, easements, public parks, public school sites and any areas to be dedicated or reserved for public use are deducted from such lot or parcel and does not include adjacent lands already dedicated for such purposes.

Acreage, Net.

The area within the lot lines of a parcel of land after all deductions are made. Deductions include public rights-of-way, public parks, public school sites, and any easement constituting impairment of the fee.

Addition.

A structure added to the original structure after completion of the original structure.

Adjacent.

Lying near or close to within one hundred (100) feet, including across a street or alley.

Adult.

"Adult" means persons eighteen years of age or older. (Ord. 822 §1, 1989)

Adult Care Facility.

Adult care facility" means any facility licensed by the State and/or County that provides nonmedical care to persons eighteen (18) years of age or older in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual on less than a twenty-four (24) hour basis.

Affordable housing.

"Affordable housing" means housing for which the occupant is paying no more than 30 percent of gross income for housing costs, including utilities. "Affordable Housing" includes the following terms:

- A. Adjusted for household size appropriate for the unit. A household of one person in the case of a studio unit, two persons in the case of a one-bedroom unit, three persons in the case of a two-bedroom unit, four persons in the case of a three-bedroom unit, and five persons in the case of a four-bedroom unit.
- B. Affordable. means dwelling units offered at affordable rent or at an affordable sales price.
- C. Affordable Housing Cost. Has the same meaning as set forth in the California Health and Safety Code Section 50052.5, or any successor statute or regulation. This term means the total housing cost paid by a qualifying household, which shall not exceed a specified fraction of their gross income, adjusted for household size appropriate for the unit as follows:
  1. Very Low Income Households. No more than thirty (30) percent of fifty (50) percent of the Los Angeles County median income.
  2. Low Income Households. Thirty (30) percent of seventy (70) percent of the Los Angeles County median income.

3. Moderate Income Households. No less than twenty-eight (28) percent and no more than thirty-five (35) percent of one hundred ten (110) percent of the Los Angeles County median income.

**Affordable rent.**

“Affordable rent” means monthly housing expenses, including a reasonable allowance for utilities, for rental target units reserved for very low, lower, or moderate-income households, not exceeding the following:

- A. Very Low Income. 30% to 50% of local area median income (AMI).
- B. Lower Income. 50% to 80% of AMI; the term may also be used to mean 0% to 80% of AMI.
- C. Moderate Income. 80% to 120% of AMI.

**Affordable sales price.**

“Affordable sales price” means a sales price at which very low, lower, or moderate-income households can qualify for the purchase of target units, calculated in accordance with California Health and Safety Code Section 50052.5 and the regulations adopted by the California Department of Housing and Community Development pursuant to that section.

**Affordable Senior Housing Development.**

a residential development developed, substantially rehabilitated, or substantially renovated for senior citizens that meet the physical and social needs of senior citizens as defined in California Civil Code Section 51.2, and in which all of the residential units are for lower income households or at least forty (40) percent of the total units of a mixed affordable senior housing development are for less than moderate income households and the property owner agrees to continue the affordability of all such lower income units for at least fifty-five (55) years.

**Alcoholic Beverage Control License.**

A license issued by the California Department of Alcohol Beverage Control for businesses selling, purchasing, importing, exporting, or conducting business with alcohol beverages which necessitates an ABC license.

**Alley.**

An “alley” means a public way, other than a street or highway, permanently reserved as a primary or secondary means of vehicle access to adjoining property. (Ord. 822 §1, 1989)

**Alteration.**

“Alteration” means any exterior change or modification, through public or private action, of any landmark or of any property located within an historic district, including, but not limited to, exterior changes to or modification of structure, architectural details or visual characteristics such as paint, color and surface texture, grading, surface paving, features, disturbance of archaeological sites or areas, and the placement or removal of any exterior objects such as signs, plaques, light fixtures, street furniture, walls, fences, steps, plantings and landscape accessories affecting the exterior visual qualities of the property.

**Alternative transportation.**

“Alternative transportation” means the use of modes of transportation other than single-passenger motor vehicle, including, but not limited to, carpools, vanpools, buspools, public transit, walking and bicycling.

Amateur radio station antenna.

"Amateur radio station antenna" means 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 FCC.

Amendment.

"Amendment" means a change in the wording, content or substance of this title or an addition or deletion or a change in the zone boundaries or classifications upon the zoning map, when adopted by ordinance passed by the city council in the manner prescribed by law. (Ord. 822 §1, 1989)

Ancillary.

"Ancillary" means the same as "accessory use." (Ord. 822 §1, 1989)

Animal Shelter.

A facility operated for the purposes of impounding, harboring, selling, placing and retrieving seized, strayed, distressed, homeless, abandoned or unwanted animals. May include incidental activities including vaccination, training classes, spay/neuter services, and boarding services.

Antenna or antenna array, or wireless telecommunications antenna array.

"Antenna," "antenna array," or "wireless telecommunications antenna array" means one or more rods, poles, panels, discs, or similar devices used for the transmission or reception of radio frequency signals, which may include the omni-directional antennas (whip), directional antennas (panel), and parabolic antennas (disc), but excluding any support structure as defined below.

Antenna Support.

Any pole, telescoping mast, tower, tripod or any other structure that supports a wireless communication facility.

Anti-drain valve/check valve.

"Anti-drain valve/check valve" means a valve located under a sprinkler head to hold water in the system so it minimizes drainage from the lower elevation sprinkler heads.

Animal Hospital.

A place where animals or pets are given medical or surgical treatment and are cared for during the time of such treatment. The use of the premises as a kennel or a place where animals or pets are boarded for remuneration is not permitted.

Animal Sales and Services.

Include the following terms:

- A. "Animal boarding" means the provision of shelter and care for animals or pets on a commercial basis including activities (e.g., feeding, exercising, grooming, and incidental medical care).
- B. "Animal grooming" means the provision of bathing and trimming services for animals or pets on a commercial basis. These uses include boarding of domestic animals for a maximum period of forty-eight (48) hours.

- C. "Animals, retail sales" means the retail sales and boarding of animals or pets within an entirely enclosed building. These uses include grooming, if incidental to the retail use, and boarding of animals not offered for sale for a maximum of forty-eight (48) hours.

Apartment hotel.

An "apartment hotel" means a building, or portion thereof, designed for or containing both individual guest rooms or suites of rooms and dwelling units. (Ord. 822 §1, 1989)

Apartment house.

An "apartment house" means the same as "dwelling, multiple." (Ord. 822 §1, 1989)

Appeal.

A request by an interested party for a de novo review of a decision.

Applicant.

A person who has applied for a building permit, business license, variance, conditional use permit, code amendment, certificate of zoning compliance, site plan review, or other permit or license issued by the City.

Architectural board of review.

"Architectural board of review" means the planning commission, which is authorized to act as the designated architectural board of review.

Architectural Feature.

Any portion of the outer surface of a structure, including the kind, color and texture of the building material, the type and style of all windows, doors, lights, signs, walls, fences, awnings, canopies, screens, sculptures, decoration, roof shape and materials, and other fixtures appurtenant to a structure.

Architectural Projection.

A building feature that is mounted on, and/or extends from the surface of the building wall or façade, typically above ground level. Examples of architectural projections include balconies, bay windows, lighting fixtures, a marquee, porch, canopy or similar projection of a building.

Area, Bar.

An area accessible to the public used for preparing and serving alcoholic beverages, which may also be used for preparing and serving nonalcoholic beverages. Bar area shall include any seating area where tables and chairs are devoted to serving or consuming these beverages.

Area, Dining.

The seating area including aisles within a restaurant, fast-food, or formula fast-food restaurant where food and beverages are served. This includes any outdoor area not located on the sidewalk.

Area, Seating.

An area that is part of a restaurant that includes tables and chairs that are movable or where seats are bolted or otherwise fixed and immovable or an area of a religious facility that does not have permanent seats that are used for religious worship.

**Attendant/Valet Parking.**

The receiving, parking, and delivering of motor vehicles upon any premises solely by an employee of the owner or occupant of the premises as a service to those desiring to park on such premises.

**Attic.**

An unfinished space between the top floor of a structure and the roof. The attic shall only be used for storage or to contain mechanical equipment.

**Authorized agent.**

"Authorized agent" means anyone who has actual or ostensible authority to speak for or make presentations on behalf of the owner of any property. An authorized agent shall be responsible for any information or data which he or she presents to the city. (Ord. 822 §1, 1989)

**Automated Teller Machine.**

A pedestrian-oriented machine used by patrons for conducting transactions including deposits, fund transfers, and withdrawals without contact with financial institution personnel. The machines may be located at or within a bank, or in other locations.

**Automatic controller.**

"Automatic controller" means a mechanical or solid state timer, capable of operating valve stations to set the days and length of time of a water application.

**Automobile and trailer sales lot.**

"Automobile and trailer sales lot" means an open area used for the display, sales, or rental of new or used automobiles and trailer coaches, but where no repair, repainting or remodeling is done. (Ord. 822 §1, 1989)

**Automobile dismantling yard.**

"Automobile dismantling yard" means any lot or any portion of a lot used for the dismantling or wrecking of automobiles or other motor vehicles or trailers, or for the storage, sale, keeping for sale, or dumping of dismantled, partly dismantled, obsolete or wrecked motor vehicles or their parts, as a business, hobby or otherwise, other than the sale of used car parts within an enclosed building where no dumping is permitted. The presence on any lot or parcel of land of four or more motor vehicles which, for a period exceeding thirty days, have not been capable of being operated under their own power, and from which parts have been or are to be removed for reuse or sale, shall constitute prima facie evidence that such lot or portion thereof is an automobile dismantling yard. (Ord. 822 §1, 1989)

**Automobile impound yard.**

"Automobile impound yard" means any lot or parcel of land used for the storage of any motor vehicle which has been impounded under court order or any state law. An automobile impounding yard shall not include the dismantling, reuse or sale of motor vehicles or their parts. (Ord. 822 §1, 1989)

**Automobile parking space.**

"Automobile parking space" means a space within a building, designated area other than a street or an alley, or a lot reserved for the parking or temporary storage of an automobile and includes adequate provision for ingress and egress by an automobile of standard size. (Ord. 822 §1, 1989)

Automobile Repair.

The general repair of automobiles, including mechanical repairs, oil changes, tune-ups, upholstery and installation of tires, batteries and accessories, including the repair of trucks less than one ton capacity. Includes body work and painting so long as activities are conducted entirely within an enclosed building.

Automobile repair garage.

"Automobile repair garage" means a building, other than a private garage, used for the care, repair or equipment of automobiles or where such vehicles are parked or stored for remuneration, hire or sale. (Ord. 822 §1, 1989)

Automobile Salvage/Wrecking.

The dismantling or wrecking of one or more used motor vehicles or trailers, or storage, sale or dumping of one or more dismantled or partially dismantled, obsolete or wrecked vehicles or their parts.

Automobile service station.

"Automobile service station" means any building or premises used primarily for the retail sale of gasoline and lubricants. (Ord. 985 §1, 1997; Ord. 822 §1, 1989)

Automobile storage of nonoperating vehicles.

"Automobile storage of nonoperating vehicles" means the presence on any lot or parcel of land of one or more motor vehicles which for a period exceeding thirty days have not been capable of operating under their own power, and from which no parts have been or are to be removed for reuse or sale, shall constitute prima facie evidence of the storage of nonoperating motor vehicles. The storage of nonoperating motor vehicles shall not include automobile wrecking. (Ord. 822 §1, 1989)

Automobile trailer.

"Automobile trailer" means a vehicle with or without motive power, designed and constructed to travel on public thoroughfares or designed to be used for human habitation or for carrying persons or property or both including but not limited to trailer coaches, mobile homes, campers, and similar vehicles. (Ord. 822 §1, 1989)

Awning.

A permanent or temporary structure attached to and wholly supported by a building and installed over or in front of openings or windows, and consisting of a fixed or movable frame, and covered in canvas or other similar material.

Backflow prevention device.

"Backflow prevention device" means a safety device used to prevent pollution or contamination of the water supply due to the reverse flow of water from the irrigation system.

Balcony.

An unenclosed area either recessed or projected from the walls of a building. Balconies are thirty (30) inches or more above grade, are attached to and supported primarily by the exterior wall of the building, are accessible from the building's interior, and are unclosed on one (1) or more sides except for a railing or parapet that is not greater than 60 inches high. A balcony is not an accessory structure.



Bank.

A financial institution including savings and loan or credit union that provides retail banking services to individuals and businesses.

Banners, advertising.

"Advertising banners" means advertising devices made from thin cloth, plastic, paper, or other similar material which carry printed advertising copy used out of doors by commercial and industrial businesses, schools, and churches to advertise special events and limited-time offers only. (Ord. 1039 §1, 2002)

Banner, flag, or pennant.

"Banner, flag or pennant" means any cloth bunting, paper, plastic, or similar material used for advertising purposes which is attached to, or appended on or from any structure, staff, pole, line, framing, or vehicle. Flags referred to herein, when the flag is of a nation or of the state of California, or other state, and is displayed as such in an appropriate manner, shall be excepted from these regulations.

Bar, beer.

"Beer bar" means any establishment which is regularly used and kept open for, and is in the business of serving, for monetary compensation, various alcoholic beverages, other than distilled spirits, to patrons comprised of the general public, and no food other than snack food such as peanuts, popcorn and pretzels are served. Live entertainment is not provided nor allowed. (Ord. 1009 §1, 1999)

Bar, Tavern, or Cocktail Lounge, full service.

Means any establishment which is regularly used and kept open for, and in the business of serving, for monetary compensation, alcoholic beverages, including distilled spirits, to patrons comprised of the general public, and no food other than snack food such as peanuts, popcorn and pretzels are served. Live entertainment is not provided nor allowed. (Ord. 1009 §2, 1999)

Basement.

A "basement" means one or more stories wholly or partly underground. A basement shall be counted as a story for the purpose of height measurement if:

- A. Over five feet of its height is above the average level of the adjoining ground; or
- B. Uses conducted therein are chargeable for parking. (Ord. 822 §1, 1989)

Bedroom.

A "bedroom" means any separate room normally used for sleeping purposes, whether designated as a bedroom or den, study, library, bonus room, media room, or other similar term, specifically excluding, without limitations, dining room, living room, kitchen, hall, closet, powder room, pantry, kitchen nook, garage, and bathroom.

Beverage lounge.

"Beverage lounge" means any establishment including, but not limited to, coffee houses, tea houses, juice bars and any similar establishment which, as its principal business, sells, offers for sale, or provides to patrons, nonalcoholic beverages for consumption on, or within the premises with or without live

entertainment, and is not a donut shop, ice cream parlor, bakery, delicatessen, or full-service or fast-food restaurant or similar establishment. (Ord. 918 §1, 1992)

Billboard.

“Billboard” means the same as “off-site sign.” (Ord. 822 §1, 1989)

Billiard Parlor.

“Billiard parlor” means any place of business where any of several games are played on a table by driving small balls against one another or into pockets with a cue. Such place of business may include, as an accessory use, any mechanical amusement device not otherwise prohibited by this code.

Block.

“Block” means all property fronting upon one side of the street between intersecting and/or intercepting streets, or between a street and a right-of-way, waterway, dead-end of a street, or city boundary. An intercepting street shall determine only the boundary of the block on the side of the street which it intercepts. (Ord. 822 §1, 1989)

Boarding home.

A “boarding home” means the same as a “foster home.” (Ord. 822 §1, 1989)

Boarding or rooming house.

A “boarding” or “rooming house” means a building containing a single dwelling unit and not more than ten guest rooms where lodging is provided with or without meals, for compensation. A boarding or rooming house shall not include rest homes, nursing homes, boarding homes, or homes for the aged. (Ord. 822 §1, 1989)

Body Art.

Body piercing, tattooing, branding, or application of permanent cosmetics as each of these terms are defined in California Business and Professions Code Section 119301, and as that section may be amended from time to time.

Building.

“Building” means a permanently located structure having a roof supported by walls or columns; provided, however, that no form of tent or vehicle shall be considered a building. Where this title requires that a use shall be entirely enclosed within a building, it must meet the qualifications of the definition of Chapter 17.02. (Ord. 822 §1, 1989)

Building Code.

“Building Code” means the Building Code of the city. (Ord. 822 §1, 1989)

Building, completely enclosed.

“Completely enclosed building” means a building enclosed by a permanent roof and on all sides by solid exterior walls pierced only by windows and customary entrance and exit doors. (Ord. 822 §1, 1989)

Building frontage.

“Building frontage” means the primary wall of a building or buildings facing a private or public street (not including freeways). Buildings facing more than one street have multiple frontages. In cases where there is

no frontage on a public or private street, building frontage for signing purposes shall be the building face containing the principal entrance to the structure.

Building height.

“Building height” means the vertical distance measured from the adjoining curb level to the highest point of the building, exclusive of chimneys and ventilators and other exceptions to the building height permitted by these regulations; provided, however, that where buildings are set back from the street line, the height shall be measured from the average elevation of the finished grade at the front of the building. (Ord. 822 §1, 1989)

Building, Main.

“Main building” means a building in which is conducted the principal use permitted upon the lot upon which it is situated.

Building Site.

A land area consisting of one (1) or more parcels of land under common ownership or control, including all yards, parking spaces, and other open spaces required by this chapter.

Buspool.

“Buspool” means a vehicle carrying sixteen or more passengers commuting on a regular basis to and from work with a fixed route and according to a fixed schedule.

California Environmental Quality Act.

“California Environmental Quality Act” hereafter referred to as CEQA, Public Resources Code Section 21000 et seq., is a statute that requires all jurisdiction in the state of California to evaluate the extent of environmental degradation posed by proposed development.

Caretaker’s Residence.

A dwelling unit located on the premises of an enterprise where the principal use is other than residential, and which is occupied by a person who is the owner, proprietor, manager, watch guard, or is otherwise at times in charge of such enterprise.

Carpool.

“Carpool” means a vehicle carrying two to six passengers commuting together to and from work on a regular basis.

Carport.

A “carport” means a permanently roofed structure with not more than three enclosed sides, used for automobile shelter and storage. (Ord. 822 §1, 1989)

Car Wash.

“Car wash” means a building and related facilities for the primary purpose of washing automobiles.

Catering Service.

"Catering service" means a business in which the primary function is to prepare food for distribution off the premises. It shall not include a business in which the primary function is the sale of individual meals or portions thereof on the premises.

Catering trailer.

A "catering trailer" means a vehicle equipped to prepare food to be sold directly from such vehicles transported by a motorized vehicle.

Catering truck.

A "catering truck" means a motorized vehicle equipped to transport and prepare food to be sold directly from such vehicles.

Catering vehicle.

A "catering vehicle" means a catering truck or catering trailer as defined herein.

Cellar.

"Cellar" means that portion of a building between floor and ceiling which is wholly or partly below grade and so located that the vertical distance from grade to the floor below is equal to or greater than the vertical distance from grade to ceiling. For the purposes of this code, a cellar shall not be counted as a story, unless it is used as habitable space.

Charitable Institution.

"Charitable institution" means a nonprofit or philanthropic organization that provides a service beneficial to the general public or to a significant portion of the public for no fee or at a fee recognized as being less than that charged by profit-making organizations.

Check Cashing.

Check cashing is a commercial land use that generally includes some or all of a variety of financial services including cashing of checks, warrants, drafts, money orders, or other commercial paper serving the same purpose; deferred deposit of personal checks whereby the check casher refrains from depositing a personal check written by a customer until a specific date; money transfers; payday advances or payday loans; issuance of money orders; and similar uses. Check cashing does not include a state or Federally chartered bank, savings association, credit union, or industrial loan company. Check cashing also does not include a retail seller engaged primarily in the business of selling consumer goods, including consumables, to retail buyers that cashes checks or issues money orders for a fee as a service to its customers that is incidental to its main purpose or business.

City.

"City" means the city of South El Monte as the same now exists or may hereafter exist. (Ord. 822 §1, 1989)

City council.

"City council" means the city council of the city of South El Monte. (Ord. 822 §1, 1989)

Clinic, dental or medical.

"Dental or medical clinic" means a building or group of buildings which a group of physicians, and/or dentists and professional assistants allied therewith are associated for the purpose of carrying on their

profession and providing group medical services. The clinic may include a dental or medical laboratory but shall not include in-patient care or operating rooms for major surgery. (Ord. 822 §1, 1989)

**Clinical Service.**

An establishment which provides physical and mental health services on an individual, out-patient basis. The services may be of preventative, diagnostic, treatment, therapeutic, rehabilitative or counseling nature, but do not include group counseling services. Typical uses would include, but not be limited to, medical and health clinics, chiropractic/physical therapy clinics, individual counseling services and emergency/urgent care centers.

**Club.**

A nonprofit association of persons, whether incorporated or unincorporated, for some common purpose, but not including groups organized primarily to render a service customarily carried out as a business.

**Club house.**

"Club house" means the building or group of buildings of an association of persons (whether incorporated) for the promotion of some nonprofit common interest and holding meetings or functions periodically which are limited to members and guests. It does not include groups organized primarily to render a service which is customarily carried on as a business. (Ord. 822 §1, 1989)

**Co-location.**

"Co-location" means the use of a common wireless telecommunications antenna facility, or a common site, by two or more providers of wireless telecommunications services, or by one provider of wireless telecommunications services for more than one type of telecommunications technology.

**Collection Facility.**

"Collection facility" means a center for the acceptance by donation, redemption or purchase of recyclable materials from the public. A collection facility may include reverse vending machines, mobile collection facilities, kiosk type units, unattended containers and other small collection facilities which occupy an area of not more than five hundred (500) square feet. Materials may be accepted for compensation or as donations and are intended for transfer to a larger facility for processing. A collection facility is intended for day-to-day collection of materials and does not include power-driven processing equipment. A group of seven or less reverse vending machines shall be considered a small collection facility.

**Commercial Recreation.**

Any use or development, either public or private, providing amusement, pleasure or sport, diversion, exercises, or other resource affording relaxation and enjoyment. Typical uses may include, but are not limited to: theaters, sports stadiums and arenas, amusement parks, bowling alleys, billiard parlors, bingo parlors, golf courses, miniature golf, ice/roller skating rinks, model courses, shooting galleries, tennis and racquetball courts, amusement centers or arcades, dance studios, health and fitness clubs, batting cages, boxing gyms, and facilities equipped and use for sports training and conditioning. Excludes adult entertainment facilities, martial arts facilities, and massage therapy establishments.

**Concession.**

"Concession" means the same as "Incentive."

Conditional use.

"Conditional use" means a land use which is not permitted by right, but which may be appropriate in a given zoning district subject to conditions of approval. Generally, conditional uses are those that have the potential for particularly sensitive, objectionable operating characteristics, or appearance, which may be out of character in a particular zone; of which may make those uses suitable or unsuitable for a particular site or location. The use may occur only upon approval of a conditional use permit pursuant to the procedures established in Chapter 17.03.

Contractor's equipment yard.

"Contractor's equipment yard" means any facility, building or premises used for the conduct of a business involved primarily with the rendition of contractor's services and the use or storage of trucks, trailers, semi-trailers, cranes, hoists, storage tanks, large timbers or beams, or similar equipment or the storage of construction or maintenance materials or supplies, but excluding any such equipment or materials when used as an incidental to a primary use lawfully conducted on the premises and stored thereon in accordance with all applicable provisions of this title. (Ord. 822 §1, 1989)

Convalescent home.

"Convalescent home" means the same as "rest home." (Ord. 822 §1, 1989)

Coordinated entry system.

"Coordinated entry system" means a centralized or coordinated assessment system developed pursuant to 576.400(d) or Section 578.7(a)(8), designed to coordinate program participant intake, assessment, and referrals designated to coordinated program participant intake, assessment, and referrals.

County.

"County" means the county of Los Angeles. (Ord. 822 §1, 1989)

Curb Level.

The top level of the established street curb in front of the building measured at the center of such building frontage. Where no curb has been established, the City Engineer shall establish such curb level, or its equivalent, for the purposes of this chapter.

Cultural institution.

"Cultural institution" means institutions displaying or preserving objects of interest in one (1) or more of the arts or sciences. This classification generally includes libraries, museums and art galleries where displayed objects are not intended for sale. Eating and drinking establishments can be incidental to the operation of public recreational facilities or cultural institutions; no drive-through facilities allowed; sale of alcoholic beverages requires a CUP.

Dancing, public.

"Public dancing" means any occurrence of dancing or dance movements by persons other than professional or amateur performers when such dancing occurs in any bar, tavern, restaurant, or nightclub. Any occurrence of dancing or dance movements by professional or amateur performers for the entertainment of the patrons of any bar, tavern, restaurant, or nightclub as defined in this chapter shall be deemed "entertainment, live" as defined by Chapter 17.02 of these regulations. These regulations shall not

apply to any duly licensed public or private school providing dance instruction to students. (Ord. 1009 §7, 1999)

Day care facility.

“Day care facility” means a location where children less than eighteen years of age are given care, protection, and supervision in the care giver’s home for periods of less than twenty-four hours per day, while the parents or guardians are away. (Ord. 822 §1, 1989)

Day spa.

A commercial establishment, other than an adult business or adult use, which specializes in the full complement of beauty, health, or therapeutic treatments, including, but not limited to, body wraps, facials, pedicures, make-up, hairstyling, nutrition, exercise, water treatments and massage therapy which is open primarily during normal daytime business hours and without provisions for overnight accommodations.

Decorative Masonry Wall.

A masonry wall incorporating architectural relief from a flat surface.

Density.

Residential dwelling units per net acre.

Density bonus.

“Density bonus” means an increase in the number of dwelling units over the otherwise maximum allowable residential density as established in the Land Use Element of the City of South El Monte General Plan in accordance with State law and this chapter.

Density bonus housing agreement.

“Density bonus housing agreement” means a legally binding agreement between a developer of a housing development and the city, which ensures that the requirements in Chapter 17.02 and Chapter 17.13 and the State Density Bonus Law are satisfied. The agreement shall establish, among other things, the number of target units, their size, location, terms and conditions of affordability, and production schedule.

Density bonus units.

“Density bonus units” means those residential units granted pursuant to the provisions of Chapter 17.02 and Chapter 17.13 that exceed the maximum residential density for the development site.

Density, gross.

“Gross density” means the number of dwelling units per gross acre of land.

Density, net.

“Net density” means the number of dwelling units per net acre of land.

Designated site.

“Designated site” means a parcel or part thereof on which a landmark is situated, and any abutting parcel or part thereof constituting part of the premises on which the landmark is situated, and which has been designated a historic site.

Developer.

"Developer" means the person(s), partnership(s), corporation(s) or agency(ies) responsible for the planning design and construction of an applicable development project.

Development.

"Development" means any manmade change to improve unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation, or drilling operations.

Development Agreement.

"Development agreement" means an agreement entered into between the City and a developer pursuant to California Government Code Section 65864.

Discretionary Approval.

"Discretionary approval" means a decision in which the approving entity or person can use their judgment in deciding whether and how to carry out or approve a project.

Dormitory.

A "dormitory" means a building containing rooms designed, intended, or occupied as sleeping quarters for two or more persons. (Ord. 822 §1, 1989)

Driveway.

A driveway shall mean:

- A. On private property, the required paved access way from the street property line to any garage, carport, parking or loading space, or an approved auxiliary parking area; and
- B. In the public right-of-way, the driveway approach is a required paved access way from the curb line to the street property line.

Drought Tolerant Plant Material.

"Drought tolerant plant material" means those plants that tolerate heavy clay to sandy soils with use of limited supplemental water. Said plants are able to thrive with deep, infrequent watering once their root systems are established (three to twelve [12] month average time period). Plants include those that naturally grow in areas of limited natural water supply (native and non-native plant species) and are adaptable to weather and soil conditions prevalent in the City.

Duplex.

A "duplex" means the same as "dwelling, two-family." (Ord. 822 §1, 1989)

Dwelling.

A "dwelling" means a building or portion thereof, designed exclusively for residential occupancy, including one-family, two-family, and multiple dwellings, but not including hotels, boarding or rooming-houses, or dormitories. (Ord. 822 §1, 1989)

Dwelling, Residential condominium.

"Residential condominium" means an estate in real property consisting of an undivided interest in common in a portion of real property together with a separate interest in a space in a residential complex located on such real property. A residential condominium may include, in addition, a separate interest in other portions of such real property. Such estate may, with respect to the duration of its enjoyment, be either: (1)



an estate of inheritance or perpetual estate; (2) an estate for life; or (3) an estate for years, such as a leasehold or subleasehold. A residential condominium is a unique land use which has many similarities to the ownership of a single-family dwelling, except that it is usually marked by higher densities, contiguity of living units, and the aforementioned common interest in the parcel of real property on which it is situated.

Dwelling, Residential condominium common area.

“Residential condominium common area” or “common area” means the entire project excepting all units granted or reserved.

Dwelling, Residential condominium documents or condominium documents.

“Residential condominium documents” or “condominium documents” means the declaration of covenants, conditions, and restrictions (the “declaration”), the description of project elements, the condominium plan establishing a plan for residential condominium ownership and the articles of incorporation and bylaws of the association of the owners.

Dwelling, Residential condominium owner.

“Residential condominium owner” means the owner of a residential condominium.

Dwelling, Residential condominium project.

“Residential condominium project” means the entire parcel of real property divided into condominiums including all structures located on or to be located on such real property.

Dwelling, Residential condominium unit.

“Residential condominium unit” means the elements of a residential condominium which are not owned in common with the owners of other condominiums in the project. (Ord. 822 §1, 1989)

Dwelling, multiple.

A “multiple dwelling” means a detached building designed and used for occupancy by three or more families, each living independently of the others and each having separate kitchen facilities. (Ord. 822 §1, 1989)

Dwelling, single-family.

A “single-family dwelling” means a detached building designed or used exclusively for occupancy by one family and having a kitchen facility for only one family and may include housing types described in California Government Code Section 65852. (Ord. 822 §1, 1989)

Dwelling, two-family.

A “two-family dwelling” means a building designed or used exclusively for the occupancy by two households, living independently of each other and having separate kitchen facilities for each family and containing two (2) attached dwelling units, excludes accessory dwelling units. The term “two-family dwelling” shall include the term “duplex.” (Ord. 822 §1, 1929)

Dwelling, Multiple-Family.

A building that contains three (3) or more dwelling units that share common walls or floor/ceilings. The land under the buildings or units is not divided into separate lots. The units may have separate or joint entrance, and typically have common parking and open space areas.

Dwelling, Townhouse.

An arrangement of single-family dwellings, joined by common walls on not more than two (2) sides, with the uppermost story being a portion of the same dwelling located directly beneath at the grade of the first floor level, and having exclusive individual ownership and occupant rights of each dwelling unit, including, but not limited to, the land area directly beneath such dwelling.

Dwelling, Triplex.

"Triplex Dwelling" means the whole of a dwelling that is divided horizontally and/or vertically into three (3) separate dwelling units each of which has an independent entrance either directly from the outside or through a common entrance.

Dwelling unit.

"Dwelling unit" means a permanent non-commercial structure or portion thereof, including manufactured structures, designed, or used as a residence providing complete, independent living facilities for one household containing one or more rooms with living, sleeping, eating, kitchen and sanitation facilities.

Easement.

"Easement" means a grant of one or more of the property rights by the property owner to and/or for the use by the public, a corporation, or another person or entity.

Eave.

"Eave" means the projecting lower edge of a roof overhanging the wall of a building.

Ecological restoration project.

"Ecological restoration project" means a project where the site is intentionally altered to establish a defined, indigenous, historic ecosystem.

Efficiency unit.

"Efficiency unit" means a separate living space with a minimum floor area of one hundred fifty square feet which contains partial kitchen or bathroom facilities. (Ord. 1051 §4, 2003)

Electric vehicle charging station or charging station.

"Electric vehicle charging station or charging station" Means any level of electric vehicle supply equipment station that is designed and built in compliance with article 625 of the California Electrical Code and delivers electricity from a source outside an electric vehicle into a plug-in vehicle.

Electronic submittal.

"Electronic submittal" means the utilization of one or more of either electronic mail, the internet, or facsimile.

Elevation.

"Elevation" means a flat scale drawing of the front, rear or side of a building or structure.

Emergency Shelter.

Means housing with minimal supportive services that is designed for and occupied by homeless persons for no more than six-months in a consecutive twelve-month period. Emergency Housing shall have the same meaning as defined and used in Section 50801(e) of the California Health and Safety Code.

**Emitter.**

“Emitter” means drip irrigation fittings that deliver water slowly from the system to the soil.

**Employee parking area.**

“Employee parking area” means the portion of total required parking for a development for the use by on-site employees.

**Enclosed.**

“Enclosed” means a covered space fully surrounded by walls, including windows, doors, and similar openings or architectural features.

**Entertainment.**

“Entertainment” means activities which are open to the members of the public with or without charge and any of the following:

- A. Any act, play, review, pantomime, scene, dance, dance act, or song and dance act performed or participated in by one or more persons, whether or not such person or persons are compensated for such performance; excepting from this subsection instrumental music, with or without vocal accompaniment, as an accessory use to a use otherwise permitted in the respective zone;
- B. Any theatrical performance, whether live, on film, on television, in pantomime or in silhouette in a theater, concert hall or similar establishment which is primarily devoted to theatrical performances;
- C. Karaoke uses which shall mean a use whereby an amateur or amateurs perform and/or participate in a song act without compensation when accompanied by audio and/or visual devices. Karaoke uses shall be permitted only when conducted as an accessory use to a bona fide restaurant/bar.

**Entertainment, live.**

For purposes of Chapter 17.06 and Chapter 17.07, “live entertainment” means any performance by any person or animal that takes place within or upon the premises of any business for the purpose of entertaining the patrons of said business. (Ord. 918 §4, 1992)

**Environmental.**

“Environmental” includes the following:

- A. “California Environmental Quality Act (CEQA)” means the State law contained in the California Public Resources Code, Section 2100 et seq.
- B. “Environmental Impact Report (EIR)” means a detailed statement prepared under CEQA describing and analyzing the significant environmental effects of a project and discussing ways to mitigate or avoid the effects. The contents of an EIR are discussed in CEQA Guidelines Article 9, commencing with Section 15120. The term “EIR” may mean either a draft or a final EIR depending on the context.
- C. “Exemption” means an action that is not subject to CEQA. This exempt status may be documented with a Notice of Exemption (NOE).
- D. “Initial Study (IS)” means a preliminary analysis of the environmental effects of a proposed action used to determine whether an EIR, Subsequent EIR, Supplemental EIR, Addendum to an EIR, or a Negative Declaration (ND) must be prepared and used to identify the significant environmental

effects to be analyzed. The Initial Study may also be used to streamline environmental review by determining that a previous EIR adequately analyzes the current proposed project or whether the project is part of a larger project, and a master, tiered, program, or focused EIR would be appropriate.

- E. "Mitigation" includes the following:
1. Avoiding the impact altogether by not taking a certain action or parts of an action.
  2. Minimizing impacts by limiting the degree or magnitude of the action and its implementation.
  3. Rectifying the impact by repairing, rehabilitating, or restoring the impacted environment.
  4. Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action.
  5. Compensating for the impact by replacing or providing substitute resources or environments.
- F. "Negative Declaration (ND)" means a written statement briefly describing the reasons why a proposed project will not have a significant effect on the environment and why it does not require the preparation of an EIR. The accompanying Initial Study shall support the reasons.
- G. "Project" under CEQA means a project is the whole of an action that has the potential to result in either a direct physical change or a reasonably foreseeable indirect physical change in the environment.

Established landscape.

"Established landscape" means the point at which plants in the landscape have developed roots into the soil adjacent to the root ball.

Establishment period.

"Establishment period" means the first year after installing the plant in the landscape.

Expansion.

"Expansion" means, as applied to development, increasing the scope, volume, or size of an existing or proposed use, structure, parking, signage, etc.

Exterior architectural feature.

"Exterior architectural feature" means the architectural elements embodying style, design, general arrangement, and components of all of the outer surface of a landmark, including, but not limited to, the kind, color and texture of the building materials and the type and style of all windows, doors, lights, signs, and other fixtures appurtenant to such landmark.

Façade.

"Façade" means the exterior wall of a building exposed to public view or that wall viewed by persons not within a building. The major width of any exterior elevation of a building, extending from the grade to the top of the parapet wall or eaves, that is parallel to a street property line.

Façade Mounted Antenna.

"Façade mounted antenna" means a wireless telecommunications facility mounted on to the façade of a building or structure.

Family.

“Family” means reasonable number of persons living together as a single housekeeping unit in a dwelling unit. Reasonable can be one or more persons, whether or not related by blood, marriage or adoption, sharing a dwelling unit in a living arrangement usually characterized by sharing living expenses, such as rent or mortgage payments, food costs and utilities, as well as maintaining a single lease or rental agreement for all members of the household and other similar characteristics indicative of a single household.

Family care or community care facility, general.

Any family home, group care facility or similar facility providing 24-hour non-medical services, supervision, or assistance essential for sustaining the activities of daily living for seven adults, children, or adults and children or more. Residential care facility includes shelters, board and care facilities, halfway houses, wards of the juvenile court and the like and excludes “Sober living facilities”

Family care or community care facility, limited.

A “limited family care or community care facility” means a facility which provides resident services in a private residence to six or fewer individuals who are not related to the resident household. These individuals are handicapped, aged, disabled, or in need of adult supervision in accordance with their individual needs. This category includes foster or boarding homes for children, group homes, and family homes. “Family or community care facilities” shall be subject to the following conditions:

- A. Such facilities shall be permitted only in dwelling units licensed by the state, county, or other jurisdiction so authorized;
- B. That there be no undue concentration of such facilities in any block or neighborhood when such concentration would become materially detrimental to the public health or safety or to the aims and goals of the program.
- C. That the use be so operated as not to constitute a public nuisance. (Ord. 822 §1, 1989)

Family Day Care Home

A home that regularly provides care, protection, and supervision for fourteen (14) or fewer children, in the provider’s own dwelling, for periods of less than twenty-four (24) hours per day, while the parents or guardians are away and is either a large family day care home or a small family day care home.

- A. Large family day care home means a home that provides family day care for nine (9) to fourteen (14) children, inclusive, including children under the age of ten (10) years who reside at the home.
- B. Small family day care home means a home that provides family day care for eight (8) or fewer children, inclusive, including children under the age of ten (10) years who reside at the home.

FCC.

“FCC” means the Federal Communications Commission.

Feasible method to satisfactorily mitigate or avoid the specific adverse impact.

“Feasible method to satisfactorily mitigate or avoid the specific adverse impact” Includes, but is not limited to, any cost-effective method, condition or mitigation imposed by the City on another similarly situated application in a prior successful application for a similar permit.

Flags, advertising.

"Advertising flags" means advertising devices made from thin cloth, plastic, paper, or other similar material that do not carry printed advertising copy, but are used to attract the attention of potential customers to the specific location where the flags are displayed. The use of advertising flags shall be limited to businesses engaged in the outdoor sale of motor vehicles and watercraft. (Ord. 1039 §2, 2002)

Flood.

"Flood" means a temporary rise in a stream's flow or stage that results in water overflowing its banks and inundating areas adjacent to the channel, or an unusual and rapid accumulation of runoff or surface waters from any source.

Floodproofing.

"Floodproofing" means any combination of structural and nonstructural additions, changes, or adjustments to structures including utility and sanitary facilities which would preclude the entry of water. Structural components shall have the capability of resisting hydrostatic and hydrodynamic loads and shall have the effect of buoyancy.

Floor Area Ratio (FAR).

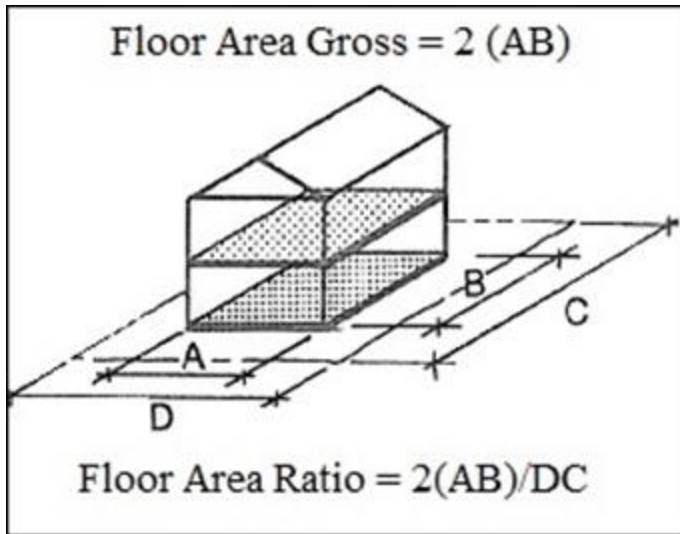
The gross floor area (all floors) of a building(s) on a lot divided by the lot area. Building elements included into the calculation include, but are not limited to, the main structure, the main dwelling, accessory structures, atriums, foyers, mezzanines and lofts, enclosed patios, and enclosed porches. Building elements such as garages, carports, open patios and open porches are not included into the calculation. A basement (where more than fifty percent (50%) of the volume of the room is below grade) is exempt from the requirements limiting the floor area ratio.

Floor Area, Gross.

The horizontal space of habitable and non-habitual areas of all floors of all enclosed structures on the property measured from exterior wall to exterior wall including, but not limited to, the main structure, main dwelling structure, accessory buildings, accessory dwelling units, atriums, garages, foyers, enclosed patios, sheds, habitable attic space, basements, closets, utility rooms, mechanical rooms, elevator shafts, stairwells, and janitor rooms.

Floor Area, Net.

"Net floor area" means the gross floor area of a building or structure, minus elevator shafts, stairwells, floor area intended and designed for the parking of motor vehicles, interior balconies, and electrical and mechanical equipment rooms. "Net floor area" shall also exclude open interior pedestrian walkways, lobbies, plazas and interior balconies, such as those found in enclosed shopping malls, office and hotel lobbies and atrium buildings, which exceed minimum code requirements for hallways and passageways.



Foster home (seven or more children).

A "foster home (seven or more children)" means a group care facility licensed by the county welfare agency or by the state of California to provide care and supervision of children in a group setting. (Ord. 822 §1, 1989)

Foster home (six or fewer children).

A "foster home (six or fewer children)" means a family size facility licensed by the county welfare agency to provide care and supervision of children in a family setting. (Ord. 822 §1, 1989)

Frontage.

"Frontage" means the distance measured along a front line adjoining a street or a side lot line on the street side of a corner lot. (Ord. 822 §1, 1989)

Garage, private.

"Private garage" means an accessory building or an accessory portion of a main building not including carports, designed, or used only for the shelter or storage of operating motor vehicles owned or operated by the occupants of the main building. (Ord. 822 §1, 1989)

Garage, public.

"Public garage" means any garage other than a private garage used only for the shelter or storage of operating motor vehicles, and/or for the care, repair, equipping, hire or sale of such vehicles. (Ord. 822 §1, 1989)

Garage sale.

"Garage sale" means a garage, yard, patio, or similar type sale held in a residential zone for the purpose of disposing of personal property. (Ord. 889 §1, 1990)

Garage, Side Loaded.

A garage in which the door is perpendicular to the front property line and vehicular access requires a radius for maneuvering in and out of the structure.

General plan.

"General plan" means the General "Master" Plan of the City of South El Monte.

Government Code.

"Government Code" means the State of California Government Code.

Government or Public Facility.

"Government or public facility" means offices or uses established by any governmental or public entity which are established to provide direct service to the public at a particular location. Examples of public facilities and uses include, but are not limited to, the following:

- A. Department of Social Welfare;
- B. Department of Motor Vehicles;
- C. Department of Human Resources Development;
- D. Internal Revenue Service;
- E. Social Security Administration;
- F. Jails and similar detention facilities;
- G. Hospitals established and maintained by public entities;
- H. Courts.

Grade.

"Grade" means the average of the finished ground level at the center of all exterior walls of a building. In case the walls are parallel to and within five feet of a sidewalk, the aboveground level shall be measured at the sidewalk. (Ord. 822 §1, 1989). "Grade" as it relates to advertising signs means the level of the public sidewalk or curb closest to the sign unless otherwise provided in these regulations.

Grade, Existing.

"Existing grade" means the contour of the ground surface before grading.

Grade, Finished.

Finished grade means the completed paved or graded elevation of a lot.

Grade, Natural.

"Natural grade" means the elevation of the ground level in its natural state before grading.

Grade, Street.

"Street grade" means the elevation of the centerline of the street adjacent to the site proposed for development.

Grocery Store.

"Grocery store" means a retail establishment, of less than fifteen thousand (15,000) square feet, whose merchandise consists primarily of a variety of groceries, meats, dairy products, produce, liquor and other food products. Food service may occur as an accessory use, not occupying more than ten (10) percent of the entire square footage of the establishment. See "Supermarket."



**Ground floor.**

"Ground floor" means the lowest level within a building that is accessible from and within three feet above or two feet below the grade of the adjoining sidewalk. If a sloped site, the ground floor elevation is measured at the point of entry.

**Guest Parking.**

"Guest parking" means parking spaces provided with a residential unit for intermittent use by visitors.

**Gunsmith or Armorer.**

"Gunsmith" means a person who repairs, modifies, designs, or builds firearms. A gunsmith does factory level repairs, renovation (such as applying metal finishes), and makes modifications and alterations for special uses. Gunsmiths may also apply carvings, engravings and other decorative features to an otherwise finished gun. This occupation is different from an armorer. The armorer primarily maintains (disassembly, cleaning) weapons and limited repairs involving parts replacement and possibly work involving modifications to make the weapon more accurate. For the purposes of this Zoning Code, "gunsmith" will be considered to include "armorer."

**Habitable floor.**

"Habitable floor" means any floor used for living which includes working, sleeping, eating, cooking or recreation or a combination thereof. A floor used only for storage purposes is not a habitable floor for the purpose of these regulations.

**Habitable room or space.**

"Habitable room or space" means a room or space in a structure for living, sleeping, eating and/or cooking.

**Hardscape.**

"Hardscape" means decorative elements that may be combined with landscaping to satisfy the landscaping requirements of this Zoning Code. Hardscape elements include, but are not limited to natural features such as rock, slate and stone and structural features such as art works, benches, fences, fountains, reflecting pools, screens, swimming pools, walls and crushed granite.

**Hazardous Waste.**

"Hazardous waste" means a waste, or combination of wastes, which because of its quantity, concentration, toxicity, corrosiveness, mutagenicity or flammability, or physical, chemical, or infectious characteristics may: (1) cause or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating reversible illness; or (2) pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, or disposed of, or otherwise managed.

**Historic district.**

"Historic district" means any area containing improvements which have a special historical or aesthetic interest or value, or which represents one or more architectural periods or styles of a distinct section of the city that has been designated a historic district.

**Home occupation.**

"Home occupation" means any use customarily conducted entirely within a dwelling and carried on by the inhabitants thereof, which use is clearly incidental and secondary to the use of the structure for dwelling

purposes and which does not change the character thereof. A day care facility shall not be a home occupation for the purpose of this Code. (Ord. 822 §1, 1989)

Hospital.

“Hospital” means any facility licensed by the State Department of Public Health specializing in providing clinical, temporary, or emergency services of a medical or surgical nature to patients or injured persons. (Ord. 822 §1, 1989)

Hotel.

“Hotel” means an establishment containing a minimum of fifty guest rooms or suites, designed, or used primarily for transient occupancy and for which no provision is made for cooking in any individual guest room or suite. A hotel usually provides meals for the public through an on-site restaurant and also provides for various personal services for the guests. Hotel facilities may include banquet and meeting rooms, restaurant, coffee shops, retail uses, and lobby and entertainment bars. (Ord. 822 §1, 1989)

Household.

See “Family.”

Household, Lower income household.

“Lower income household” means a household whose income does not exceed the lower income limits applicable to Los Angeles County, as published and periodically updated by the State Department of Housing and Community Development pursuant to California Health and Safety Code Section 50079.5.

Household, Low-income household.

“Low-income household” means a household whose gross income does not exceed 80 percent of the median income for Los Angeles County as determined annually by the U.S. Department of Housing and Urban Development.

Household, Moderate-income household.

“Moderate-income household” means a household whose income does not exceed the moderate income limits applicable to Los Angeles County, as published and periodically updated by the State Department of Housing and Community Development pursuant to California Health and Safety Code Section 50093.

Household, Very low-income household.

“Very low-income household” means a household whose income does not exceed the very low-income limits applicable to Los Angeles County, as published and periodically updated by the State Department of Housing and Community Development pursuant to California Health and Safety Code Section 50105. (Ord. 1173 §1, 2014)

Housing cost.

“Housing cost” means the sum of actual or projected monthly payments for all of the following associated with for-sale target units: principal and interest on a mortgage loan, including any loan insurance fees, property taxes and assessments, fire and casualty insurance, property maintenance and repairs, homeowner association fees, and a reasonable allowance for utilities.

Housing development.

“Housing development” means a construction project consisting of five or more residential units or lots, including single-family and multifamily units or lots.

Housing, Supportive.

Housing with no limit on length of stay, that is occupied by the target population, and that is linked to on-site or off-site services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community.

Hydrozone.

“Hydrozone” means a portion of the landscaped area having plants with similar water needs that are served by a valve or set of valves with the same schedule. A hydrozone may be irrigated or non-irrigated. For example, a naturalized area planted with native vegetation that will not need supplemental irrigation once established is a non-irrigated hydrozone.

Illumination, Direct.

“Direct illumination” means illumination by means of light that travels directly from its source to the viewer’s eye.

Illumination, Indirect.

“Indirect illumination” means illumination only by means of light cast upon an opaque surface from a concealed source.

Improvement.

“Improvement” means any building, structure, place parking facility, fence, gate, wall, work of art or other object constituting a physical betterment of real property, or any part of such betterment.

Incentive.

“Incentive” means a regulatory incentive or concession as defined in California Government Code Section 65915(k) that may include, but not be limited to, the reduction of site development standards or a modification of zoning code requirements, approval of mixed-use zoning in conjunction with the housing development, or any other regulatory incentive which would result in identifiable cost avoidance or reductions, that are offered in addition to a density bonus.

Inclusionary Requirement.

“Inclusionary requirement” means a requirement that a certain portion of residential units be affordable to a determined economic segment of the community.

Independent Exterior Access.

A door that provides independent access to an ADU and is located on the exterior façade of the ADU. Independent exterior access must comply with the minimum requirements of the Building Code.

Industrial Use.

“Industrial Use” means the activities within land areas predominantly connected with manufacturing, assembly, processing, or storage of products.

**Infiltration rate.**

"Infiltration rate" means the rate of water entry into the soil expressed as a depth of water per unit of time (inches per hour).

**Inflatable device, advertising.**

"Inflatable advertising device" means any device of any size and shape, inflated by air, hot air, gas, or any other substance, and is attached to the ground or anything on the ground, and is used to advertise any event, product, or service. (Ord. 1039 §3, 2002)

**In lieu fee.**

A fee paid by a project sponsor in lieu of complying with a requirement of this Code and that is not a development impact fee governed by the Mitigation Fee Act.

**Intensification of Use.**

"Intensification of use" means an enlargement or alteration to an existing structure where an increase in required number of parking spaces is required or the change would result in additional vehicular trips, or change of use where the new use requires an increase in the number of required parking spaces or would result in additional vehicular trips.

**Items of information.**

"Items of information" means words, designs, symbolic representations, or figures used in signing.

**Junior accessory dwelling unit (JADU).**

"Junior accessory dwelling unit (JADU)" means a living unit not exceeding 500 square feet created out of existing space that is contained entirely within an existing or proposed single-family residence or an attached garage. A JADU must include a separate exterior entrance and an efficiency kitchen with a working refrigerator. A JADU may include separate sanitation facilities or may share sanitary facilities with a Single Family Dwelling. The property owner must reside in either the Single Family Dwelling or the JADU.

**Junk.**

"Junk" means any worn out, cast off, or discarded article or material which is ready for destruction or has been collected or stored for salvage or conversion to some reuse. Any article or material which, unaltered or unchanged and without further reconditioning, can be used for its original purpose as readily as when new shall be considered junk. (Ord. 822 §1, 1989)

**Junk yard.**

"Junk yard" means any lot or the use of any portion of a lot where scrap, waste, discarded or salvage materials are bought, sold, exchanged, baled, packed, disassembled, handled, or stored, including automobile wrecking yards, house wrecking yards, used lumber yards and places or yards for storage of salvage house wrecking and structural steel materials and equipment. "Junk yard" does not include pawn shops and establishments for the sale, purchase or storage of used furniture and household equipment, used cars in operable condition, or salvaged material incidental to manufacturing operations conducted on the premises. (Ord. 822 §1, 1989)

**Kennel.**

"Kennel" means any lot, building, structure, or premises upon or in which two or more dogs or cats over four months of age are kept for sale or for breeding purposes or are boarded or trained for hire, or where

four or more weaned dogs or cats are kept, maintained or permitted for any reason or purpose, whether commercial, noncommercial or otherwise. (Ord. 822 §1, 1989)

Kitchen.

"Kitchen" means any room designed, used, or maintained for cooking or preparation of food. (Ord. 822 §1, 1989)

Landmark.

"Landmark" means a place, building, structure, work of art, or other object, having a special character or special historical or aesthetic interest or value, within the meaning of California Government Code Section 37361.

Landscaped area.

"Landscaped area" means the entire parcel less the building footprint, driveways, non-irrigated portions of parking lots, hardscapes, such as decks and patios and other nonporous areas. Water features are included in the calculation of the landscaped area. Areas dedicated to edible plants, such as orchards or vegetable gardens, are not included.

Landscaping.

"Landscaping" means the planting and maintenance of some combination of trees, shrubs, vines, ground cover, flowers, or lawn. In addition, the combination or design may include natural features such as limited amounts of rocks and stones (no more than 10%), and structural features including, but not limited to, fountains, reflecting pools, art works, screens, fences, and benches. (Ord. 822 §1, 1989)

Landscaping Plan.

"Landscaping plan" means a plan which indicates the type, size and location of vegetative and accent material proposed for the landscaping of a site including all irrigation and other devices necessary to maintain such landscaping.

Landscaping, Drought Tolerant.

Landscaping characterized by the use of vegetation that is drought tolerant or requires low water use.

Linear foot.

"Linear foot" means a measurement that is 12 inches long and that is measured typically in a straight line,

Live/Work Units(s)

"Live/work unit" or "live/work units" mean a unit, which combines living quarters with artist studios, professional offices, software/media offices or small retail uses. Live/work units are typically located in a small scale, mixed-use building and help transition between a busy street and a residential area. Live/work units are required to have the workspace on the ground floor with living space on one or two stories above and must be occupied by the same individual(s) who occupies the living quarters. Live/work units may be built as attached townhomes.

Living area.

"Living area" means the interior habitable area of a dwelling unit, including basements, but does not include a garage or any accessory structure.

Loading space.

"Loading space" means an off-street space or berth on the same lot with a building for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials. (Ord. 822 §1, 1989)

Long-term bicycle parking.

Bicycle parking designed for residents, employees, students, public transit users, and others that need to park their bicycles for several hours or more that provides security and weather protection.

Lot.

"Lot" means a parcel of land occupied, or to be occupied, by a building or group of buildings and accessory buildings, together with such yards, open spaces, lot width, and lot area as required by the provisions of this title and having frontage upon a public street or a place approved by the commission. The word "lot" shall include the words parcel or plot. (Ord. 822 §1, 1989)

Lot area.

"Lot area" means the total horizontal area within the lot lines of a lot. (Ord. 822 §1, 1989)

Lot Coverage.

The percentage of the lot area covered by a structure or building, including all accessory buildings.

Lot, corner.

"Corner lot" means a lot located at the intersection of two or more streets, where they intersect at an interior angle of not more than one hundred thirty-five (135) degrees. If the intersection angle is more than one hundred thirty-five (135) degrees, the lot is considered an interior lot.

Lot depth.

"Lot depth" means the horizontal distance between the front and rear lot lines, measured in the mean direction of the side lot lines. (Ord. 822 §1, 1989)

Lot, Flag.

"Flag lot" means a lot having access from the building site to a public street by means of private right-of-way strip that is owned in fee.

Lot, interior.

An "interior lot" means a lot other than a corner, reversed corner or key lot. (Ord. 822 §1, 1989)

Lot, key.

A "key lot" means the first lot immediately to the rear of a reversed corner lot and not separated by an alley. (Ord. 822 §1, 1989)

Lot Line.

The boundary line of a lot.

Lot line, front.

A "front lot line" means the line separating the lot from the street, in the case of an interior lot, and the line separating the narrowest street frontage of the lot from the street in the case of a corner lot. (Ord. 822 §1, 1989)

Lot line, rear.

A "rear lot line" means the lot line which is opposite and most distant from the front lot line. (Ord. 822 §1, 1989)

Lot line, side.

A "side lot line" means any lot line not a front lot line or a rear lot line. (Ord. 822 §1, 1989)

Lot, reversed corner.

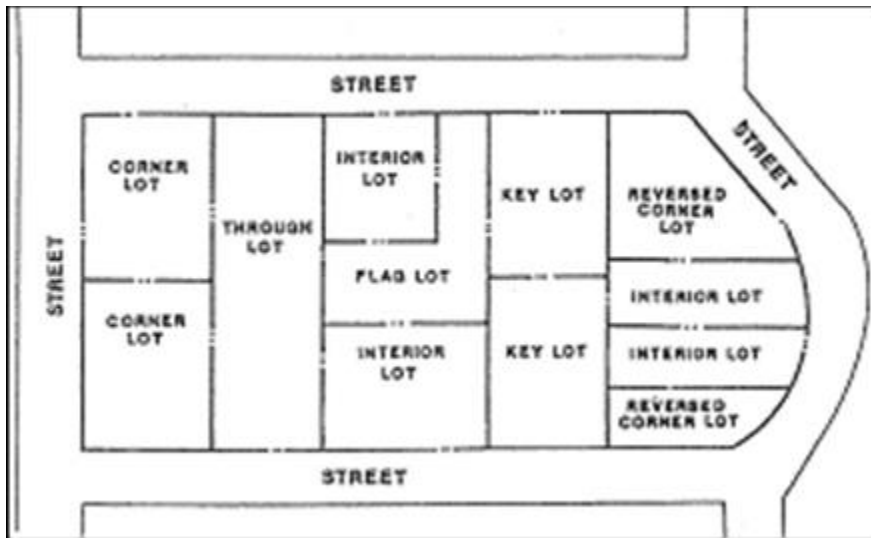
A "reversed corner lot" means a corner lot, the street side of which is substantially a continuation of the front lot line of the first interior lot to its rear. (Ord. 822 §1, 1989)

Lot, through (Double frontage).

A "through lot" means a lot having frontage on two parallel or approximately parallel streets. (Ord. 822 §1, 1989)

Lot width.

"Lot width" means the horizontal distance between the side lot lines, measured at right angles to the lot depth at a point midway between the front and rear lot lines. (Ord. 822 §1, 1989)



Low barrier navigation center.

A "Low barrier navigation center" means a Housing First, low-barrier, service-enriched shelter focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing.

Maintenance.

"Maintenance" means that work on equipment and vehicles necessary to keep it in normal operating condition. Maintenance includes such things as fueling, changing engine belts, replacement of worn or damaged tires, and minor tune-ups. (Ord. 822 §1, 1989)

Manufacture.

"Manufacture" means to assemble, fabricate, compound, process, treat or remanufacture. (Ord. 822 §1, 1989)

Manufactured home.

"Manufactured home" means a structure, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width, or forty body feet or more in length, or, when erected on site, is three hundred twenty or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein. "Manufactured home" shall also include any structure that meets all the requirements of this paragraph except the size requirements if the manufacturer of the structure complies with the statutory certification requirements for manufactured homes and the standards set forth for manufactured homes in the California Health and Safety Code. (Ord. 1051 §5, 2003)

Market, outdoor.

"Outdoor market" means any meeting or assembly where persons are permitted or invited to offer new or used merchandise, articles or things of value for sale or exchange on premises other than their own which are made available at certain times for such sales or exchanges. This definition shall not apply to occasional fundraising activities by public and private schools, churches, and other not-for-profit charitable organizations. (Ord. 978 §1, 1996)

Market rate units.

"Market rate units" means those dwelling units which are not affordable units or restricted by income levels and may be sold or rented at market rate.

Marquee.

"Marquee" means permanent roofed structure attached to and supported by the building and projecting over the public right-of-way or over private property.

Massage.

"Massage" means the scientific manipulation of the soft tissues.

Massage establishment.

"Massage establishment" means any fixed or mobile location where massage is performed for compensation, including, but not limited to, those businesses that provide massage services accessory to their principal permitted use. Such a business includes, but is not limited to, an aromatherapist, acupuncturist, chiropractor, beauty salon, health club, beach club, skin care salon, and day spa. The term "massage establishment" or "establishment" includes a sole proprietor, an independent contractor, and any certified massage practitioner or therapist performing massage in the city without being employed by another massage establishment. (Ord. 1195 §6, 2015)

Mast.

"Mast" means a support structure that is constructed for the specific purpose of elevating a satellite earth station antenna in order to receive broadcast signals of an acceptable quality.



Maximum residential density.

“Maximum residential density” means the maximum number of residential units permitted by the city’s General Plan land use element, applicable to the subject property at the time an application for the construction of a housing development is deemed complete by the city, excluding any additional density bonus units permitted. If a range of density is permitted by the land use element, maximum residential density shall mean the maximum allowable density within the range of density.

Mechanical Equipment.

“Mechanical equipment” means any heating, ventilating, cooling, refrigeration systems, pool or spa equipment, or other miscellaneous appliances which are placed outside a building.

Mezzanine.

An intermediate floor just above the ground floor; it often has a low ceiling and projects in the form of a balcony, and does not exceed one-third of the floor area of the room or space in which they are located.

Minor Modification.

“Minor modification” means a discretionary approval granted by the Planning Manager which allows a slight modification or minor deviation up to ten (10) percent to certain development standards of this Zoning Code when just deviation constitutes reasonable use of the property not permitted under the strict interpretation of the Zoning Code.

Mixed-use.

“Mixed-use” means the use of a lot or building with two or more different land uses including, but not limited to, residential, commercial retail, office, or manufacturing, in a single structure or a group of physically integrated structures.

Microbreweries and Brewpubs.

Refers to small-scale, independently-owned breweries that emphasize traditional brewing methods, flavor and quality and that produce fewer than fifteen thousand (15,000) U.S. beer barrels (four hundred sixty thousand (460,000) U.S. gallons) annually for on- and off-premises consumption. A brewpub is an abbreviated term combining the ideas of a brewery and a pub or public-house. A brewpub can be a pub or restaurant that brews beer on the premises.

Mixed-Use Building:

Mixed-Use Building: A structure containing both residential and commercial uses (which may include retail, restaurants, offices, services, and similar uses deemed compatible with residential uses). The commercial use or uses are typically located on the ground floor of the structure with the residential dwellings predominantly located on the second or higher floors.

Mixed-Use Development.

A project with both residential and nonresidential uses located on the same lot or site.

Mobile home.

“Mobile home” means a manufactured structure, transportable in one or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities that serves as a home. It does not include recreation vehicles or travel trailers.

Motel.

"Motel" means an establishment containing a maximum of forty-nine guest rooms or suites, each having a separate entrance leading directly from the outside of the building or from an inner court, which facilities are designed, accompanied, use or intended to be used, rented, or hired out for temporary or overnight accommodations for guest, offered primarily to automobile tourists or transients, which no provisions are made for cooking in any individual guest room or suite. A motel usually provides meals for the public through an on-site restaurant and also provides for various personal services for the guests. (Ord. 822 §1, 1989)

Mulch.

"Mulch" means any material such as leaves, bark, straw or other materials left loose and applied to the soil surface to reduce evaporation.

Nightclub.

"Nightclub" means any establishment, which is regularly used and kept open at any time of the day or night, for the business of serving for monetary compensation, alcoholic beverages to patrons comprised of the general public. Live entertainment is allowed by permit and may be provided. Food is not served to patrons. (Ord. 1009 §3, 1999)

Nightclub, private.

"Private nightclub" means any establishment, which is regularly used and kept open, at any time of the day or night, for the serving of alcoholic beverages and food. Live entertainment is allowed by permit and may be provided. Said establishment is maintained for the sole use and benefit of its members and guests of the members. The premises are not open to the general public. (Ord. 1009 §4, 1999)

Nonconforming building.

A "nonconforming building" means a building or structure lawfully existing on the effective date of the regulations codified in this title, but which would be prohibited, regulated, or restricted under the terms of these regulations or future amendment. (Ord. 822 §1, 1989)

Nonconforming site.

"Nonconforming site" means a lot or parcel of land which was lawfully developed in accordance with zoning regulations in effect at the time of development but which does not comply with current regulations with respect to, but not limited to: density; coverage; yards; setbacks; parking layout and paving; site orientation; fencing and walls; landscaping; refuse storage; outdoor storage, or any other provision specific to site development, regardless of whether or not the site was previously deemed conforming.

Nonconforming structure.

A structure or portion thereof which was lawfully erected or altered and maintained but which, because of the application of this article to it, no longer conforms to the regulations set forth in this article applicable to the zone in which such structure is located.

Nonconforming use.

A "nonconforming use" means a use which lawfully occupied a building or land on the effective date of the regulations codified in this title, but which would be prohibited, regulated, or restricted under the term of these regulations or future amendment. (Ord. 822 §1, 1989)

**Nonprofit social service organization.**

A "nonprofit social service organization" means an organization which is incorporated under the laws of the state, has a nonpaid board of directors and which provides, on a nonresidence basis, social services to the general public on an ability to pay, or nonpayment basis. These services may include, but are not limited to, employment counseling, family counseling, recreation, employment training, retraining, youth activities, aid to disadvantaged or handicapped persons, emergency aid or disaster relief, drug abuse or alcohol addiction counseling, senior citizens' activities, and education and rehabilitation facilities. (Ord. 822 §1, 1989)

**Non-restricted units.**

"Non-restricted units" means all units within a housing development excluding the target units.

**Nuisance.**

Anything that interferes with the use or comfortable enjoyment of property or life or which is offensive to the senses.

**Nursery, child care.**

"Child care nursery" means a building, facility or premises used for the supervision and care, for a consideration, of five or more children not related by blood or marriage to the person providing the care and shall include nursery schools and day camps. (Ord. 822 §1, 1989)

**Nursing and convalescent hospitals**

"Nursing and convalescent hospitals" means any place or institution which provides bed accommodations for one or more chronic or convalescent patients, who, by reason of illness or physical infirmity, are unable to properly care for themselves. Alcoholics, drug addicts, persons with mental or communicable diseases, including contagious tuberculosis, shall not be admitted or cared for in nursing and convalescent hospitals.

**Object.**

"Object" means a material thing of functional, aesthetic, cultural, symbolic, or scientific value, usually by design or nature movable.

**One-hundred-year-flood.**

"One-hundred-year-flood" means the condition of flooding having a one percent chance of annual occurrences.

**Open Space, Common.**

"Common open space" means useable open space which is for the use of the residents of three or more dwelling units.

**Open Space, Private.**

"Private open space" means outdoor space which is intended for the exclusive use of the residents of a dwelling unit which adjoins it and has access to it and is enclosed by a fence or wall or view-obscuring hedge at least four feet six inches in height.

**Open Space, Usable.**

"Useable open space" means the following:

- A. Outdoor space opened to the sky.

- B. Not more than ten (10) percent in grade on the building site of a lot and/or within the rear yard, interior side yard of the building.
- C. Maintained for landscaping, community gardens, swimming pools, recreation rooms, and other inside and outside living or recreational uses, excepting wherefrom areas used for off-street parking, driveways, service areas, or unusable slopes front setbacks and any portion of the required square footage for private space.
- D. Specifically designed and constructed to be occupied by and used by residents of the dwelling units on the lot.

Outdoor advertising structure.

"Outdoor advertising structure" means the same as "sign structure." (Ord. 822 §1, 1989)

Overlay Zone/District

"Overlay Zone/District" means a set of zoning requirements that is described in the text of the Zoning Code, is mapped and is imposed in addition to those requirements of the underlying district.

Overspray.

"Overspray" means the water which is delivered beyond the landscaped area, wetting pavements, walks, structures, or other nonlandscaped areas.

Parcel of land.

"Parcel of land" means any contiguous quantity of land, in the possession of, owned by, or recorded and assessed by the county assessor as the property of the same claimant or person. (Ord. 822 §1, 1989)

Parkway.

"Parkway" means the area of a public street that lies between the curb and the adjacent property line or physical boundary definition such as fences or walls, which is used for landscaping and/or passive recreational purposes. The publicly owned area located between the curb and the right-of-way line of any public street.

Passageway.

"Passageway" means a pathway that is unobstructed clear to the sky and extends from a street to one entrance of the accessory dwelling unit.

**Patio, Enclosed**

A covered freestanding or attached level, paved or decked area enclosed on all sides whose principal use shall be for outdoor entertaining or recreation. A patio shall be considered enclosed when surrounded by a rail, wall, glass, plastic, or similar type barrier taller than forty-two inches (42") on any side, excluding the walls of an approved attached structure. An enclosed patio is not used as a habitable room or as a parking space for vehicles.

**Patio, Open.**

A freestanding or attached level, paved or decked area open on one (1) or more sides, enclosed only by the walls of an attached approved structure, whose principal use shall be for outdoor entertaining or recreation. These areas may be covered or uncovered, and may be surrounded by a rail, wall, glass, plastic, or similar barrier measured at a height of forty-two inches (42") or less. An open patio may be enclosed by insect screening. An open patio is not used as a habitable room or as a parking space for vehicles.

Paving.

A solid concrete, tile, or brick surface that serves as a covering for pedestrian/vehicular travel.

Permit.

A document issued by the City pursuant to the provisions of this article authorizing specific activities, uses, or structures together with the conditions upon which such permit is issued, and the plans, specifications, reports, and approved modifications pertaining thereto.

Person.

The word "person" includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual. (Ord. 822 §1, 1989)

Porte cochere.

"Porte cochere" means a roof-like attachment to a building, open on three (3) sides, used primarily for the protection and convenience of loading and unloading passengers or materials. (Ord. 822 §1, 1989)

Preferential parking.

"Preferential parking" means parking spaces designated or assigned, through the use of sign or painted space markings for carpool and vanpool vehicles carrying commuter passengers on a regular basis that are provided in a location more convenient to a place of employment than parking spaces provided for single-occupant vehicles.

Premises.

Any portion of any lot and any portion of any building or structure contained thereon.

Preservation.

"Preservation" means the identification, study, protection, restoration, rehabilitation, or enhancement of a landmark. (Ord. 963 §39, 1995; Ord. 822 §1, 1989)

Principal Structure.

The primary structure(s) within which is conducted the principal use of the lot.

Principal Use.

The primary and predominate use on any lot.

Property owner.

"Property owner" means the legal owner of a development. The property owner shall be responsible for complying with the provisions of Municipal Code Title 17 either directly or through an authorized agent.

Public convenience and necessity.

"Public convenience and necessity," when applied to the issuance of permits for the sale of alcoholic beverages pursuant to Section 23958.4(b)(2) of the Business and Professions Code, means that the issuance of the license for the off-sale of alcoholic beverages will allow the holder of that license to offer, or provide, a service or product to the general public that is not reasonably accessible, or sufficiently provided, within a specific geographic area of reasonable proportions. (Ord. 1009 §8, 1999)

Public Storage (Mini/Self Storage).

“Public storage (mini/self-storage)” means a structure or group of structures containing generally small, individual, compartmentalized stalls or lockers leased or rented to the public as individual storage spaces for personal and/or other property. The goods and materials stored are not intended for redistribution, resale or other commercial activity. No other activity other than the storage described above except incidental sales and rentals is intended for a public storage facility.

Public rights-of-way.

“Public rights-of-way” means the public streets, roads, lanes, courts, ways, alleys, boulevards, and places, including all public utility easements and public service easements, as the same now or may hereafter exist, that are under the city’s jurisdiction and within the city’s regulatory authority.

Public transit.

“Public transit” means a location, including, but not limited to, a bus or train station, where the public may access buses, trains, subways, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public.

Public transit stop.

“Public transit stop” means a location, including, but not limited to, a bus stop or train station, where the public may access buses, trains, subways, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public.

Public utility facility.

A “public utility facility” means, but is not limited to, an assembly of materials and equipment, including the buildings and structures necessary for the provision of electricity, telephone, cable television, water, and gas for general consumer use. (Ord. 822 §1, 1989)

Qualified buyer, ADU.

An “ADU Qualified buyer” means persons and families of low or moderate income, as that term is defined in Section 50093 of the California Health and Safety Code.

Qualified nonprofit corporation, ADU.

A “ADU Qualified nonprofit corporation” means a nonprofit corporation organized pursuant to Internal Revenue Code that has received a welfare exemption under Revenue and Taxation Code for properties intended to be sold to low-income families who participate in a special no-interest loan program.

Quasi-public use.

“Quasi-public use” means a use conducted by a private nonprofit educational, religious, recreational, charitable, or medical institution, the use having the purpose primarily of serving the general public, and including uses such as churches, private schools and universities, private hospitals, youth centers and similar uses. (Ord. 822 §1, 1989)

Rain sensing device.

“Rain sensing device” means a system which automatically shuts off the irrigation system when it rains.

**Reasonable Accommodation.**

“Reasonable accommodation” means any request by, or on behalf of, a disabled person for a reasonable deviation from the City’s strict application of its land use or building regulations as set forth in this code, or as adopted by reference in this code, in order for such disabled person to use and enjoy a dwelling.

**Recreational area.**

“Recreational area” means areas of active play or recreation such as sports fields, school yards, picnic grounds or other areas with intense foot traffic.

**Recreational Vehicle.**

“Recreational vehicle” means a vehicular unit not exceeding forty (40) feet in body length, or ten (10) feet in width, primarily designed as a temporary living quarters for recreational, camping or travel use; it either has its own motive power or is designed to be mounted on or drawn by an automotive vehicle. Length shall be measured from bumper to bumper on self-propelled vehicles and from bumper to tongue on towed vehicles. Recreational vehicle includes motor home, truck camper, travel trailer and camping trailer. A vehicle meeting the above definition except for size is not deemed incidental to a dwelling unit.

**Recycling Center.**

“Recycling center” means a center for the collection and/or processing of recyclable materials. A certified recycling facility or certified processor means a recycling facility certified by the California Department of Conservation as meeting the requirements of the California Beverage Container Recycling and Litter Reduction Act of 1986. The recycling facility does not include storage container or processing activities located on the premises of a residential, commercial or manufacturing use and used solely for the recycling of material generated by that residential property, business or manufacturer.

**Regulatory flood elevation.**

“Regulatory flood elevation” means the water surface elevation of the one-hundred-year flood.

**Rehabilitated landscape.**

“Rehabilitated landscape” means any relandscaping project that requires approval by the planning director, planning commission, city council, or requires a permit.

**Restaurant, drive-through and walkup.**

“Drive-through restaurant” and “walkup restaurant” mean an establishment which, on a regular basis, is open for the serving of meals to patrons for compensation, from a limited menu, at which orders and food are taken and provided at a counter serving primarily takeout food or any full-service restaurant with a drive-through or walkup counter or window. (Ord. 822 §1, 1989)

**Restaurant, full service.**

“Full-service restaurant” means an establishment which, on a regular basis, is open for the serving of meals to patrons for compensation and which has adequate kitchen facilities suitable for the preparation of a variety of complete cooked meals, over and beyond such foods as sandwiches or salads and at which orders are taken and meals are served at the tables by employees of the restaurant. (Ord. 822 §1, 1989)

**Restaurant with alcohol.**

“Restaurant with alcohol” means any establishment, which is regularly used, kept open for, and in the business of, serving meals for monetary compensation to patrons comprised of the general public. Said

premises shall have suitable kitchen facilities connected therewith for the preparation of a variety of complete cooked meals over and beyond such foods as sandwiches or salads. As an ancillary use to the serving of meals to patrons, alcoholic beverages of any type may be served and consumed on the premises, either at the tables with food or at a bar, or both. Live entertainment is allowed by permit and may be provided. Any facility which satisfies the forgoing criteria for a restaurant with alcohol, but which also has area(s) designated for use other than food preparation and consumption such as a bar/lounge area, billiards, pool tables, dart boards, etc. which total in excess of ten percent of the total gross floor area shall be deemed a tavern. (Ord. 1009 §5, 1999)

Rest home.

“Rest home” means a building or a group of buildings which provides nursing, dietary and/or other personal services rendered to convalescents, invalids, or aged persons, but excludes cases of contagious, communicable diseases, and excluding surgery or primary treatment, such as are customarily provided in sanitariums, hospitals, and mental institutions. (Ord. 822 §1, 1989)

Retail store.

“Retail store” means a business selling goods, wares, or merchandise directly to the ultimate consumer. (Ord. 822 §1, 1989)

Retail Sales, New.

The on-site sale of new merchandise, which is open to the general public, not specifically listed under another use classification. This classification includes, but is not limited to, department stores, grocery stores, book stores, clothing stores, candy stores, furniture stores, businesses retailing toys, hobby materials, handcrafted items, shoe stores, jewelry, cameras, photographic supplies, electronic equipment, audio and video sales and rentals, sporting goods, kitchen utensils, hardware, home improvement, appliances, antiques, art supplies and services, paint and wallpaper carpeting and floor covering, office supplies, bicycles and new automotive parts and accessories (excludes service and installation).

Retail Sales, Used.

The on-site sale of used merchandise that has previously been owned by another individual or party, which is open to the general public, not specifically listed under another use classification. This classification includes, but is not limited to, used merchandise for sale in secondhand stores, thrift stores, consignment stores, pawnshops, and/or E-bay stores.

Ringelmann chart.

“Ringelmann chart” means a chart which is described in the U.S. Bureau of Mines Information Circular 7718, and on which are illustrated graduated shades of grey for use in estimating the light-obscuring capacity of particular smoke. (Ord. 822 §1, 1989)

Roof.

“Roof” means the external upper covering of any portion of a building or structure, including projections beyond the walls or support of the building or structure, which is permanently attached.

Roof, Dutch-Gable.

Is a roof with a small gable at the top of a hip roof



Roof, Flat.

A roof nearly horizontal and level, typically includes a roof with a 2:12 slope or less.

Roof, Gable.

A pitched roof having a gable at each end.

Roof, Gambrel:

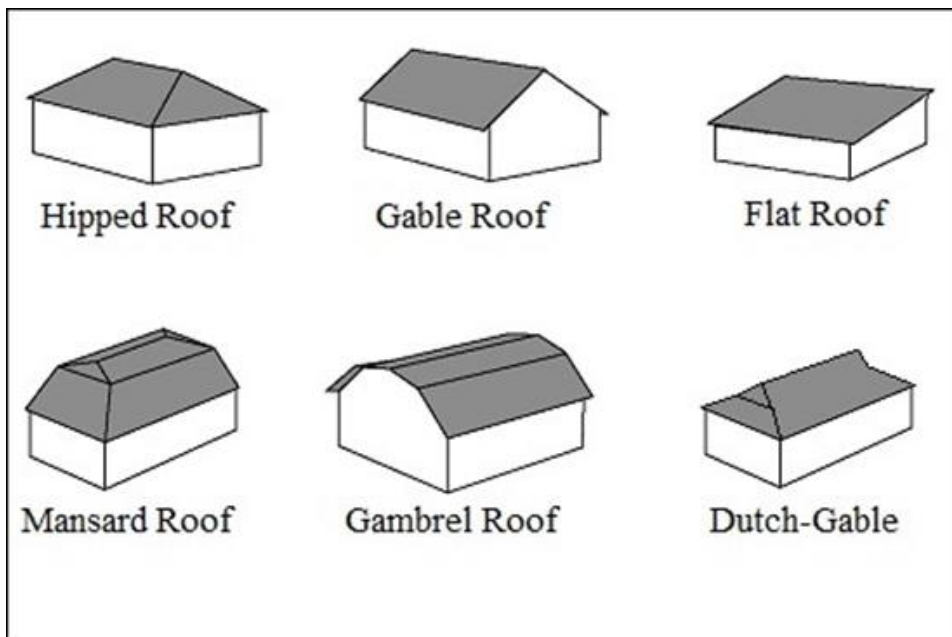
A ridged roof with two (2) slopes on either side, the lower slope having the steeper pitch. It is often flared beyond the front and rear of the dwelling forming a deep overhang.

Roof, Hipped.

A hipped (or hip) roof slopes down to the eaves on all four (4) sides. Although a hipped roof is not gabled, it may have dormers or connecting wings with gables.

Roof, Mansard.

A mansard roof has two (2) slopes on each of the four (4) sides. The lower slope is steeper than the upper slope. Dormers are often set in the lower slope. The upper slope is usually not visible from the ground.



Roominghouse.

"Roominghouse" means the same as "boardinghouse." (Ord. 822 §1, 1989)

**Runoff.**

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

Salvage yard.

"Salvage yard" means any lot or the use of any portion of any lot where scrap, waste, discarded or salvaged materials are bought, sold, exchanged, baled, packed, disassembled, handled or stored, including

automobile wrecking yards, used lumber yards and places or yards for storage of salvaged house wrecking and structural steel materials and equipment; but not including pawn shops and establishments for the sale, purchase, or storage of used furniture and household equipment, used cars in operable condition, or salvaged materials incidental to manufacturing operations conducted on the premises. (Ord. 822 §1, 1989)

Satellite earth station antenna.

"Satellite earth station antenna" means a parabolic or dish-shaped antenna or other apparatus or device that is designed for the purpose of receiving or transmitting signals for voice, video, or data.

School.

A "school" means an institution of learning which offers instruction in the several branches of learning and study required to be taught in the public schools by the education code of the state. A school may be either publicly or privately operated. (Ord. 822 §1, 1989)

Private School.

"Private school" means any building or group of buildings the use of which meets State requirements for primary, secondary or higher education and which does not secure the majority of its funding from any governmental agency.

School, trade or vocational.

A "trade or vocational school" means private schools offering preponderant instruction in the technical, commercial or trade skills, such as real estate schools, beauty colleges, business colleges, electronic schools and similar commercial establishments. (Ord. 822 §1, 1989)

Screening.

"Screening" is a method of visually shielding or obscuring one abutting or nearby structure or use from another by fencing, walls, berms or densely planted vegetation.

Second unit.

"Second unit" means an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as a single-family dwelling. "Second unit" also includes efficiency units and manufactured homes. (Ord. 1051 §7, 2003)

Section.

"Section" means any portion of this title immediately preceded by numerals commencing with the number "17." (Ord. 822 §1, 1989)

Senior citizen housing.

"Senior citizen housing" or "senior housing development" means a senior citizen housing development, as defined in Sections 51.3 and 51.12 of the State of California [Civil Code](#), or a mobile home park that limits residency based on age requirements for housing for older persons pursuant to Section 798.76 or 799.5 of the State of California [Civil Code](#).

Service station.

"Service station" means the same as "automobile service station." (Ord. 822 §1, 1989)

Setback Line, Front.

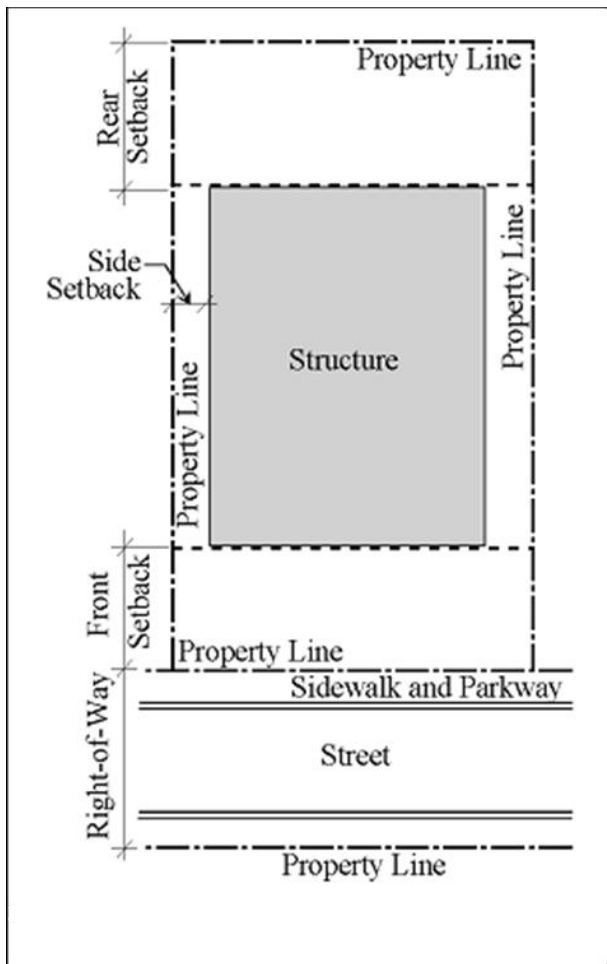
The line that defines the depth of the required front yard. Said setback line shall be parallel with the street line and be removed therefrom by the perpendicular distance prescribed for the front yard in the zone.

Setback Line, Rear or Side.

The line that defines the width or depth of the required rear or side yard. Said setback line shall be parallel with the property line, removed therefrom by the perpendicular distance prescribed for the yard in the zone. Where the side or rear yard abuts a street, the distance shall be measured as set forth in "setback line, front".

Setback, Street Side:

On a lot that abuts two (2) or more streets at their intersection, the line that defines the width of the required side yard on the street side. Said setback line shall be parallel with the street line, removed therefrom by the perpendicular distance prescribed for the yard in the zone.



Shared Parking.

"Shared parking" means a situation where the same parking spaces can be utilized by two or more different uses and/or businesses due to the differing peak hours of operation of the uses involved.

Short-term bicycle parking.

Bicycle parking where bicycles are left for two hours or less, such as bicycle racks.

Sign.

"Sign" means a name, identification, image, description, display or illustration which is affixed to, painted, or represented directly or indirectly upon a building, structure, or piece of land, and which directs attention to an object, product, place, activity, facility, service, event, attraction, person, institution, organization, or business and which is visible from any street, right-of-way, sidewalk, alley, park, or other public property. Customary displays of merchandise or objects without lettering placed behind a store window are not signs or parts of signs for the purposes of these regulations. (Ord. 822 §1, 1989)

Sign area.

"Sign area" means that area included within the outer dimensions of a sign. The area of a single face of double or multiple faced sign shall contain the percentage of the total allowable sign area divided by the number of faces of the sign unless otherwise stated in these regulations. In the case of skeleton letters or other signs placed on a wall without a border the area of each letter, shape, or figure shall be computed by enclosing the letter, shape, or figure within sets of parallel lines. The structural supports for a sign, whether columns, pylons or a building or part thereof, shall not be included in the sign area.

Sign, Awning.

"Awning sign" means any sign painted or otherwise affixed permanently to the exterior surface of an awning.

Sign, banner.

A nonpermanent sign composed of fabric, pliable plastic, paper, or other light material not enclosed in a rigid frame or secured or mounted so as to allow movement by the atmosphere to cause movement of the sign, including flags, streamers, and pennants.

Sign copy.

"Sign copy" means any words, letters, figures, designs or symbolic representations incorporated into a sign for the purpose of conveying information or attracting attention to the subject matter.

Sign, directional.

On-premises signs designed to guide or direct pedestrian or vehicular traffic.

Sign, Directly lighted sign.

"Directly lighted sign" means a sign which has light cast on the surface from an interior light source.

Sign, flashing.

"Flashing sign" means any sign having an intermittent variation in the illumination of less than two hours' duration. (Ord. 822 §1, 1989)

Sign, Freestanding sign.

"Freestanding sign" means any sign standing on the ground and not attached or affixed to a building and supported by one or more poles or braces in, or on, the ground which are not a part of the building or structure. The term freestanding sign shall include monument signs and planter signs.

Sign, Ground sign.

"Ground sign" means the same as "freestanding sign."

Sign, gateway.

"Gateway sign" means a sign which announces or advertises the entrance to the city and is located on private property at, or near, one of several specified locations within the city. Such signs may also advertise businesses, goods and services located on the same property with the sign. (Ord. 940 §1, 1993)

Sign height.

"Sign height" means the height of a sign measured from the average ground level at the base of the supporting structure to the top of the sign or as otherwise provided for.

Sign, Illegal sign.

"Illegal sign" means any sign placed without proper governmental authority or approval as required by the regulations in effect at the time said sign was placed. "Illegal sign" also means any nonconforming sign which has exceeded its authorized amortization period.

Sign, illuminated.

"Illuminated sign" means any sign designed to emit or brightly reflect artificial light. (Ord. 822 §1, 1989)

Sign, Indirectly lighted sign.

"Indirectly lighted sign" means any sign which has light cast on its surface from an exterior light source.

Sign, Monument sign.

"Monument sign" means a sign placed upon a base upon the ground. Such sign shall be constructed of materials that are coordinated with materials used in the construction of the building or development which it is intended to advertise. A monument sign shall be considered a freestanding sign for the purpose of regulations outlined in Chapter 17.02 and 17.15.

Sign, Nonconforming sign.

"Nonconforming sign" means a sign which was validly installed under the regulations in effect at the time of such installation, but which would not be permitted under the provisions of current regulations.

Sign, Off-site sign.

"Off-site sign" means a sign which advertises products, objects or services which are not manufactured, sold, or distributed on the property or premises on which the sign is located.

Sign, On-site sign.

"On-site sign" means a sign which identifies the business or premises or products manufactured, sold, or distributed or services offered by the operator of the business or premises.

Sign, Planter sign

"Planter sign" means a "monument sign" except that shrubs, groundcover or other plantings shall be an integral part of the sign base. Planter signs shall be considered as freestanding signs for the purpose of regulations outlined in Chapter 17.02 and Chapter 17.15.

Sign, Projecting sign.

"Projecting sign" means a sign which projects from and is supported by a wall of a building with the display surface of the sign perpendicular to the wall.

Sign, Roof sign.

"Roof sign" means a sign erected on a roof.

Sign, Structure.

A "sign structure" means any structure which supports, or is capable of supporting any sign. A sign structure may be a single pole and may or may not be an integral part of a building. (Ord. 822 §1, 1989)

Sign, Wall sign.

"Wall sign" means any sign attached to or erected on the exterior wall of a building or structure with the exposed face of the sign in a plane parallel to the plane of the wall.

Single-Family Residence.

"Single-family residence" means an attached or detached building not to contain more than one kitchen where the occupants of the dwelling unit live and function together as a household.

Single Room Occupancy (SRO).

"Single room occupancy" means a residence, building, or accessory building other than a motel, hotel, or extended lodging facility, wherein three or more rooms, with or without individual or group cooking facilities are rented to individuals on a non-permanent basis, under separate rental agreements or lease, either written or oral, whether or not an owner, agent, or rental agent is in residence or building.

Site Plan.

"Site plan" means a plan drawn to scale showing uses and structures proposed for a parcel of land as required by the applicable regulations including lot lines, streets, building sites, reserved open space and other specific development proposals.

Site Plan Review.

An administrative process conducted in accordance with Chapter 17.03.

Soil moisture sensing device.

"Soil moisture sensing device" means a device that measures the amount of water in the soil.

Soil texture.

"Soil texture" means the classification of soil based on the percentage of sand, silt, and clay in the soil.

South Coast Air Quality Management District.

"South Coast Air Quality Management District" hereafter referred to as "SCAQMD" is the regional authority appointed by the California State Legislature to meet federal standards and otherwise improve air quality in the South Coast Air Basin.

Special Event.

A temporary outdoor use that extends beyond the normal uses and standards allowed by this article.

Special events may include, but are not limited to art shows, sidewalk sales, pumpkin and Christmas tree

sales, haunted houses, carnivals, special auto sales, grand openings, festivals, home exhibitions, and church bazaars.

**Specific adverse impact.**

“Specific adverse impact” means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified, and written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.

**Specific Plan.**

A plan, adopted by City Ordinance, which shows the future physical development to be implemented within a specifically defined and circumscribed area of the City. The Specific Plan describes the types of land uses to be developed on each parcel; a plan for infrastructure in and adjacent to the Specific Plan area; and written standards, regulations, and policies for such items as architectural design, open spaces, preservation of existing structures, and other relevant factors.

**Sprinkler head.**

“Sprinkler head” means a device which sprays water through a nozzle.

**Square footage, gross.**

“Square footage, gross” means the number of square feet in all floor levels of a building, including below grade levels, as measured from the finished interior face of the exterior walls.

**Storage yard.**

“Storage yard” means any open space upon which is stored or placed for any length of time, as a primary use of the land, any goods, wares, merchandise, finished products, materials in process, equipment or supplies of any kind, but excluding the storage or placing of any of the foregoing items solely as a use secondary to a lawful primary use conducted on the property, provided that the storage or placement of such items complies with every applicable provision of the city code. (Ord. 822 §1, 1989)

**Storage, self.**

A use for the storage of personal goods within multiple individual enclosed storage spaces rented to different individuals and businesses.

**Story.**

“Story” means that portion of a building included between the upper surface of any floor and the upper surface of the floor next 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 or roof above. That portion of a building between a floor and the floor above, more than fifty percent of the volume of which is below grade, shall not be considered a story unless chargeable for parking. (Ord. 822 §1, 1989)

**Street.**

“Street” means a public thoroughfare or right-of-way dedicated, deeded, or condemned for public use and which affords the principal means of access to abutting property. (Ord. 822 §1, 1989)

**Structure.**

“Structure” means anything constructed or erected which requires location on the ground or attached to something having a location on the ground. (Ord. 822 §1, 1989)

**Subdivision.**

“Subdivision” means the division by any person or partnership, firm, corporation, of any unit or units of improved or unimproved land, or any portion thereof, shown on the latest equalized County assessment roll as a unit or as contiguous units, for the purpose of sale, lease or financing, whether immediate or future except for leases of agricultural land for agricultural purposes. Property shall be considered as contiguous units, even if it is separated by roads, streets, utility easement or railroad rights-of-way. “Subdivision” includes a condominium project, a community apartment project, or the conversion of five or more existing dwelling units to a stock more existing dwelling units to a stock operative.

**Subsection.**

“Subsection” means any division within any numbered section of this title. (Ord. 822 §1, 1989)

**Substantial improvement.**

“Substantial improvement” means any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty percent of the market value of the structure either:

- A. Before the improvement is started; or
- B. If the structure has been damaged and is being restored, before the damage occurred.

For the purpose of this definition, “substantial improvement” is considered to occur when the first alteration of any wall, ceiling, or floor or other structural components of the building commences whether or not that alteration affects the external dimensions of the building. The term does not, however, include any alteration to comply with existing state or local health, sanitary, building or safety codes or regulations as well as structures listed in national or state registers of historic places. (Ord. 822 §1, 1989)

**Support structure.**

“Support structure” or “wireless telecommunications antenna array support structure” means a freestanding structure that is designed and constructed for the specific purpose of supporting an antenna array and that may consist of a monopole, a mast, a self-supporting lattice tower, a guy-wire support tower, or other similar structures.

**Swap meet.**

“Swap meet” means the same as “market, outdoor.” (Ord. 978 §2, 1996; Ord. 822 §1, 1989)

**Tandem parking.**

“Tandem parking” means two or more automobiles are parked on a driveway or in any other location on a lot, lined up behind one another. (Ord. 1242 §5, 2020)

**Target unit.**

“Target unit” means a dwelling unit within a housing development which will be reserved for sale or rent to, and affordable to, very low-, low-, or moderate-income households.

**Tattoo/Tattooing.**

“Tattoo/tattooing” means to insert pigment, ink or dye under the surface of the skin of a person by pricking with a needle or otherwise, to permanently change the color or appearance of the skin or to produce an indelible mark or figure visible through the skin. “Tattooing” does not include application of permanent



make-up that is performed as an incidental service in a beauty shop, day spa, or other service or retail establishment.

**Tattoo and body piercing studio.**

"Tattoo and body piercing studio" means any establishment where tattooing or body piercing takes place.

**Tavern.**

"Tavern" means any establishment which is regularly used, kept open for, and in the business of, serving alcoholic beverages for monetary compensation to patrons comprised of the general public; and food such as peanuts, popcorn, pretzels, sandwiches, and salads are also served. And within the establishment there is provided floor area for billiards, pool tables, dart boards, etc., in excess of ten percent of the total floor area. Live entertainment is not provided nor allowed. (Ord. 1009 §6, 1999)

**Telecommunications Tower.**

"Telecommunications tower" means a freestanding mast, pole, monopole, guyed tower, lattice tower, free standing tower or other structure designed and primarily used to support wireless communication facility antennas.

**Temporary Use.**

"Temporary use" means a use established for a fixed period of time with the intent to discontinue such use upon the expiration of the time period.

**Tenant.**

"Tenant" means the lessee of facility, land, or air space at an applicable development project.

**To place.**

The verb "to place" and any of its variants, as applied to sign and sign structures, means and include maintaining, erecting, constructing, posting, painting, printing, nailing, gluing, otherwise fastening, affixing, or making visible in any manner. (Ord. 822 §1, 1989)

**Trailer.**

"Trailer" means the same as "automobile trailer." (Ord. 822 §1, 1989)

**Trailer park.**

"Trailer park" means any area or tract of land intended, maintained, used, or designed for the purpose of supplying a location or accommodation for two or more automobile trailers for human habitation, including all buildings used or intended for use as part of the equipment of such facility, whether or not a charge is made for such use, including "trailer camp," "trailer court," "mobile home park," and similar terms. (Ord. 822 §1, 1989)

**Transit priority area (TPA).**

"Transit priority area" means an area within one-half mile of a major transit stop that is existing or planned, if the planned stop is scheduled to be completed within the length of time into the future that is included in a Transportation Improvement Program or applicable regional transportation plan.

**Transitional Housing.**

"Transitional housing" means, pursuant to the California Health and Safety Code, reduced fee rental housing which offers supportive services (such as job training and counseling to individuals and families) for

up to twenty-four (24) months that is designated for recently homeless persons and is operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six months. Small transitional housing is permanent housing (so-called group homes) serving six or fewer people is considered a standard residential use and is permitted in all zones where residential uses are permitted.

**Transportation demand management (TDM).**

“Transportation demand management” hereafter referred to as “TDM” means the alteration of travel behavior—usually on the part of commuters—through programs of incentives, services, and policies. TDM addresses alternatives to single-occupant vehicles and changes in work schedules that move trips out of peak periods or eliminate them altogether.

**Trip reduction.**

“Trip reduction” means reduction in the number of work-related trips made by single-occupant vehicles.

**Truck terminal.**

“Truck terminal” means any facility, building or premises used or improved for use for the storage, maintenance, repair or servicing of trucks, trailers, semi-trailers or similar transportation equipment or used primarily in connection with the transportation, transfer or storage of goods, wares or merchandise whether or not such use is conducted outside of or within an enclosed building, but excluding the storage, maintenance, repair or servicing of any such transportation equipment or the storage of goods, wares and merchandise solely as an incident to a conduct of a primary use permitted and lawfully conducted by the owner thereof on such premises. (Ord. 822 §1, 1989)

**Truck, Trailer and Equipment Rental Yard.**

“Truck, trailer and equipment rental yard” means a business conducted primarily in an open area, where trucks, trailers, various mechanical, landscaping and construction equipment and tools are stored or offered for rent, lease or sale.

**Turf.**

“Turf” means a surface layer of earth containing mowed grass with its roots. Annual bluegrass, Kentucky bluegrass, perennial rye grass, red fescue and tall fescue are cool-season grasses. Bermuda grass, Kikuyu grass, seashore Paspalum, St. Augustine grass, Zoysia grass and Buffalo grass are warm-season grasses.

**Turf, Synthetic**

A man-made, synthetic material manufactured from nylon, polypropylene, polyethylene, or a blend of nylon, polypropylene and polyethylene fibers which simulates the appearance of live turf, organic turf, grass, sod, or lawn.

**Unimproved.**

“Unimproved” means any lot or parcel of land recorded by the county assessor, not used, employed or legally built upon prior to July 30, 1958. (Ord. 822 §1, 1989)

**Usable open space.**

“Usable open space” means any usable area designated for and to be used for outdoor living, recreation, or landscaping on the ground or unenclosed balcony, or approved roof deck, and may include patios and deck

areas of swimming pools and rear yards. No portion of required front yards and side yards, off-street parking space or driveways shall constitute usable open space. (Ord. 822 §1, 1989)

Use.

The term "use" means the purpose for which land or a building or structure is arranged, designed, or intended or for which either is, or may be occupied or maintained. (Ord. 822 §1, 1989)

Use, Principal.

"Principal use" means a primary or predominant activity which occurs at a site. Such a use must be listed in the land use matrix or determined to be similar to a listed use. Such use must occupy a minimum of fifty-one (51) percent of the building. A site or parcel may not have more than one principal use.

Vanpool.

"Vanpool" means a vehicle carrying seven to fifteen occupants commuting together to and from work on a regular basis, usually in a vehicle with a seating arrangement designed to carry seven to fifteen adult passengers, and on a prepaid subscription basis.

Variance.

"Variance" means a waiver of specific regulations of this title, granted by the city in accordance with the provisions set forth in this title, for the purpose of assuring that no property, because of special circumstances applicable to it, shall be deprived of privileges commonly enjoyed by other properties in the same vicinity and zone. (Ord. 822 §1, 1989)

Vehicle.

"Vehicle" means any motorized form of transportation, including, but not limited to, automobiles, vans, buses, and motorcycles. (Ord. 963 §39, 1995; Ord. 926 §1, 1993)

Warehouse.

"Warehouse" means a building or portion of a building used for the deposit of personal property for storage, redistribution, or for sale at wholesale or at mail order and where no retail operation is conducted. (Ord. 822 §1, 1989)

Water efficient irrigation.

"Water efficient irrigation" means the scheduling and management of an irrigation system to supply moisture to a landscape without excess or waste in compliance with the landscape/irrigation criteria set forth.

Water efficient landscaping.

"Water efficient landscaping" means a landscape that is designed and maintained to function in a healthful and visually pleasing manner in compliance with the landscape/irrigation criteria set forth. This generally involves the strategic use of plants which have minimal water requirements for subsistence, plants native to hot/dry environments, xeriscape, and hardscape to achieve an overall landscape concept which is water conserving.

Wholesale.

"Wholesale" means sale or resale and not for direct consumption. (Ord. 822 §1, 1989)

Wine Tasting.

“Wine tasting” means the furnishing to customers instruction on the history, nature, values, and characteristics of wine, as well as instruction concerning the methods of presenting and serving the wine when samples of the subject wines are furnished to customers.

Wind sensing device.

“Wind sensing device” means a device that automatically shuts off the irrigation system during times of heavy wind. (Ord. 1163 §1, 2012)

Wireless telecommunications antenna facility.

“Wireless telecommunications antenna facility” means 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 or subterranean vault to house accessory equipment, which may include cabinets, pedestals, shelters, and similar protective structures.

Wireless telecommunications services.

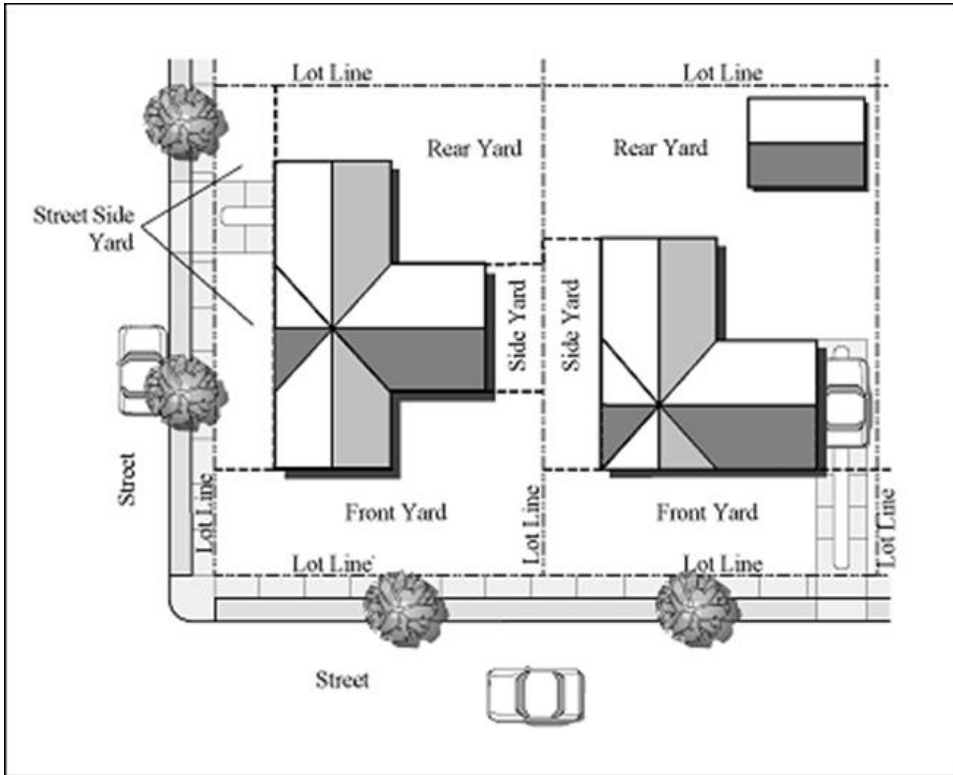
“Wireless telecommunications services” means any personal wireless services as defined in the federal Telecommunications Act of 1996, including federally-licensed wireless telecommunications services consisting of cellular services, personal communications services (PCS), specialized mobile radio services (SMR), enhanced specialized mobile radio services (ESMR), paging, and similar services that currently exist or that may be developed in the future. (Ord. 1044 §3, 2003)

Wrecking yard.

“Wrecking yard” means the same as “automobile dismantling yard.” (Ord. 822 §1, 1989)

Yard.

“Yard” means an open space abutting a front, rear, or side lot line of a lot that is unoccupied and unobstructed from the ground upward, except as otherwise provided in this article. Yard shall also mean the required setback area for a building or structure from a property line.



Yard, front.

A "front yard" means a yard extending across the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line and a line parallel thereto on the lot located at the distance prescribed by the regulations of the zone district in which the property is located. (Ord. 822 §1, 1989)

Yard, rear.

A "rear yard" means a yard extending across the full width of the lot between the most rear main building and the rear lot line. The depth of the required rear yard shall be measured horizontally from the nearest part of the main building toward the nearest point of the rear lot line. (Ord. 822 §1, 1989)

Yard, side.

A "side yard" means a yard between the main building and the side lot line, extending from the front yard or front lot line where no front yard is required, to the rear yard. The width of the required side yard shall be measured horizontally from the nearest point of a side lot line toward the nearest point of the main building. (Ord. 822 §1, 1989)

Zone.

"Zone" means an area of land shown on the official zoning map or described in this title within which uniform regulations for the uses and development of land are made applicable by this title and shall include "district," "zone district" and "zoning district." (Ord. 822 §1, 1989)

Zone change.

"Zone change" means the legislative act of amending this title by removing an area of land from one zone district and placing it in another zone district on the official zoning map. (Ord. 822 §1, 1989)

## Title 17

### ZONING

#### Chapters:

- 17.01 GENERAL PROVISIONS
- 17.02 DEFINITIONS
- 17.03 PERMIT APPROVAL PROCEDURES
- 17.04 ZONING MAP
- 17.05 RESIDENTIAL ZONES – STANDARDS AND USES
- 17.06 COMMERCIAL ZONES – STANDARDS AND USES
- 17.07 MIXED-USE ZONES – STANDARDS AND USES
- 17.08 PUBLIC FACILITIES ZONES – STANDARDS AND USES
- 17.09 INDUSTRIAL ZONES – STANDARDS AND USES
- 17.10 OVERLAY ZONES – STANDARDS AND USES
- 17.11 SPECIAL USES – STANDARDS AND USES
- 17.12 ACCESSORY DWELLING UNITS
- 17.13 DENSITY BONUS
- 17.14 OBJECTIVE DESIGN STANDARDS
- 17.15 ADVERTISING SIGNS
- 17.16 OFF-STREET PARKING AND LOADING

Chapter 17.03  
PERMIT APPROVAL PROCEDURES

Sections

- 17.03.010 Purpose and applicability.
- 17.03.020 Permit types.
- 17.03.030 Review bodies and responsibilities.
- 17.03.040 Development application: streamlined ministerial approval.
- 17.03.050 Development application process.
- 17.03.060 Conditional use permits.
- 17.03.070 Temporary use permits.
- 17.03.080 Home occupation permits.
- 17.03.090 Plans required and site plan review (Residential Zones ONLY).
- 17.03.100 Developments within flood hazard areas.
- 17.03.110 Final review and certification of plans.
- 17.03.120 Improvement project areas – site plan review.
- 17.03.130 Public hearings – procedure and conduct.
- 17.03.140 Historic preservation.
- 17.03.150 Amendments to zoning regulations.
- 17.03.160 Variances.
- 17.03.170 Nonconformities.
- 17.03.180 Modification of development standards.
- 17.03.190 Miscellaneous standards and permitted encroachments.
- 17.03.200 Enforcement.
- 17.03.210 Catering vehicle as a conditionally permitted accessory use to a restaurant.
- 17.03.220 Electric vehicle charging systems.
- 17.03.230 Massage establishments.

17.03.010 Purpose and applicability.

The purpose of this chapter is to define the permit application filing, processing, and approval procedures to which all development applications in the City of South El Monte are subject. This chapter shall apply to all uses, structures, facilities, and construction within the City of South El Monte which require a permit, as defined, to construct, enact, or implement.

17.03.020 Permit types.

The following types of permits shall be applicable to all uses, structures, facilities, and construction within the City of South El Monte, as specified:

A. Conditional Use Permit

1. The purpose of the conditional use permit is to afford the commission the opportunity to review proposed uses, structures, or facilities which could have an adverse effect upon the surrounding area and to place such reasonable conditions upon these uses and developments as to make them more compatible with their surroundings. These conditions may supersede the development standards required elsewhere but will not permit uses not otherwise permitted.

2. A conditional use permit shall be required for any use within a zone district which is designated as a conditional use by the district regulations or for such other uses which, by their scope, scale, or nature, would not specifically be permitted uses within any designated zone district, but which would be recognized as uses that would be beneficial to the community as a whole. (Ord. 963 §39, 1995; Ord. 822 §1, 1989)

B. Temporary Use Permit

1. The purpose of the temporary use permit is to control and regulate land use activities of a temporary nature which may adversely affect the public health, safety and welfare. The intent is to ensure that temporary uses will be compatible with surrounding land uses, to protect the rights of adjacent residents and landowners, and to minimize any adverse effects on surrounding properties and the environment. (Ord. 1143 §1, 2011)

C. Home Occupation Permit

1. The purpose of the home occupation permit is to permit a variety of home occupations within the residential zones while ensuring that such uses are conducted in such a way as to ensure that no adverse effects will result. (Ord. 963 §39, 1995; Ord. 822 §1, 1989)

17.03.030 Review bodies and responsibilities.

All development proposals may be subject to one or more development application processing procedures contained in this chapter. The exact application processing procedures that apply to a specific project will be determined by the City Planner based on project characteristics. Table 17.03.030-A outlines the primary types of development applications and review procedures. When more than one (1) application is required for a project, the applications are to be processed concurrently with the final decision body hearing all applications.

Table 17.03.030-A Review Bodies and Responsibilities

Type of Application	Review Body	Public Hearing Process	Regulations
Streamlined Ministerial Application	Approved by Community Development Director	[CITY please review] None required	Section 17.03.040
Conditional Use Permit	Approved by Planning Commission	Set by commission per 17.03.130	Section 17.03.060
Temporary Use Permit	Approved by Community Development Director	None required	Section 17.03.070
Home Occupation Permits	Approved by Community Development Director	None required	Section 17.03.080
Adult Use Permit	Approved by City Manager	Only if permit is revoked or appealed	Chapter 5.25 Adult Businesses
Residential Site Plan Review	Approved by Planning Commission	None required	Section 17.03.090



Site Plan Review – Improvement Project Areas	Approved by Planning Commission	Set by commission per 17.03.130	Section 17.03.120
Developments within Flood Zones	Approved by Planning Commission – Conditional Use Permit	None required	Section 17.03.100
Amendments to Zoning Regulations	Approved by Planning Commission and City Council	Two hearings (one with Planning Commission and one with City Council) set per 17.03.130	Section 17.03.150
Nonconformities	Requires different approvers depending on action taken to nonconformity. See 17.03.160.	May be required. See 17.03.160.	Section 17.03.170
Variances	Approved by Planning Commission	Set by commission per 17.03.130	Section 17.03.170
Modifications of Development Standards	Approved by Community Development Director	None required	Section 17.03.180
ADUs	Approved by Community Development Director	None required	Chapter 17.12
Density Bonus	Approved by City Council	None required	Chapter 17.13

17.03.040 Development application: streamlined ministerial approval.

The purpose of this chapter is to authorize an administrative permit for infill housing projects, including mixed-use projects, that comply with California Government Code Section 65913.4 or the requirements of this chapter. Nothing in this chapter precludes an applicant from applying for discretionary site plan and design review. The following section outlines the steps necessary for projects seeking a State of California Ministerial Development Application.

- A. Infill housing projects eligible for streamlined, ministerial approval process under Government Code Section 65913.4.
1. Administrative permit. A housing project, including a mixed-use project, will be granted an administrative permit if it—
    - a. Qualifies for streamlined, ministerial approval under California Government Code Section 65913.4.
    - b. Complies with the city’s objective zoning standards and objective subdivision standards, as defined in California Government Code Section 65913.4 and set forth in this code; and

- c. Complies with the city’s objective design review standards, as defined in California Government Code Section 65913.4 and as set forth in the Citywide Infill Housing Design Standards.
- B. Conflicting laws. In the case of a conflict between the city’s standards set forth in subsection A above and the standards set forth in California Government Code Section 65913.4, the provisions of the California Government Code prevail.
- C. Deemed approval. If the city does not provide written notice as required by subsection C above, the project will be deemed to satisfy the requirements specified in subsection A above and must be granted an administrative permit.
- D. The following development projects may apply through the following ministerial application, per Government Code Section 65913.4:

Application Filing	
Step 1	Prior to submitting an application for the Streamlined Ministerial Approval Process, The development proponent must submit to the local government a notice of intent to submit an application and the local government must have completed the tribal consultation process outlined in Government Code Section 65913.4(b). The notice of intent shall be in the form of a preliminary application that includes all of the information described in Government Code Section 65941.1. This required document is also listed below under Application Filing Step 5.
Step 2	<p>An application submitted hereunder shall be reviewed by the agency within the timeframes required under Application Timeline below. Applications must contain all materials required by the agency for the proposed project, and it is not a basis to deny the project if either:</p> <p>A. The application contains sufficient information for a reasonable person to determine whether the development is consistent, compliant, or in conformity with the requisite objective standards.</p> <p>The application contains all documents and other information required by the local government.</p>
Step 3	<p>On development permit portal, information for all contacts related to this application must be provided. Make sure the contact information is complete and current. New residential development applications require the contact information of the applicant and a licensed professional (architect).</p> <p>The Applicant is the person applying for approval. The Applicant must supply their legal name as it will be shown on the permit. It is important that the Applicant carefully and accurately communicate that information. An Authorized Agent may submit this application on behalf of the Applicant. Please add contact information of the authorized agent in such case.</p> <p>Property Owners may be the Applicants. Property Owners, regardless of status as Applicant or not, must provide the following:</p> <p>A. Completed and signed "Notice to Property Owner": If the property is owned by a Corporation, LLC, or Partnership, you will need to provide a copy of the operating agreement or corporate paperwork from when the corporation was formed, which verifies which of the following it is: CEO, Managing Member, Partner, President, Vice-President</p> <p>B. Proof of identification, including any of the following: Alien Registration Card, Driver’s Licenses, State Issued ID Card, U.S. Passport</p>

	<p>C. Proof of ownership, if there has been a recent transfer of ownership (e.g., Grant Deed, Escrow Closing Statement). If the property is owned by a Trust, a copy of the trust paperwork showing the trustee or executor as an authorized signatory for the property.</p> <p>The Licensed Professional must provide information on all of the licensed professionals who will do the proposed work, including subcontractors. If a licensed professional is the applicant, they will need to communicate their license information in this section as well.</p> <p>Contractors must provide the following:</p> <p>A. If licensee is different than applicant for building permit, then a notarized "Authorized Agent Form - Contractor" will be required to pull permits on behalf of the licensed contractor. This form will need to be on file with the City and on-hand at time of permit issuance.</p> <p>B. Individual pulling permit must have a current Contractor's Registration License with the City of South El Monte.</p> <p>C. Proof of current State of California Contractor's License and classification (pocket card)</p> <p>D. Proof of valid Worker's Compensation Insurance (for contractors with multiple employees)</p> <p>E. Developments meeting the following conditions must certify that a skilled and trained workforce shall be used to complete the development if the application is approved per Government Code Section 65913.4(a)(8)(B)</p> <ol style="list-style-type: none"> <li>1. On and after January 1, 2022, until December 31, 2025, the development consists of more than 25 units and will be located within a jurisdiction with a population of fewer than 550,000 and that is not located in a coastal bay county.</li> </ol>
Step 4	<p>Applicant must identify the physical address where the proposed work will take place.</p> <p>By entering the "Street No." below, and clicking the "Search" button, the portal will return a list of addresses to choose from. The portal will automatically return the "Parcel" and "Owner" information that is required once the street information is entered.</p>
Step 5	<p>The following supporting documentation will need to be provided in order for a residential development application to be deemed complete:</p> <p>A. Notarized letter from the property owner giving the applicant authority to apply for the entitlement</p> <p>B. Radius map showing all properties within three-hundred feet of the subject property</p> <p>C. (2) Two sets of mailing labels that list all property owners and occupants within three-feet of proposed project (physical copy dropped off or mailed to Planning Department)</p> <p>D. Completed Environmental Information Form - find link to the form below:</p> <p>E. (<a href="https://www.cityofsouthelmonte.org/DocumentCenter/View/2256/Environmental-InformationForm-PDF">https://www.cityofsouthelmonte.org/DocumentCenter/View/2256/Environmental-InformationForm-PDF</a>)</p> <p>F. Photographs of the existing site</p> <p>G. Title Report or Grant Deed</p> <p>H. Tribal Scoping Consultation per AB 168</p> <p>I. Evidence that the project is not within the following per Government Code Section 65913.4(a)(6):</p> <ol style="list-style-type: none"> <li>1. A coastal zone, as defined in Division 20 (commencing with Section 30000) of the Public Resources Code.</li> <li>2. Either prime farmland or farmland of statewide importance, as defined pursuant to United States Department of Agriculture land inventory and monitoring criteria, as modified for California, and designated on the maps prepared by the Farmland Mapping</li> </ol>

and Monitoring Program of the Department of Conservation, or land zoned or designated for agricultural protection or preservation by a local ballot measure that was approved by the voters of that jurisdiction.

3. Wetlands, as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993).
4. Within a very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection pursuant to Section 51178, or within a high or very high fire hazard severity zone as indicated on maps adopted by the Department of Forestry and Fire Protection pursuant to Section 4202 of the Public Resources Code. This subparagraph does not apply to sites excluded from the specified hazard zones by a local agency, pursuant to subdivision (b) of Section 51179, or sites that have adopted fire hazard mitigation measures pursuant to existing building standards or state fire mitigation measures applicable to the development.
5. A hazardous waste site that is listed pursuant to Section 65962.5 or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Section 25356 of the Health and Safety Code, unless the Department of Toxic Substances Control has cleared the site for residential use or residential mixed uses.
6. Within a delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist, unless the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law (Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code), and by any local building department under Chapter 12.2 (commencing with Section 8875) of Division 1 of Title 2.
7. Within a flood plain as determined by maps promulgated by the Federal Emergency Management Agency, unless the development has been issued a flood plain development permit pursuant to Part 59 (commencing with Section 59.1) and Part 60 (commencing with Section 60.1) of Subchapter B of Chapter I of Title 44 of the Code of Federal Regulations.
8. Within a floodway as determined by maps promulgated by the Federal Emergency Management Agency, unless the development has received a no-rise certification in accordance with Section 60.3(d)(3) of Title 44 of the Code of Federal Regulations.
9. Lands identified for conservation in an adopted natural community conservation plan pursuant to the Natural Community Conservation Planning Act (Chapter 10 (commencing with Section 2800) of Division 3 of the Fish and Game Code), habitat conservation plan pursuant to the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), or other adopted natural resource protection plan.
10. Habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code).
11. Lands under conservation easement.
12. Additional evidence may be required per Government Code Section 65913.4(a)(7) as related to demolition of housing.

	J. Complete set of plans that includes site development plan, floor plans, building elevations  All plans must be consistent with objective design standards as laid forth in Chapter 17.14.
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Application Processing	
Step 1	Local governments shall make a determination of consistency per timeline spelled out below (see Application Timeline).
Step 2	<p>Documentation of inconsistency(ies) with objective standards must be provided to the development proponent within these timeframes. If the local government fails to provide the required documentation determining consistency within these timeframes, the development shall be deemed to satisfy the objective planning standards and shall be deemed consistent.</p> <p>Design review or public oversight may be conducted by the local government's city council, board of supervisors, planning commission, or any equivalent board or commission shall be conducted within the timeline as spelled out within this section.</p> <p>Although design review may occur in parallel with or as part of the consistency determination, failure to meet subjective design review standards or obtain design review approval from the oversight board shall not in any way inhibit, chill, stall, delay, or preclude a project from being approved for development pursuant to these Guidelines if objective design review standards are met. This means that discussion or consideration of the application shall only relate to design standards. If the local government fails to complete design review within the timeframes provided above, the project is deemed consistent with objective design review standards.</p>

Application Approvals	
Step 1	<p>Once the plan check application has been processed by the permit counter, developer will be able to upload plans and supporting documents through the Building Division Plan Submittal Portal at <a href="https://gopost-transtech.eplansoftware.com/#/login?portal=selmonte">https://gopost-transtech.eplansoftware.com/#/login?portal=selmonte</a></p> <p>Step-by-step instructions on how to submit through the portal are available here: <a href="https://www.dropbox.com/s/le0t01287lq9gfp/Step-By-Step%20Instructions.pdf?dl=0">https://www.dropbox.com/s/le0t01287lq9gfp/Step-By-Step%20Instructions.pdf?dl=0</a></p>
Step 2	Local government must determine if an application for a Streamlined Ministerial Approval complies with requirements and approve or deny the application per timeline spelled out in this section.
Step 3	<p>Modifications to the development subsequent to the approval of the ministerial review, but prior to issuance of a final building permit, shall be granted in the following circumstances:</p> <p>A. For modification initiated by the development proponent.</p> <ol style="list-style-type: none"> <li>1. Following approval of an application under the Streamlined Ministerial Approval Review Process, but prior to issuance of the final building permit required for construction of the development, an applicant may submit a written request to modify the development. A list of approved modifications can be found in the HCD's Updated Streamlined Ministerial Approval Process guidelines.</li> <li>2. Upon receipt of the request, the local agency shall determine if the requested modification is consistent with the local agency's objective standards in effect when the original application for the development was submitted. The local agency shall not</li> </ol>

	<p>reconsider consistency with objective planning standards that are not affected by the proposed modification. Approval of the modification request must be completed within 60 days of submittal of the modification or 90 days if design review is required. A proposed modification shall not cause the original approval to terminate.</p> <ol style="list-style-type: none"> <li>3. The local government's review of a modification request pursuant to this subdivision shall be strictly limited to determining whether the modification, including any modification to previously approved density bonus concessions or waivers, modify the development's consistency with the objective planning standards and shall not reconsider prior determinations that are not affected by the modification.</li> </ol> <p>B. For modification initiated by the local agency.</p> <ol style="list-style-type: none"> <li>1. Following approval of an application under the Streamlined Ministerial Approval Process, but prior to issuance of a building permit for the development, a local agency may require one-time changes to the development that are necessary to comply with the objective building standards contained in the California Building Standards Code (Title 24 of the California Code of Regulations), including, but not limited to, building plumbing, electrical, fire, and grading codes, or to mitigate a specific, adverse impact upon the public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without modifying the development. A "specific, adverse impact" has the meaning defined in Government Code Section 65589.5(d)(2). Any local standard adopted after submission of a development application, including locally adopted construction codes, shall not be considered an "objective zoning standard," "objective subdivision standard," or "objective design review standard" that is applicable to a development application.</li> <li>2. A determination that a change is required is a ministerial action. If a revised application is required to address these modifications, the application shall be reviewed as a ministerial approval within 60 days of re-submittal of the application.</li> </ol>
Step 4	<p>If a local government approves a development under the Streamlined Ministerial Approval Process, notwithstanding any other law, the following expiration of approval timeframes apply:</p> <ol style="list-style-type: none"> <li>A. If the project includes public investment in housing affordability, beyond tax credits, where 50 percent of the units are affordable to households making at or below 80 percent of the AMI, then that approval shall not expire.</li> <li>B. If the project does not include public investment in housing affordability (including local, state, or federal government assistance) beyond tax credits, and at least 50 percent of the units are not affordable to households making at or below 80 percent of the AMI, that approval shall remain valid for three years from the date of the final action establishing that approval, or if litigation is filed challenging that approval, from the date of the final judgment upholding that approval. Approval shall remain valid for a project provided that vertical construction of the development has begun and is in progress. "In progress" means one of the following: <ol style="list-style-type: none"> <li>1. The construction has begun and has not ceased for more than 180 days.</li> <li>2. If the development requires multiple building permits, an initial phase has been completed, and the project proponent has applied for and is diligently pursuing a building permit for a subsequent phase, provided that once it has been issued, the building permit for the subsequent phase does not lapse.</li> </ol> </li> <li>C. The development may receive a one-time, one-year extension if the project proponent provides documentation that there has been significant progress towards getting the</li> </ol>

	development construction ready, such as filing a building permit application. The local government's action and discretion in determining whether to grant the foregoing extension shall be limited to considerations and processes set forth in this section.
Step 5	A local government shall issue subsequent permits as defined in Section 102(aa) required for a development approved under the Streamlined Ministerial Approval Process if the application for those permits substantially complies with the development as it was approved. Upon receipt of an application for a subsequent permit, the local government shall process the permit without unreasonable delay and shall not impose any procedure or requirement that is not imposed on projects that are not approved using the Streamlined Ministerial Approval Process. Issuance of subsequent permits shall implement the approved development, and review of the permit application shall not inhibit, chill, or preclude the development. For purposes of this subsection "unreasonable delay" means permit processing times that are longer than other similar permit requests for projects not approved using the Streamlined Ministerial Approval Process.

Application Timeline	
Preapplication	SB 35 Ministerial Housing Notice of Intent due prior to submitting application
30 days after receipt of formal notice pursuant to the provisions of AB 168/SB 35	Timeline in which California Native American must accept the invitation to engage in a scoping consultation. If the local government receives a response accepting an invitation to engage in a scoping consultation pursuant to this subdivision, the local government shall commence the scoping consultation within 30 days of receiving that response.
60 days after submittal of application	Determination of consistency made for developments that contain 150 or fewer units
Within 90 days after submittal of application	Design review or public oversight may be conducted by local government's city council, board of supervisors, planning commission or any equivalent board or commission for developments that contain 150 or fewer units
90 days after submittal of application	Determination of consistency made for developments that contain more than 150 units
Within 180 days after submittal of application	Design review or public oversight may be conducted by local government's city council, board of supervisors, planning commission or any equivalent board or commission for developments that contain more than 150 units
Expiration of permit	<p>A. If the project includes public investment in housing affordability, beyond tax credits, where 50 percent of the units are affordable to households making at or below 80 percent of the AMI, then that approval shall not expire.</p> <p>B. If the project does not include public investment in housing affordability (including local, state, or federal government assistance) beyond tax credits, and at least 50 percent of the units are not affordable to households making at or below 80 percent of the AMI, that approval shall remain valid for three years from the date of the final action establishing that approval, or if litigation is filed challenging that approval, from the date of the final judgment upholding that approval. Approval shall remain valid for a project provided that vertical</p>

	<p>construction of the development has begun and is in progress. "In progress" means one of the following:</p> <ol style="list-style-type: none"> <li>1. The construction has begun and has not ceased for more than 180 days.</li> <li>2. If the development requires multiple building permits, an initial phase has been completed, and the project proponent has applied for and is diligently pursuing a building permit for a subsequent phase, provided that once it has been issued, the building permit for the subsequent phase does not lapse.</li> </ol> <p>C. The development may receive a one-time, one-year extension if the project proponent provides documentation that there has been significant progress toward getting the development construction ready, such as filing a building permit application. The local government's action and discretion in determining whether to grant the foregoing extension shall be limited to considerations and processes set forth in this section.</p>
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17.03.050 Development application process.

Application Filing	
Step 1	<p>On the development permit portal, information for all contacts related to this application must be provided. The Applicant is the person applying for approval. The Applicant must supply their legal name as it will be shown on the permit. It is important that the Applicant carefully and accurately communicate that information. Make sure the contact information is complete and current. New residential development applications require the contact information of the applicant and a licensed professional (architect). An Authorized Agent may submit this application on behalf of the Applicant. Please add contact information of the authorized agent in such case.</p> <p>Property Owners may be the Applicants. Property Owners, regardless of status as Applicant or not, must provide the following:</p> <ol style="list-style-type: none"> <li>A. Completed and signed "Notice to Property Owner": For condominiums and townhouses, if the project is in the common area or exterior of a condominium building, a letter of authorization signed by the Homeowners Association (HOA) president is required along with documentation (e.g., HOA minutes) verifying the authenticity of the president's position with the HOA. Alternatively, authorization from all condominium owners may be considered. If the property is owned by a Corporation, LLC, or Partnership, you will need to provide a copy of the operating agreement or corporate paperwork from when the corporation was formed, which verifies which of the following it is CEO, Managing Member, Partner, President, Vice-President</li> <li>B. Proof of identification, including any of the following: Alien Registration Card, Driver's Licenses, State Issued ID Card, U.S. Passport</li> <li>C. Proof of ownership, if there has been a recent transfer of ownership (e.g., Grant Deed, Escrow Closing Statement). If the property is owned by a Trust, a copy of the trust paperwork showing the trustee or executor as an authorized signatory for the property.</li> </ol>



	<p>The Licensed Professional must provide information on all of the licensed professionals who will do the proposed work, including subcontractors. If a licensed professional is the applicant, they will need to communicate their license information in this section as well.</p> <p>Contractors must provide the following:</p> <ul style="list-style-type: none"> <li>D. If licensee is different than applicant for building permit, then a notarized "Authorized Agent Form - Contractor" will be required to pull permits on behalf of the licensed contractor. This form will need to be on file with the City and on-hand at time of permit issuance.</li> <li>E. Individual pulling permit must have a current Contractor's Registration License with the City of South El Monte.</li> <li>F. Proof of current State of California Contractor's License and classification (pocket card)</li> <li>G. Proof of valid Worker's Compensation Insurance (for contractors with multiple employees)</li> </ul>
Step 2	<p>Applicant must identify the physical address where the proposed work will take place. By entering the "Street No." below, and clicking the "Search" button, the portal will return a list of addresses to choose from. The portal will automatically return the "Parcel" and "Owner" information that is required once the street information is entered.</p>
Step 3	<p>The following supporting documentation will need to be provided in order for a residential development application to be deemed complete:</p> <ul style="list-style-type: none"> <li>A. Notarized letter from the property owner giving the applicant authority to apply for the entitlement</li> <li>B. Complete set of plans that includes site development plan, floor plans, building elevations</li> <li>C. Radius map showing all properties within three-hundredfeet of the subject property</li> <li>D. (2) Two sets of mailing labels that list all property owners and occupants within three-hundredfeet of proposed project (physical copy dropped off or mailed to Planning Department)</li> <li>E. Completed Environmental Information Form - find link to the form below:</li> <li>F. (<a href="https://www.cityofsouthelmonte.org/DocumentCenter/View/2256/Environmental-InformationForm-PDF">https://www.cityofsouthelmonte.org/DocumentCenter/View/2256/Environmental-InformationForm-PDF</a>)</li> <li>G. Photographs of the existing site</li> <li>H. Title Report or Grant Deed</li> </ul> <p>The following supporting document will need to be provided in addition to the above list if the development will involve a Conditional Use Permit:</p> <ul style="list-style-type: none"> <li>I. Conceptual landscape plan including all plant material existing and proposed for the site</li> <li>J. Colored elevations or renderings</li> <li>K. Color and materials sample sheet</li> <li>L. Sign program</li> </ul> <p>The following supporting document will need to be provided in addition to the above list if the development will involve a Conditional Use Permit:</p> <ul style="list-style-type: none"> <li>M. Tentative map of proposed subdivision</li> </ul>

Application Processing	
Step 1	<p>Once the plan check application has been processed by the permit counter, developer will be able to upload plans and supporting documents through the Building Division Plan Submittal Portal at <a href="https://gopost-transtech.eplansoftreview.com/#/login?portal=selmonte">https://gopost-transtech.eplansoftreview.com/#/login?portal=selmonte</a></p>

	Step-by-step instructions on how to submit through the portal are available here: <a href="https://www.dropbox.com/s/le0t01287lq9gfp/Step-By-Step%20Instructions.pdf?dl=0">https://www.dropbox.com/s/le0t01287lq9gfp/Step-By-Step%20Instructions.pdf?dl=0</a>
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Application Timelines	
Issuance of Building Permit	Issuance of a building permit is contingent on the complexity of a project. Some projects may obtain permits over the counter while other projects will be routed to the City's designated plan-check consultant. On average, <u>first review of plans will take two to three weeks</u> . The City will contact and coordinate with an applicant or representative on the availability of plans following the initial plan check process. It is then the responsibility of the applicant or designee to address all corrections prior to resubmitting for re-check with the City which will take an additional two to three weeks, after resubmittal. Please note, these timelines may be expanded or shortened depending on the complexity of a project.
Permit Pre-Approval	Once a set of plans are approved, a building permit is issued to allow for construction. Construction activity generally <u>must be completed within 180 days</u> from the issuance of the permit. The City may also engage the services of pre-approved outside inspectors for certain types of construction projects.
After Project Completion	At the conclusion of all construction activities, including inspections, a permit will be closed or finalized. After the final inspection, the permit and plans are archived by the City and may be viewed over the counter.
180 days after date of plan submittal check	The length that a plan check application submitted to the Building and Safety Division is good for. An extension maybe granted by submitting a written request with detailed explanation with the reason for the extension prior to the expiration date of the plan check.
Up to 12 months after date of plan submittal check	The length that a plan/building permit can remain active so long as the work authorized by the permit was commenced within 12 months, and the work is not abandoned (effective January 1, 2019, per Assembly Bill (AB) 2913). In addition, the building official may grant one or more extensions of time for periods of not more than 180 days per extension. A permittee requesting such extensions must make the request in writing and demonstrate justifiable cause for the extension.

17.03.060 Conditional use permits.

Application Filing	
Step 1	<p>A conditional use permit shall be required for any use within a zone district which is designated as a conditional use by the district regulations or for such other uses which, by their scope, scale, or nature, would not specifically be permitted uses within any designated zone district, but which would be recognized as uses that would be beneficial to the community as a whole. (Ord. 963 §39, 1995; Ord. 822 §1, 1989)</p> <p>When it is determined that a conditional use permit is required, application shall be made upon forms prescribed by the commission and shall be accompanied by such exhibits, maps or documents deemed necessary to provide the commission with complete information regarding the request. At the time the application is submitted, a fee, established by written resolution of the city council, shall be paid.</p>

	No part of the required fee shall be refundable unless the application is withdrawn prior to the publication of the notice of public hearing. (Ord. 963 §39, 1995; Ord. 822 §1, 1989)
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Application Processing	
Step 1	Upon receipt of the required application and fee, the commission shall set a hearing date which shall be advertised as provided in Chapter 17.03.130 of these regulations. (Ord. 963 §39, 1995; Ord. 822 §1, 1989)

Application Approvals	
Step 1	<p>The commission may grant, conditionally grant, or deny a conditional use permit based on the required findings, on evidence presented by the staff report, the public hearing, or upon its own study and knowledge of the situation. (Ord. 963 §39, 1995; Ord. 822 §1, 1989)</p> <p>The commission shall find that the proposed use shall not be detrimental to persons or properties in the immediate vicinity nor to the city in general. If it fails to make these findings, the request shall be denied. (Ord. 963 §39, 1995; Ord. 822 §1, 1989)</p> <p>Any decision on a proposed zoning amendment shall be consistent with the portions of the county of Los Angeles hazardous waste management plan as approved November 30, 1989, relating to siting of and siting criteria for hazardous waste facilities. (Ord. 963 §39, 1995; Ord. 888-U §2, 1990; Ord. 887 §2, 1990)</p>
Step 2	The commission may attach such reasonable conditions of approval as it deems are necessary to ensure that the proposed use will be compatible with the surrounding area and with the goals of the city. Such conditions may include, but are not limited to, setbacks, building height, parking, landscaping, and architecture. All conditions shall be binding upon the applicants, their successors and assigns and shall run with the land; shall limit and control the issuance and validity of certificate of occupancy, and shall restrict and limit the construction, location, use and maintenance of all land and structures within the parcel, lot or development. (Ord. 963 §39, 1995; Ord. 822 §1, 1989)
Step 4	Should any violation of conditions of approval occur, the planning commission may after appropriate public notice, reopen the public hearing on the conditional use permit and may impose additional conditions to rectify any violations or may, if such is shown to be warranted, revoke the conditional use permit for cause. (Ord. 963 §39, 1995; Ord. 822 §1, 1989)

Application Timelines	
10 days after commission decision	Applicant notified in writing of commission's decision to grant or deny the conditional use permit. (Ord. 963 §39, 1995; Ord. 822 §1, 1989)
14 days following commission's approval of conditional use permit	Conditional use permit shall become effective. The applicant or any other person aggrieved by the commission's decision may appeal to the city council in accordance with Chapter 17.03.130 of these regulations. (Ord. 963 §39, 1995; Ord. 822 §1, 1989)

24 months after effective date if the conditional permit has not been utilized	Permit shall be deemed null and void. If the conditional use permit is not utilized within the twenty-four-month timeframe, the applicant may apply for an extension before the expiration of the permit on a form approved by the community development director. (Ord. 1237 §6, 2019; Ord. 963 §39, 1995; Ord. 822 §1, 1989)
3 consecutive months or 6 months during the calendar year of abandonment or non-use of a permit	Termination of conditional use permit.

17.03.070 Temporary use permits.

Application Filing	
Step 1	<p>The property owner or the owner’s authorized representative shall file an application for a temporary use permit with the planning division. The application form shall be filed along with any data and information deemed necessary to evaluate and process the application as may be required by the community development director.</p> <p>For indoor events, the applicant shall provide a site plan, and floor plan showing all entrances and exits of the proposed facility to be used for the event. The applicant shall provide a security plan to ensure the safety of the people attending the event.</p>

Application Processing	
Step 1	The community development director has the authority to approve, conditionally approve or to deny such request.

Application Approvals	
Step 1	<p>The application shall not be approved as submitted or in modified form unless the community development director makes the following findings:</p> <ul style="list-style-type: none"> <li>A. The proposed temporary use will be located, operated and maintained in a manner consistent with the policies of the General Plan and the provisions of the Zoning Ordinance.</li> <li>B. Approval of the application will be compatible with, and not detrimental to uses, property or improvements in the surrounding area.</li> <li>C. Approval of the application will not be detrimental to the public health, safety or general welfare.</li> <li>D. The proposed temporary use complies with the various provisions of this chapter.</li> <li>E. All building, electric, plumbing, fire, encroachment or other permits required by city ordinances shall be obtained.</li> </ul> <p>The community development director may establish conditions and limitations to minimize detrimental effects on surrounding properties, including, but not limited to, hours of operation, provision on parking, signing, lighting, and traffic circulation access. The community development director also may require a cash deposit or cash bond to defray the costs of cleanup of a site by the city in the event the applicant fails to leave the property in a presentable and satisfactory condition, or to guarantee removal and/or re-conversion of any temporary use to a permanent use allowed in the subject zoning district.</p>

Step 2	The site plan and floor plan for the proposed facility will be reviewed and approved by the fire department, and the security plan shall be reviewed and approved by the sheriff's department prior to the event.
Step 3	The applicant or any interested party may appeal the decision of the community development director to the planning commission in writing. The decision of the planning commission shall be final

Application Timelines	
30 days prior to the date the proposed use takes place	File an application for a temporary use permit for circus carnivals, fairs or similar amusement enterprises.
21 days prior to the proposed indoor event	Submit a floor plan showing all entrances and exits of the proposed facility to be used for the event and a security plan to ensure the safety of the people attending the event
10 days prior to the date the proposed use takes place	File an application for a temporary use permit.
Within 10 days of the decision from the community development director	Appeal the decision of the community development director.

A. Unless otherwise indicated in this Chapter, the provisions of this chapter do not apply to the following: fireworks stands; garage and yard sales; outdoor storage and operation; outdoor markets; swap meets; or public dances. Regulations pertaining to the following uses can be found in the following portions of this Code:

1. Fireworks Stands: Chapter 8.08.
2. Garage and Yard Sales: Chapter 5.10.
3. Outdoor Storage and Operations: Chapter 17.06
4. Outdoor Markets: Section 17.09.020.
5. Public Dances: Chapter 9.40. (Ord. 1143 §1, 2011)

17.03.080 Home occupation permits.

Application Filing	
Step 1	Any individual desiring to conduct a home occupation shall submit a request for home occupation permit to the director of community development on forms prescribed by the planning commission.
Step 2	Any individual desiring to conduct a home occupation shall submit as part of their request for home occupation permit a fee as established by resolution of the city council.

Application Processing	
Step 1	The director of community development shall review the application.

Application Approvals	
Step 1	The director of community development shall approve the application if it meets the criteria of approval.
Step 2	<p>The applicant shall execute an affidavit at the time of approval agreeing to the following conditions:</p> <ul style="list-style-type: none"> <li>A. There shall be no employment of help other than members of the resident family;</li> <li>B. The use shall not generate vehicular or pedestrian traffic not normally associated with residential uses;</li> <li>C. No sale or exchange of merchandise shall take place on the premises;</li> <li>D. No accessory building or yard space use or activity outside of the dwelling unit shall be permitted in connection with the home occupation;</li> <li>E. No use of commercial vehicles for delivery of goods or materials to or from the premises shall be permitted;</li> <li>F. No signs or other advertising shall be permitted on the premises;</li> <li>G. The exterior appearance of the building or of the premises shall not be altered in any manner which changes its residential character;</li> <li>H. In connection with the parking of limousines or vans used in connection with transporting persons for hire, said vehicles will be parked or kept only in an enclosed garage or on a paved driveway leading to a garage. No person may perform maintenance services on such a vehicle located in the residential zone other than washing, waxing, checking and adding (but not changing) oil, cleaning windows and windshields, or replacing damaged tires</li> </ul> <p>The applicant shall be required to execute this affidavit annually, during the month of June. Failure to comply shall result in the termination of the home occupation permit.</p>

- A. The home occupation permit may be terminated for any of the following reasons:
  - 1. Violations of any of the conditions as spelled out in this Section (17.03.080).
  - 2. Failure to execute the annual affidavit; or
  - 3. If the permittee vacates the premises or ceases the home occupation for a period of ninety days.
- B. If the home occupation permit is terminated for any of the reasons cited in Section 17.03.040(D)(a), and the permittee feels that the decision to terminate was incorrect, he or she may appeal the action to the planning commission in writing, outlining the reasons that he or she feels that the action of the director of community development was incorrect or arbitrary and including any extenuating circumstances he or she feels are appropriate.

(Ord. 963 §39, 1995; Ord. 822 §1, 1989)

17.03.090 Plans required and site plan review (Residential Zones ONLY).

A site plan shall be submitted to the planning commission/community development department for all uses permitted by Sections 17.05.020. The site plan shall be submitted in sufficient detail to assure compliance

with the intent and purpose of this part. The site plan shall include, but not be limited to, location and design of buildings and other structures, off-street parking, circulation, landscaping, location of refuse enclosures and location and design of recreation areas. Included with the site plan shall be colored renderings of the elevations of the proposed buildings and examples of materials to be used on the exterior of the structures. The applicant for site plan review by the planning commission shall submit such application on forms prescribed by the planning commission and shall be accompanied by such fees as prescribed by written resolution of the city council. For other uses permitted by Section 17.05.020, plans shall be submitted to the department of planning and community development for review to ensure compliance with the Zoning Code and with the intent and purpose of these regulations. (Ord. 822 §1, 1989)

17.03.100 Developments within **flood** hazard areas.

- A. Designation of flood hazard area: The city council of the city shall have the authority to designate areas within the city when flood hazard information in the form of flood hazard boundary maps are provided by the federal or state government. (Ord. 822 §1, 1989)
- B. Permit – Required: No person, firm or corporation shall erect, construct, enlarge, or improve any building or structure located within the areas designated as Zone A on the official flood hazard boundary map without first obtaining a conditional use permit from the planning commission. (Ord. 822 §1, 1989)
- C. Permit – Application: To request a conditional use permit required by Section 17.03.100(B), the applicant shall first file an application in writing on forms provided for that purpose. Such forms shall be accompanied by twelve copies of a plot plan, drawn to a scale of not less than one foot equals twenty feet, and by a fee as established by written resolution of the city council. Every application shall:
  - a. Identify and describe the work to be covered by the permit for which the application is made;
  - b. Describe the land on which the proposed work is to be done by lot, block, tract and street address or similar description that will readily identify and definitely locate the proposed project;
  - c. Indicate the use or occupancy for which the proposed work is intended;
  - d. Be accompanied by plans and specifications for the proposed construction;
  - e. Be signed by the permittee or authorized agent who may be required to submit evidence to indicate such authority;
  - f. Within designated flood prone areas, be accompanied by elevations (in relation to mean sea level) of the lowest habitable floor (including basement) or in the case of floodproofed nonresidential structures, the elevation to which it has been floodproofed. Documentation or certification of such elevations will be maintained by the community development department;
  - g. Provide such other information as reasonably may be required by the planning commission. (Ord. 822 §1, 1989)
- D. Conditional use permit – Review: The planning commission shall review all conditional use permit applications to determine if the site of the proposed development is reasonably safe from flooding and that all necessary permits have been received as required by federal or state law. In reviewing

applications for new construction, substantial improvements, prefabricated buildings, placement of mobile homes and other developments the commission shall:

- a. Obtain review and reasonably utilize, if available, any regulatory flood elevation data from federal, state or other sources, until such data is provided by the Federal Flood Insurance Administration in a Flood Insurance Study; and require within areas designated as Zone A on the official map that the following performance standards be met:
    - i. The first floor elevation (to include basement) of new residential structures, to be elevated to or above the regulatory flood elevation.
    - ii. The first floor elevation (to include basement of nonresidential structures) to be elevated or floodproofed to or above the regulatory flood elevation.
  - b. Require the use of construction materials and utility equipment that are resistant to flood damage.
  - c. Require the use of construction methods and practices that will minimize flood damage.
  - d. Be designated or anchored to prevent flotation, collapse, or lateral movement of the structures or portions of the structure due to flooding.
  - e. Assure that in regard to mobile homes, specific anchoring requirements are:
    - i. Over-the-top ties to be provided at each of the four corners of the mobile home with two additional ties per side at the intermediate locations and mobile homes less than fifty feet long requiring one additional tie per side.
    - ii. Frame ties to be provided at each corner of the home with five additional ties per side at intermediate points and mobile homes less than fifty feet long requiring four additional ties per side.
    - iii. All components of the anchoring system be capable of carrying a force of four thousand eight hundred pounds.
    - iv. Any additions to mobile homes to be similarly anchored. (Ord. 822 §1, 1989)
- E. Review of tentative subdivision map:
- a. The planning commission shall review all tentative subdivision maps and shall make findings of fact and assure that:
    - i. All such proposed developments are consistent with the need to minimize flood damage;
    - ii. Subdivision proposals and other proposed new developments greater than five acres or fifty lots, whichever is lesser, include within such proposals regulatory flood elevation data in areas designated Zone A;
    - iii. Adequate drainage is provided so as to reduce exposure to flood hazards;
    - iv. All public utilities and facilities are located so as to minimize or eliminate flood damage. (Ord. 822 §1, 1989)



- F. New water and sewers: New and replacement water and sewer systems shall be constructed to eliminate or minimize infiltration by or discharge into floodwaters. Moreover, on-site waste disposal systems will be designed to avoid impairment or contamination during flooding. (Ord. 822 §1, 1989)
- G. Flood-carrying capacity: The planning commission shall ensure that the flood-carrying capacity within the altered or relocated portion of any watercourse is maintained. The city will notify, in riverine situations, adjacent communities and the State Coordinating Office prior to any alteration or relocation of a watercourse, and submit copies of such notifications to the Administrator. Moreover, the city will work with appropriate state and federal agencies in every way possible in complying with the National Flood Insurance Program in accordance with the National Flood Disaster Protection Act of 1973. (Ord. 822 §1, 1989)

**Applicability:** This chapter shall take precedence over conflicting ordinances or parts of ordinances. The city council may, from time to time, amend the ordinance codified in this chapter to reflect any and all changes in the National Flood Disaster Protection Act of 1973. The regulations of this chapter are in compliance with the National Flood Insurance Program Regulations as published in the Federal Register, Volume 41, Number 207, dated October 26, 1976. (Ord. 822 §1, 1989)

17.03.110 Final review and certification of plans.

A building permit may not be issued unless and until the director of planning and community development, or his or her representative, certifies on such site plan that it complies with the conditions imposed by the planning commission and that it is consistent with the intent of each residential zone (R-1, R-2 and R-3). (Ord. 822 §1, 1989)

17.03.120 Improvement project areas – site plan review.

Application Filing	
Step 1	<p>Application shall be submitted to the director of community development, or designee, on forms prescribed by the city and accompanied by the required fees established by the city council. Prior to the accepting the application, the director or designee, may require that one or more meetings be held with the project proponent and/or representatives.</p> <p>The application shall be accompanied by a site plan of the entire property on which any development is proposed. The site plan shall show the size and location of each existing and proposed structure as well as the size and location of any existing structures to be removed or relocated. The site plan shall also show all off-street parking, vehicular traffic and pedestrian circulation, landscaping, refuse enclosures, mechanical equipment, easements, drainage structures (existing and proposed) and other information deemed necessary by the director of community development, or designee, or by the planning commission.</p> <p>The application shall also be accompanied by elevation drawings of each proposed new structure and any existing structure proposed to remain on the site. The elevation drawings shall also show any other information deemed necessary by the director of community development, or designee, or by the planning commission. One copy of the elevation plans shall show the proposed colors and finish material for all proposed new structures and those structures which are proposed to remain. (Ord. 1020 §2, 2000; Ord. 1002 §1, 1998; Ord. 897 §1, 1991)</p>

Application Processing	
Conditions of New Improvements	<p>The planning commission shall consider the development proposal only at a public hearing pursuant to the provisions of Chapter 17.03.130. (Ord. 1020 §4, 2000; Ord. 1002 §1, 1998; Ord. 897 §1, 1991). After considering all the evidence presented at a public hearing, the planning commission shall render its decision(s) by a written resolution. In reaching any decision the planning commission shall consider the following criteria;</p> <ul style="list-style-type: none"> <li>A. Compatibility with the city's General Plan, the improvement plan for the area, and the surrounding uses, both existing and planned;</li> <li>B. Compatibility of architecture and design with existing and anticipated development in the vicinity, and/or with adopted design guidelines including the aspects of site planning, land coverage, landscaping, appearance and scale of structures and open space, and other features relative to harmonious and attractive development of the area.</li> <li>C. The planning commission shall approve, approve with conditions, or disapprove the application. In all cases appropriate findings shall be made for any decision.</li> <li>D. Any person aggrieved by a decision of the planning commission may appeal that decision to the city council pursuant to the provisions of Section 17.03.130 of this Code.</li> </ul> <p>Subsequent to any decision of the planning commission taken pursuant to this chapter, the city council, or any member(s) of the city council, may, within fourteen calendar days from the effective date of that decision, call that decision for review by the city council. Said review shall be held at a duly noticed public hearing pursuant to the provisions of Chapter 17.03.130. Upon completion of the review, the city council may affirm, rescind or modify the decision of the planning commission. (Ord. 1020 §5, 2000; Ord. 1002 §1, 1998; Ord. 897 §1, 1991)</p>
Existing Improvements	<p>Exemption of existing improvements: approval under this chapter shall not result in requirements to alter or improve any existing improvements, unless:</p> <ul style="list-style-type: none"> <li>A. Such existing improvements are to be altered in connection with, or are directly affected by, the proposed construction, grading or remodeling; or</li> <li>B. The value of the proposed construction, alteration, remodeling or other improvements being made exceeds fifty percent of the value of existing improvements. (Ord. 1002 §1, 1998; Ord. 897 §1, 1991)</li> </ul>

Application Approvals	
Step 1 – Condition for Approval	<p>A site plan and architectural review, in addition to any other permits and entitlements to use, shall be required for any use, or development of, property located within an improvement project area in the city which involves any of the following:</p> <ul style="list-style-type: none"> <li>A. Any new building with a gross floor area of five thousand square feet, or any addition to an existing building or structure which equals or exceeds fifty percent of the gross square footage of the existing building or structure.</li> <li>B. Any use of the property or structure(s) which would be substantially different from the existing use of the property or structure(s), or in the case of vacant property or structure(s), any use which would be substantially different than the most recent previous use of the property or structure(s).</li> </ul>

Step 2 – Approval Compliance	Subsequent to planning commission approval and before final inspection and approval or release of utility service(s) by the city building official, or designee, the department of community development shall inspect the site for compliance with the approved plan and conditions of approval, if any. Any deficiencies which are not corrected to the satisfaction of the director of community development shall be noted in writing. The property owner and city building official shall be provided copies of the written notice of noncompliance and final approval and release of utility service(s) shall not be given. If the property owner or his or her representative believes the director is incorrect in the finding of noncompliance, the property owner or authorized representative may file a written appeal to the planning commission which shall, at a duly noticed public hearing, make the determination of compliance.
Step 3 – Subsequent modifications	<p>Subsequent modifications, additions, or deletions to the approved plans or conditions may be considered by the planning commission upon the filing of an application by the owner (or authorized representative) of the subject. Planning commission shall make a determination regarding the requested modifications.</p> <p>A public hearing on the proposed modification(s) shall not be required unless the planning commission determines that the proposed modification extends beyond the intent of the original approval. (Ord. 1020 §7, 2000; Ord. 1002 §1, 1998; Ord. 897 §1, 1991)</p>
Step 4 – Extension	Upon application filed with the department of community development not less than sixty days prior to the date upon which an approval will expire pursuant to subsection A of this section, the planning commission may extend the approval if the planning commission finds that termination of the approval would constitute an undue hardship upon the applicant, and finds that the continuation of the approval would not be materially detrimental to the health, safety, and general welfare of the public. Extensions shall not be granted for more than a total of one year unless a public hearing is held and approval granted in the same manner and based upon the same criteria as set forth in this chapter. (Ord. 1020 §8, 2000; Ord. 1002 §1, 1998; Ord. 897 §1, 1991)
Step 5 – Expiration	<p>Expiration of site plan approval: site plan approval shall become automatically null and void, unless otherwise provided in this chapter or unless extended as provided in subsection B of this section, if any of the following occurs:</p> <ul style="list-style-type: none"> <li>A. Failure to Commence Construction. A construction permit, if required for work authorized in the approved site plan, is not obtained from the building official within one year from the date of approval by the improvement district board. Work authorized by the construction permit shall commence within one hundred eighty days from the date of issuance of said permit and such work shall not be suspended or abandoned at any time after commencement for a period of one hundred eighty days or more;</li> <li>B. Condition of Permit Approval. Circumstances which terminate the permit pursuant to any termination provisions included as a condition of the site plan approval;</li> <li>C. Automatically Permitted Development. Upon a change of zoning classification or of ordinance provisions which automatically permits the development. Each nonconformity, if any, existing at the time of expiration of the site plan approval shall be brought into conformance pursuant to Section 17.03.</li> </ul>

	<p>D. Ineligible Use. Upon a change of zone or of ordinance provisions which provides that the use is no longer eligible for site plan approval. Termination of such use and each nonconformity thereof shall be in accordance with this Chapter.</p> <p>E. If none of the above circumstances transpires, the site plan approval shall remain in effect indefinitely.</p>
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Application Timelines	
14 calendar days from effective date of decision of planning commission	Timeline in which city council, or any member(s) of the city council, may call that decision for review by the city council. Said review shall be held at a duly noticed public hearing pursuant to the provisions of Section 17.03.130. Upon completion of the review, the city council may affirm, rescind or modify the decision of the planning commission.
14 days of the final decision on application approval of the director of community development	Timeline in which property owner or his or her representative may appeal what is believed to be an incorrect in the finding of noncompliance. The property owner or authorized representative may file a written appeal to the planning commission which shall, at a duly noticed public hearing, make the determination of compliance.
60 days prior to the date of approval	Timeline in which the planning commission may extend the approval if the planning commission finds that termination of the approval would constitute an undue hardship upon the applicant, and finds that the continuation of the approval would not be materially detrimental to the health, safety, and general welfare of the public.
180 days from date of issuance of permit	Timeline in which work authorized by the construction permit shall commence. Such work shall not be suspended or abandoned at any time after commencement.
Up to 1 year	Timeline for extensions of unless a public hearing is held and approval granted in the same manner and based upon the same criteria as set forth in this chapter.

17.03.130 Public hearings – procedure and conduct.

Timelines	
10-60 days after filing of application requiring a public hearing	Timeline in which a public hearing must be set. When an application requiring a public hearing has been filed, the matter shall be set for public hearing before the planning commission.
10 days prior to date of hearing	Notice of a scheduled public hearing shall be prepared not less than ten days prior to the date set for the hearing. As a minimum the notice shall include: The matter under consideration; The date, time, place and body before which the hearing will be held; An invitation to proponents and opponents to give testimony on the matter under consideration.
10 days prior to date of hearing	Except for text amendments, a copy of the notice of public hearing shall be sent to all owners of property located within a radius of three hundred feet of the exterior boundaries of the property to which the public hearing applies. The list of property owners shall be taken from the latest

		assessment roll of Los Angeles County. This notice shall be mailed not later than ten days prior to the date of the public hearing.
No later than 10 days after date of decision		<p>A. Timeline in which any person may appeal any decision of the planning commission to the city council by filing a written appeal with the city clerk; provided, however, that if City Hall is not open for business on the tenth day of the appeal period, the appeal period is extended to include the next business day.</p> <p>B. Timeline in which any two members of the city council may call any decision of the commission for review by the city council by filing a written review request with the city clerk. The request shall state: "The request for review has been filed because the subject matter of the decision pertains to a matter of city-wide importance that should be considered by the city's elected officials."</p> <p>C. The appeal or review request stays the effectiveness of the decision until the matter is resolved. (Ord. 1048 §1, 2003; Ord. 963 §§39, 41, 1995; Ord. 822 §1, 1989)</p>
City council appeal process	Within 40 days after written appeal is filed	Timeline in which an appeal from or a council review of a planning commission decision shall be scheduled for a de novo public hearing.
	At least 10 days prior to hearing	Timeline in which the city shall provide written notice to the applicant, appellant and all persons who addressed the planning commission on the matter. After the public hearing, the city council may: affirm, reverse or modify the commission's decision; remand the matter to the commission; or continue the matter. The council's authority to modify the commission's decision includes, but is not limited to, imposing additional conditions. The council's decision shall be final and may be rendered by resolution or minute order unless state law requires a resolution.
	Within 40 days of public hearing	Timeline in which the commission's decision shall be reinstated when the council is unable to reach a decision for any reason, including a tie vote or series of tie votes, notwithstanding any other provision in this Code. In such case, the effective date of the decision shall be the fortieth day after the close of the public hearing, and the Commission's decision shall be final.

- A. Conduct of the public hearing: All public hearings shall be conducted in accordance with the rules and procedures established by the city council or planning commission for such hearings. (Ord. 963 §39, 1995; Ord. 822 §1, 1989)
- B. Announcement of commission decision: All decisions of the commission in matters requiring a public hearing shall be announced by written resolution adopted by a majority of the members of the commission present. (Ord. 963 §39, 1995; Ord. 822 §1, 1989)
- C. Required information – appeal: The written appeal, filed with the city clerk, must indicate in what way the appellant feels the planning commission's decision was incorrect or must provide extenuating circumstances which the appellant feels would justify reversal or modification of the commission's decision. (Ord. 963 §39, 1995; Ord. 822 §1, 1989)

17.03.140 Historic preservation.

- A. Title and Purpose: The provisions of this chapter shall be known as the "Historic and Aesthetic Resources Management Ordinance" of the city or by the short title of the "Historical Ordinance." (Ord. 963 §39, 1995; Ord. 822 §1, 1989) It is the purpose of this chapter to provide special conditions and regulations for the protection, enhancement, perpetuation and use of places, buildings, structures, works of art, and other objects, having a special character or special historical or aesthetic interest or value, within the meaning of California Government Code Section 37361. (Ord. 963 §39, 1995; Ord. 822 §1, 1989)
- B. Cultural resources management commission
1. There is established in the city a cultural resources management commission ("commission") empowered to designate, oversee, protect and manage the landmarks and historical districts of the city.
  2. The planning commission is designated to sit as the commission and is empowered with all power and authority to perform all of the duties hereinafter enumerated and provided with respect to landmarks and historical districts.
  3. The commission shall, when necessary, consider the opinions of professionals in the field of cultural resources and historic preservation, published documents, newspaper accounts, and environmental documents relating to the resource under consideration, as well as the member of preservation related organizations such as historical societies, museums, heritage groups and civic clubs, as well as members of professional bodies such as licensed architects, attorneys, and urban planners. Also to be considered are the interests, opinions and views of the affected property owners and residents in deliberations concerning cultural resources of the city.
  4. The term of the members of the commission shall run concurrently with their respective terms as appointed members of the planning commission.
  5. The commission shall adopt its own policies, procedures, operating rules, and bylaws, subject to approval by the city council. (Ord. 963 §39, 1995; Ord. 822 §1, 1989)
- C. Commission powers and duties: The powers and duties of the commission are as follows:
1. Prepare or cause to be prepared a comprehensive inventory of potential landmarks and historical districts within the city;
  2. Recommend to city council designation of specific sites as landmarks and historical districts within the city;
  3. Review and comment upon the conduct of land use, housing and redevelopment, municipal improvement, and other types of planning programs undertaken by any agency of the city, the county, or state, as they relate to the cultural resources of the community;
  4. Review application for permits to construct, change alter, modify, remodel, remove, or significantly affect any landmark or historical district;

5. Review and comment upon all applications for permits, environmental assessments, environmental impact reports, environmental impact statements, and other similar documents as they affect landmarks or historical districts;
  6. Approve or disapprove, in whole or in part, applications for permits pursuant to Section 17.03.140 F.;
  7. Make recommendations to the council concerning the acquisition of development right, façade easements, and the imposition of other restrictions and the negotiation of historical property contracts for the purpose of historic preservation;
  8. Recommend acceptance of dedications of private property for purposes of public areas, maintenance, landmark designation, historic easements, or any other easement or dedication, pursuant to preservation and maintenance of the city's cultural resources;
  9. Increase public awareness of the value of historic, architectural and cultural preservation by developing and participating in public information programs and by recommending the update of the preservation program;
  10. Make recommendations to the council concerning the utilization of grants from federal and state agencies, private groups and individuals and the utilization of budgetary appropriations to promote the preservation of historic or architecturally significant structures in the city;
  11. Evaluate and comment upon decisions by other public agencies affecting the physical development and land use patterns in designated sites and areas;
  12. Cooperate with local, county, state and federal governments in the pursuit of the objectives of historic preservation;
  13. Keep minutes and records of all meetings and proceedings including voting records, attendance, resolutions, findings, determinations and decisions. All such material shall be public records;
  14. Render advice and guidance, upon the request of the property owner or occupant, on the restoration, alteration, decoration, landscaping or maintenance of any landmark or historic district, or neighboring property within public view;
  15. Participate in, promote, and conduct public information, educational, and interpretive programs pertaining to cultural resources;
  16. Perform any other functions that may be designated by resolution or motion of the city council;
  17. To perform all functions, powers and authorities to achieve the goals and purpose stated in Section 17.03.140 A. (Ord. 963 §39, 1995; Ord. 822 §1, 1989)
- D. Design criteria: For the purpose of this chapter, an improvement may be designated a landmark by the city council, and any area within the city may be designated an historic district by the city as hereinafter provided if it meets the following criteria:

1. It exemplifies or reflects special elements of the city's cultural, social, economic, political, aesthetic, engineering, or architectural history; or
  2. It is identified with persons or events significant in local, state, or national history; or
  3. It embodies distinctive aesthetic characteristics of a style, type, period, or method of construction, or is a valuable aesthetic example of the use of indigenous materials or craftsmanship; or
  4. It is representative of the notable aesthetic work of a builder, designer or architect. (Ord. 963 §39, 1995; Ord. 822 §1, 1989)
- E. Designation procedures: Landmarks and historic districts shall be designated by the city council in the following manner:
1. Any person may request the designation of a landmark or the designation of an historic district by submitting an application for such designation to the commission. The commission or city council may also initiate such proceedings on their own motion.
  2. The commission shall conduct a study of the proposed designation and make a preliminary determination based on such documentation as it may require, as to its appropriateness for consideration. If the commission determines that the application merits consideration, but only if it so determines, it shall schedule a public hearing with due speed and so notify the applicant (if any) in writing.
  3. No building, alteration, demolition or removal permits for any improvement, building or structure within the proposed historic district or relative to a proposed landmark shall be issued while the public hearing or any appeal related thereto is pending.
  4. In the case of a proposed landmark, notice of the date, place, time and purpose of the hearing shall be given by first class mail to the applicants, owners, and occupants of the landmark at least ten days prior to the date of the public hearing, using the names and addresses of such owners as shown on the latest equalized assessment rolls, and shall be advertised once in a newspaper of general circulation.
  5. In the case of a proposed historic district, notice of the date, place, time and purpose of the hearing shall be given by first class mail to the applicant, owners and occupants of all properties within the proposed district at least ten days prior to the date of the public hearing, using the names and addresses of such owners as shown on the latest equalized assessment rolls, and shall be advertised once in a newspaper of general circulation.
  6. At the conclusion of the public hearing, but in no event later than thirty days from the date set for the initial public hearing for the designation of a proposed landmark or historic district, the commission shall recommend to the city council approval in whole or in part, or disapproval in whole or in part of the application in writing.
  7. The city council, within thirty days of receipt of the recommendations from the commission, shall by resolution approve or conditionally approve the application in whole or in part, or shall by motion disapprove it in its entirety.



8. Failure to send any notice by mail to any property owner where the address of such owner is not a matter of public record shall not invalidate any proceedings in connection with the proposed designation. The commission and council may also give such other notice as they may deem desirable and practicable.
9. Any determination of the commission pursuant to this chapter shall be subject to appeal to the city council pursuant to the provisions of Sections 17.03.130. (Ord. 963 §39, 1995; Ord. 822 §1, 1989)

F. Permits

Application Filing and Required Documents	
Step 1	<p>Prior to the submission of an application for a building or other permit involving any designated or potential cultural or historic district under consideration by the commission or the council, the proposal must first be reviewed and cleared by the planning division to ensure compliance with this chapter and with other provisions of this title.</p> <p>It is unlawful for any person to tear down, demolish, construct, alter, remove, or relocate any landmark, or any portion thereof, which has been designated as a landmark pursuant to the provisions of this chapter, or which lies within a designated historic district, or to alter in any manner any exterior architectural feature within an historic district, or to place, erect, alter or relocate any sign within an historic district or on a landmark, without first obtaining written approval to do so in the manner provided in this chapter, nor shall the building official grant any permit to carry out such work on a designated landmark or within an historic district, without the prior written approval of the commission.</p> <p>While a potential landmark or historic district is under consideration by either the commission of the city council, the building official shall not grant or issue any permit that would tear down, demolish, construct, alter, remove or relocate any such potential landmark or historic district, or portion thereof.</p> <p>The commission staff shall be responsible for informing the building official of nomination procedures of potential landmarks or historic districts, in the most expedient manner. (Ord. 963 §39, 1995; Ord. 822 §1, 1989)</p>
Step 2	<p>Such applications shall be accompanied by such materials as are required by the commission and are reasonably necessary for the proper review of the proposed project. Such materials may include, but are not limited to, front, side and rear elevations, exterior drawings, a site plan, materials samples, photographs, historical data, illustrations of proposed grading or drainage, landscaping plans, and line drawings of adjacent properties (especially where the height of an existing improvement will be altered or in the case of new construction).</p> <p>If no other city permit is required to pursue work on a landmark or historic district designated or under current consideration, whoever is responsible for the work, whether it is the tenant, resident or property owner, shall apply for approval to the commission staff directly.</p>
Step 3	<p>The building official shall report any application for a permit to work on a designated or potential (under current consideration) landmark or historic district for which clearance has not been granted by the city to the commission staff directly. No application for any permit shall be accepted until and unless clearance has been given the staff.</p>

Step 4	An environmental impact report (EIR) or negative declaration shall be required in conformance with the provisions of the California Environmental Quality Act (CEQA), with respect to demolition or alteration of any potential landmark or historic district. The findings of the environmental document shall be considered in the issuance or denial of permits. Should the commission or city council hold in opposition to the findings of the environmental document, a written statement of overriding concern shall be made by the issuing body. All costs for production of the environmental documents shall be borne by the applicant.
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Application Processing	
Step 1	The commission shall complete its review and make a decision within thirty days of the date of receipt of the application. Unless legally required, there shall be no notice, posting or publication requirements for action on the application, but all decisions, interim or final, shall be made at regular meetings of the commission. The commission's decision shall be in writing and shall state the findings of fact and reasons relied upon in reaching its decision.
Step 2	In review of permits sought in order to wholly or partially remove or demolish a landmark or historic district the commission may approve or disapprove the issuance of the permit or permits. A commission decision may be appealed by any person or persons directly to the city council, and the applicant and the appellant shall be given a reasonable opportunity to be heard by the council in support of or in opposition to the appeal. (Ord. 963 §39, 1995; Ord. 822 §1, 1989)

Application Approval and Disapproval	
Conditions of Approval	The commission or the city council, upon appeal, shall issue an approval for any proposed work as described in Section 17.03.140 G., if and only if, it determines: <ul style="list-style-type: none"> <li>A. In the case of a designated landmark, the proposed work would not detrimentally alter, destroy or adversely affect any exterior architectural feature; or</li> <li>B. In the case of any property located within an historic district, the proposed construction, removal, rehabilitation, alteration, remodeling, excavation or exterior alteration does not adversely affect the character of the district; or</li> <li>C. In the case of construction of a new improvement, building or structure upon a landmark site, the exterior of such improvements will not adversely affect and will be compatible with the external appearance of existing designated improvements, buildings and structures on site. (Ord. 963 §39, 1995; Ord. 822 §1, 1989)</li> </ul>
Disapproval - Showing of hardship	The commission or city council need not disapprove an application for permit to carry out any proposed work in an historic district, or on a landmark or a landmark site, if the applicant presents clear and convincing evidence of facts demonstrating to the satisfaction of the commission or city council that such disapproval will work immediate and substantial hardship on the applicant, whether this be property owner, tenant or resident, because proposed work, or because of conditions peculiar to the particular improvement, building or structure or other feature involved, and that failure to disapprove the application will not be substantially destructive to the purposes of this chapter. If a hardship is found to exist under this section, the commission or city council shall make a written finding to that effect, and shall

	specify the facts and reasons relied upon in making such a finding. (Ord. 963 §39, 1995; Ord. 822 §1, 1989)
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Application Timeline	
Within 30 days of the date of receipt of the application	Timeline in which commission shall complete its review and make a decision on application.

G. Maintenance and repair

1. Nothing in this chapter shall be construed to prevent the ordinary maintenance or repair of any exterior architectural feature in or on any property covered by this chapter that does not involve a change in design, material or external appearance thereof, nor does this chapter prevent the construction, reconstruction, alteration, restoration, demolition, or removal of any such feature when the building officer certifies to the commission that such action is required for the public safety due to an unsafe or dangerous condition which cannot be rectified through the use of the California Historical Building Code.
2. The owner, occupant or other person in actual charge of a designated landmark, or an improvement, building or structure in an historic district shall keep in good repair all of the exterior portions of such improvement, building or structure, all of the interior portions thereof when subject to control as specified in the designating ordinance or permit, and all interior portions thereof whose maintenance is necessary to prevent deterioration and decay of any exterior architectural feature.
3. It shall be the duty of the department of community development and the building official to enforce this section. Where the owner of a designated landmark has been ordered by the city to make necessary repairs, but has failed to do so, the city may make improvements necessary for the maintenance of the landmark and charge the cost of those repairs to the owner as a lien upon his or her property. (Ord. 963 §39, 1995; Ord. 822 §1, 1989)

H. Local, state and federal law: Nothing in this chapter shall be construed to mitigate the effect of any local, state, or federal codes, or law applicable to the designated landmark or historic district. However, where the preservation and maintenance of a designated landmark or historic district is in direct conflict with the provisions of this title, or this Code, the public interest will be considered best served through preemption of conflicting sections of these codes, by this chapter. All other provisions of this Code not in direct conflict with preservation of the designated landmark or historic district will not be abrogated by this chapter. (Ord. 963 §39, 1995; Ord. 822 §1, 1989).

I. Enforcement and penalties

1. Methods of Enforcement. In addition to the regulations of this chapter, provisions of this Code and other provisions of law which govern the approval or disapproval of applications for permits or licenses covered by this chapter, the department of community development and/or the building

officer shall have the authority to implement the enforcement hereof by any of the following means:

- a. Serving notice requiring the removal of any violation of this chapter, upon the owner, agent, occupant or tenant of the improvement, building, structure or land;
  - b. Calling upon the city attorney to institute any necessary legal proceedings to enforce the provisions of this chapter, and the city attorney is authorized to institute any action to that end;
  - c. Calling upon the Los Angeles County sheriff and authorized agents to assist in the enforcement of this chapter.
2. In addition to any of the foregoing remedies, the city attorney may maintain an action for injunctive relief to restrain or enjoin or to cause the correction or removal of any violation of this chapter, or for an injunction in appropriate cases.
  3. Any owner, landlord, or tenant of any designated landmark, or any landmark under consideration for designation by the commission, who tears down, demolishes, alters, removes, or relocates the landmark, or portion thereof, shall replace and restore the landmark to its original condition at his or her own expense, including all additional expenses incurred by the city in enforcing this provision.
  4. Penalties. Any person violating any provision of this chapter shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in an amount not exceeding one thousand dollars, or be imprisoned for a period not exceeding six months, or be so fined and imprisoned. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder. (Ord. 963 §39, 1995; Ord. 822 §1, 1989)

17.03.150 Amendments to zoning regulations.

- A. General: Whenever the public necessity, convenience or general welfare will be benefitted, the city council may amend the regulations herein, adjust the boundaries of zone districts, or reclassify properties. Insofar as possible, amendments should be in agreement with officially adopted city policies and plans, and shall be consistent with General Plan. (Ord. 963 §39, 1995; Ord. 822 §1, 1989)
- B. City policies and plans review: In the event a proposed amendment is inconsistent with current city policies and plans, review by the planning commission of such proposed amendment and of current city policies and plans shall be coordinated so that the city council will be able to consider in one proceeding any recommended amendments to city policies and plans necessary to retain consistency by reason of such amendment. (Ord. 963 §39, 1995; Ord. 822 §1, 1989)
- C. Consistency with hazardous waste management plan: Any decision on a proposed zoning amendment shall be consistent with the portions of the county of Los Angeles hazardous waste management plan as approved November 30, 1989, relating to siting of and siting criteria for hazardous waste facilities. (Ord. 963 §39, 1995; Ord. 888-U §1, 1990; Ord. 887 §1, 1990)
- D. Initiation of amendments:

1. Text Amendments. Text amendments may be initiated by a motion of the city council or the planning commission or by the director of planning development.
2. Property Rezoning. Property rezoning may be initiated by a motion of the city council or the planning commission, by the director of community development, or by an application signed by the owner(s) of all property affected. The application must be on forms prescribed by the planning commission and must be submitted to the community development department. Unless an application is made by a public agency or duly constituted governmental body, it must be accompanied by a fee established by written resolution of the city council.
3. Property Pre-zoning. An unincorporated area may be pre-zoned to determine the zoning that will apply in the event of subsequent annexation to the city. Procedures for initiation are the same as for property rezoning.
4. Property Interim Zoning. Properties not pre-zoned upon annexation must be interimly zoned. The planning commission must consider permanent (precise) zoning thereafter at its earliest convenience. (Ord. 963 §39, 1995; Ord. 822 §1, 1989)

E. Planning commissions procedure:

1. Public Hearing. The planning commission shall hold at least one public hearing on all text amendments and property rezoning proposals. No public hearing shall be required for interim zoning proposals.
2. Public Notice. Notice of public hearing shall be made in accordance with Chapter 17.03.130.
3. Options. The planning commission may disapprove, continue to a later meeting, or recommend approval of a text amendment or property rezoning to the city council. Recommendations for approval shall be based on the following findings.
  - a. Substantial proof exists that the proposed change will promote the public health, safety, convenience and general welfare of the citizens of the city; and
  - b. The proposed change is in conformance with the purpose of this chapter and with all applicable, officially adopted policies and plans; and
  - c. Streets and public facilities existing or proposed are adequate to serve all uses permitted when the property is reclassified; and
  - d. All uses permitted when the property is reclassified will be compatible with present and potential future uses, and further, existing regulations applying to the property in question.
4. Appeal. The applicant, or any other interested party, may appeal the decision of the planning commission to the city council in accordance with provisions of Section 17.03.130. (Ord. 963 §39, 1995; Ord. 822 §1, 1989)

F. City council procedure:

1. Public Hearing. The city council must hold at least one public hearing on each planning commission recommendation to amend the text of this title or to reclassify property. No public hearing shall be required for interim zoning.
  2. Public Notice. Notice of public hearing shall be made in accordance with Section 17.03.130.
  3. Options. Text amendments and zoning decision of the planning commission may be modified, approved, disapproved, continued to a later meeting or returned to the planning commission for further study and recommendations. The council's decision must be based on the required findings contained in Section 17.03.150 E.
  4. Effective Date. The city council's decision to approve a text amendment or rezoning shall become effective thirty days from the date of adoption of the ordinance approving the change. All other decisions shall become effective fourteen days after approval.
  5. Pre-zoning Time Limit. If, within one year of official city council approval of a pre-zoning the subject area has not yet been annexed to the city, the approval may be subject to reconsideration by the planning commission and city council. (Ord. 963 §39, 1995; Ord. 822 §1, 1989)
- G. Expanded area of considerations: When in the opinion of the director of community development, or upon direction of the planning commission or city council, it is determined that an area subject to reclassification consideration should be expanded or contracted to fulfill the findings specified in Section 17.03.150 E., the procedure required for approval is the same as specified for the commission and council in Sections 17.03.150 E. and 17.03.150 F. Said expansion may be initiated by the director of community development, planning commission or the city council. Final reclassification may include all, a portion, or none of the expanded or contracted area. (Ord. 963 §39, 1995; Ord. 822 §1, 1989)
- H. Reapplication: Reclassification shall not be reconsidered within one year from the date of the last official action taken unless the submittal is first approved by the planning commission or city council. (Ord. 963 §39, 1995; Ord. 822 §1, 1989)
- I. Reclassification – conditions attached or attachable: Conditions of approval for reclassification shall not be cited in ordinances of reclassification. Whenever prerequisite conditions are deemed necessary, ordinances of reclassification shall not be finally acted upon until provisions for compliance have been made. (Ord. 963 §39, 1995; Ord. 822 §1, 1989)

#### 17.03.160 Variances.

- A. Purpose: Variances from the terms of the zoning regulations shall be granted only when, because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of the provisions of these regulations deprives such property of privileges enjoyed by other property in the vicinity and under the identical zoning classification. (Ord. 963 §39, 1995; Ord. 822 §1, 1989)
- B. Conditions: Any variance granted shall be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zoning district in which such property is situated. (Ord. 963 §39, 1995; Ord. 822 §1, 1989)

- C. Variance prohibited: A variance shall not be granted which authorizes a use or activity which is not otherwise expressly authorized by the regulations which govern the zone district in which the parcel or property is located. (Ord. 963 §39, 1995; Ord. 822 §1, 1989)
- D. Required findings: No variance shall be granted by the commission unless it finds:
1. That the strict application of the zoning regulations would result in practical difficulties or unnecessary hardships, not of the applicant's making
  2. That there are exceptional circumstances or conditions applicable to the property involved that do not apply to other property in the vicinity and in the identical zone
  3. The approval of the variance will not result in a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and in the identical zone
  4. That the granting of the variance will not be in conflict with the General Plan or with any approved specific plan or neighborhood plan. (Ord. 963 §39, 1995; Ord. 822 §1, 1989)
- E. Consistency with hazardous waste management plan: Any decision on an application for a variance shall be consistent with the portions of the county of Los Angeles hazardous waste management plan as approved November 30, 1989, relating to siting of and siting criteria for hazardous waste facilities. (Ord. 963 §39, 1995; Ord. 888-U §3, 1990; Ord. 887 §3, 1990)
- F. Application and fee: Application for variances shall be filed with the commission upon forms and accompanied by such data as may be prescribed by the commission, so as to assure the fullest practical presentation of the facts for the public record. The filing fees for variances shall be established by written resolution of the city council and no part of such fee is refundable unless the application is withdrawn prior to publication of the notice of public hearing. No fee shall be required of any recognized civic or governmental organization. (Ord. 963 §39, 1995; Ord. 822 §1, 1989)
- G. Public hearing: Upon the filing of an application for a variance from the provisions of these regulations, the commission shall set a date for a public hearing before the commission on the matters contained in the application. (Ord. 963 §39, 1995; Ord. 822 §1, 1989)
- H. Commission action: If, from the facts presented with the application at the public hearing, or by investigation by, or at the direction of the commission, the commission makes the findings set forth in Section 17.03.140 D. above, the commission may grant the requested variance, in whole or in part, upon such terms and conditions as it may deem necessary to conform with the general intent and purpose of these regulations. If the commission fails to make the required findings, the application shall be denied. Each decision by the commission, authorizing a variance from the regulations established by this title shall be by written resolution adopted by a majority of its membership, setting forth the required findings. (Ord. 963 §39, 1995; Ord. 822 §1, 1989).
- I. Conditions of approval: The commission may attach such reasonable conditions to the approval as it deems necessary to ensure that the proposed use will be compatible with the surrounding area and with the goals of the city and that the variance will not constitute a grant of special privilege. All conditions shall be binding upon the applicants, their successors, and assigns, and shall run with the land; shall limit and control the issuance and validity of certificates of occupancy, and shall restrict and

limit the construction, location, use and maintenance of all land and structures within the parcel, lot or development. (Ord. 1237 §7, 2019; Ord. 963 §39, 1995; Ord. 822 §1, 1989)

- J. Expiration: If the variance is not utilized within the twenty-four-month timeframe, the applicant may apply for an extension before the expiration of the permit on a form approved by the community development director. (Ord. 1237 §7, 2019)
- K. Notice of decision: Not later than ten days following the commission's decision to grant or deny the variance, the applicant shall be notified in writing of the commission's decision. (Ord. 963 §39, 1995; Ord. 822 §1, 1989)
- L. Effective date and appeal: No variance authorized or granted by the commission shall become effective until after an elapsed period of fourteen days from the date the determination is made, during which time a written appeal from the decision may be taken to the council by the applicant or any person aggrieved or affected by such determination. (Any appeal of a decision, by the commission, must be made in accordance with the provisions of Section 17.03.110 of these regulations.) (Ord. 963 §39, 1995; Ord. 822 §1, 1989)
- M. Continuation of existing variances: Variances granted by the commission prior to the effective date of the adoption of these regulations or of any amendment thereto may be continued provided all conditions of such variances continue to be met. (Ord. 963 §39, 1995; Ord. 822 §1, 1989)

#### 17.03.170 Nonconformities.

- A. Intent and Purpose: The purpose of the provisions of this chapter shall be to provide for the regulation and eventual elimination of uses and structures not in compliance with the requirements of the zone in which they are located. It is hereby declared that the nonconforming use of land and structures is detrimental to the orderly development of the city and is detrimental to the public health, safety, convenience and general welfare of persons and property within the city. It is further declared that it is the policy of the city that such nonconforming uses shall be eliminated as rapidly as may be done without infringing upon the constitutional rights of the property owners of such nonconforming uses. The continuation of nonconforming uses as provided in this chapter is intended to prevent economic hardship and to allow the useful economic value of structures to be consumed or realized within the specified time periods. Nonconforming uses are declared to be illegal and prohibited after the termination dates set forth in this chapter. (Ord. 964 §5, 1995; Ord. 822 §1, 1989)
- B. Existing Uses: Any existing use or structure which does not conform to the regulations of this title or to any subsequent amendments thereto, but which was in conformance with all ordinances and laws, or which was a legal use on the effective date of Ordinance No. 182, or of any subsequent amendment thereto, shall be classified as nonconforming. A nonconforming building or structure, or a nonconforming portion of a building shall be deemed to constitute a nonconforming use of the land upon which it is located. However, only that portion of the property actually utilized for the nonconforming use shall be considered nonconforming. Any legally existing use or structure existing on the effective date of these regulations, or of any subsequent amendment thereto, which is now listed as a conditional use in the zone district in which it is located shall be classified as a nonconforming use and shall so remain until a conditional use permit has been granted by the planning commission in accordance with the provisions of these regulations. (Ord. 964 §6, 1995; Ord. 822 §1, 1989)



- C. Continuation: A lawfully existing nonconforming use or structure may continue to be utilized for a specific length of time as set forth in Section 17.03.170 J., provided there is no structural alteration, increase or enlargement of area, space or volume occupied or devoted to such use, except as otherwise permitted by these regulations. (Ord. 822 §1, 1989)
- D. Repairs, alterations, additions and construction: Such repairs and maintenance work that may be required to keep nonconforming building or structures in a safe and sound condition may be made. However, structural alteration of nonresidential building which would require a building permit shall be limited to those necessary to restore the structure to a safe condition. The allowable extent of alterations shall be limited as provided in these regulations. No repair or alterations made to any nonconforming structure or use shall be construed as authorizing an extension of any time limit for the termination of nonconformity. (Ord. 822 §1, 1989)
- a. Additions, alterations or reconstruction shall be allowed only for the purpose of relieving overcrowded conditions or to provide adequate living space for the family living on the premises, and only where it can be shown that they would not adversely affect the subject property or the surrounding area, and any such additions, alterations or reconstruction shall require approval of the city. Such additions, alterations or reconstruction shall not be allowed for the purpose of gaining additional rent or revenue. The director of community development is authorized to approve additions and alterations to nonconforming residential structures within the city, where the addition or alteration does not increase the nonconformity. (Ord. 1232 §5, 2019; Ord. 822 §1, 1989)
  - b. Additions and alterations to nonconforming commercial or industrial uses may be authorized only by a conditional use permit granted in accordance with the provisions of this title. The planning commission must make the following findings in order to grant the conditional use permit:
    - i. Proposed additions or alterations are needed to relieve overcrowded conditions and to modernize an existing use to the extent that it can successfully operate. Such additions or alterations may not be used for the establishment of a new enterprise.
    - ii. Proposed additions or alterations shall not be permitted if they would adversely affect the existing development or impede further conforming development of the property or of the surrounding area for permitted uses.
    - iii. The owners of the subject property shall execute a written agreement which provides that any alterations made pursuant to this section shall not extend the time set forth in these regulations for the termination of such nonconforming structure. (Ord. 964 §7, 1995; Ord. 822 §1, 1989) Repairs to partially destroyed structures
  - c. Repairs to partially destroyed structures: a nonconforming building or structure which is damaged or partially destroyed to the extent of not more than fifty percent of its assessed value at that time, may be restored and the occupancy or use of such building, structure or part thereof which existed at the time of such destruction may be continued or resumed; provided, that the total cost of such reconstruction does not exceed fifty percent of the assessed value of the building or structure at the time of such damage, and that such restoration is started within a period of one year of such

damage. In the event such damage or destruction exceeds fifty percent of the assessed value of such building or structure, no repairs or reconstruction shall be made unless every portion of such building or structure is made to conform to all regulations of the district in which it is located. (Ord. 822 §1, 1989)

- d. Structures under construction: Where valid building permits have been issued for a structure prior to the effective date of these regulations, the structure may be completed and used in accordance with the plans and specifications upon which such permits were issued, provided construction is commenced within thirty days after the issuance of the permits and work is diligently pursued to completion within the subsequent six-month period. (Ord. 822 §1, 1989)
- E. Public uses, quasi-public uses, and public utilities
  - a. A lawfully existing nonconforming school, park, library, fire station, church or other public or quasi-public use may be added to, extended or altered; provided, that such additions, extensions or alterations do not extend beyond the boundaries of the existing site; and provided that such additions, extensions or alterations comply with the development standards and all other provisions of this title. (Ord. 822 §1, 1989)
  - b. The planning commission, by written finding, may determine that a particular public utility facility or installation, nonconforming to the requirements of this title, is necessary to serve the areas in which it is located. The public utility facility may then be extended, or altered provided the facility does not extend beyond the boundaries of the existing site, and provided that the addition, extension, or alteration complies with all other provisions of this title. (Ord. 822 §1, 1989)
- F. Change of nonconforming use: No nonconforming use shall be changed to another nonconforming use, nor shall a nonconforming use be extended to displace a conforming use except in accordance with the provisions of this title. (Ord. 822 §1, 1989)
- G. Reversion to nonconforming status: Any portion of a nonconforming building or use which is altered or changed to a conforming use shall not thereafter be used for a nonconforming use. (Ord. 822 §1, 1989)
- H. Abandonment of a nonconforming building or use – extensions: Where a nonconforming building, structure or use of a building, structure, or land has ceased for a period of ninety days or longer, such nonconformity shall be deemed to be abandoned. All nonconforming rights and privileges pertaining to such nonconforming building, structure or use are terminated on the ninety-first day. However, the property owner may apply for a nonconforming extension permit no later than one month prior to the end of the ninety-day period extending such ninety-day period for a period not to exceed two years. The director of community services may approve, conditionally approve, modify or deny the permit. In the event the director of community development grants such permit, the nonconforming rights and privileges pertaining to such nonconforming building, structure or use shall remain in effect until the earlier of the following events: the nonconforming building or structure is demolished; in the case of a nonconforming use, such use is replaced with a conforming use; or the day after the expiration date of the extension. (Ord. 1162 §1, 2012; Ord. 822 §1, 1989)
- I. Limitations on other uses: While a nonconforming use exists on any lot or parcel of land, no new use may be established thereon, unless the following conditions exist:

- a. Each existing and proposed use, including all accessory buildings and uses, shall be located on a lot or parcel of land having the area required in the zone district for such use.
  - b. These uses shall be so located that the lot or parcel of land can be subdivided into individual parcels, each of which shall contain no less area than required by the zone district in which the property is located. All subdivisions shall comply with the requirements of the subdivision ordinance of the city. (Ord. 822 §1, 1989)
- J. Required termination periods of nonconformities: Each nonconforming building, structure or use shall be completely removed or altered to conform to the regulations of the zone district in which it is located within the following specified periods of time.

Nonconforming buildings and structures	
Where the property is developed only with minor structures. A minor structure means any structure not requiring a building permit	3 years
Residential structures (single-family residential dwellings, two-family dwellings, three-family dwellings, and multiple-family dwellings) except those structures permitted pursuant to Chapter 17.05.	35 years from the date of construction or 20 years from the effective date of the regulations codified in this chapter, whichever is later
Commercial building and structures (including stores, offices, hotels and the like)	25 years from date of construction or 20 years from effective date of the regulations codified in this chapter, whichever is later
Industrial buildings and structures (including factories, shops and similar industrial buildings)	40 years from date of construction or 20 years from effective date of the regulations codified in this chapter, whichever is later
Metal buildings not in compliance with metal building regulations	March 17, 1989
On-site signs which have been abandoned or which rotate or have moving lighting devices	180 days
Any nonconforming structure which is destroyed or damaged to an extent exceeding 50% of its replacement value, including nonconforming residential structures	120 days from the date of such damage or destruction
Any nonconforming structure not covered otherwise by these regulations	5 years from the effective date of the regulations codified in this chapter

Nonconforming uses of building or land	
Nonconforming use of a conforming structure	7 years from effective date of these regulations codified in this chapter
Mobile home parks	35 years from date of construction or 20 years from effective date of regulations codified in this chapter, whichever is later
All other nonconforming uses	5 years from effective date of these regulations

Determination of the termination date	
Nonconforming structures or uses which were conforming immediately prior to the effective date of Ordinance No. 182, the	Time period shall be measured from the effective date of said ordinance.
For structures or uses which hereinafter become nonconforming due to any zone change or other amendment to the zoning ordinance	Time period shall be measured from the effective date of such zone change or amendment.
For structures or uses which first became nonconforming by the provisions of any city or county ordinance prior to the effective date of Ordinance No. 182	Time period shall be measured from the date such structures or uses first became nonconforming. (Ord. 964 §8, 1995; Ord. 822 §1, 1989)

Extension of termination date
In establishing the termination date for nonconforming structures and uses, it is recognized that there may be some uses which entail a substantial investment in time and money and which may require a greater period of time to amortize than provided in Section 17.03.170 J. "Nonconforming uses of building or land". Any party may petition the planning commission for an extension of time for the termination of a nonconforming use or structure. The planning commission shall conduct a hearing on the petition and shall determine the appropriateness of the request. A copy of the recommended action shall be forwarded to the city council for final disposition. (Ord. 822 §1, 1989)

- K. Removal of structures: Prior to the expiration of the termination period, the nonconforming structure shall be completely removed or brought into compliance with the requirements of these regulations. The city shall not be liable for the cost of altering or removing any nonconforming structure or use. If the nonconforming use or structure is not brought into compliance with the requirements of these regulations, or removed in accordance with the date established in this chapter, the city shall have the right to declare the structure to be a public nuisance and to cause its removal in accordance with the provisions of Chapter 8.36. (Ord. 964 §9, 1995; Ord. 822 §1, 1989)
- L. Appeals: Any party who has been administratively ordered by the city to terminate a nonconforming use shall have the right of appeal to the city council if he or she has reason to feel that such order is unreasonable or would cause undue hardship. The city council may affirm the order or may extend the date upon which the nonconformity must be terminated. (Ord. 822 §1, 1989)

17.03.180 Modification of development standards.

- A. Purpose: The purpose of the modification of development standards is to permit a property owner or tenant to deviate from the strict application of property development standards of the zone district in which his or her property is located in cases of demonstrable hardships not warranting the granting of a variance. Such deviations shall be minor in nature. (Ord. 1237 §8, 2019; Ord. 963 §39, 1995; Ord. 822 §1, 1989)
- B. Authority: All modifications of development standards must be approved by the community development director or designee who shall have the authority to modify standards as they apply to

yard and setback requirements, building height, sign height or area, parking and landscaping. (Ord. 1237 §8, 2019; Ord. 963 §39, 1995; Ord. 822 §1, 1989)

- C. Extent of modification of development standards:
1. Yard and setback standards may be modified by twenty percent of the zone district requirements.
  2. Building height standards may be modified by ten percent of the zone district requirements.
  3. Maximum sign height requirements may be modified by twenty percent and maximum sign area requirements may be modified by twenty percent.
  4. Parking requirements may be modified by:
    - a. Ten percent; or
    - b. Twenty percent with an approved valet parking plan.
  5. Landscaping requirements may be modified by ten percent of the zone district and parking ordinance requirements. (Ord. 1237 §8, 2019; Ord. 963 §39, 1995; Ord. 925 §1, 1993; Ord. 822 §1, 1989)
- D. Application and fee: A request for modification of development standards shall be filed on forms prescribed by the community development director and shall be accompanied by a plot plan(s) and a fee, as established by written resolution of the city council. (Ord. 1237 §8, 2019; Ord. 963 §39, 1995; Ord. 822 §1, 1989)
- E. Plans required and plot plan review: A plot plan shall be submitted to the director of community development for any use requiring a modification of development standards. The plot plan shall include, but shall not be limited to, location of building and structures, areas designated for off-street parking and loading, circulation, landscaping, trash enclosures and the location of mechanical equipment. The community development director or designee shall review the plot plan and requested modification of standards to ensure that the intent and purpose of the zone district in which the property is located is implemented, that the requested modification is within the limits of Section 17.03.170 C. that the required showings have been made. (Ord. 1237 §8, 2019; Ord. 963 §39, 1995; Ord. 822 §1, 1989)
- F. Required showing by the applicant: Before any modification of standards will be granted, the applicant shall be required to make the following showing:
1. That the modification requested is warranted by conditions applicable to the subject property;
  2. That the modification, if granted, would not be detrimental to the property owners in the area or to the general public. (Ord. 1237 §8, 2019; Ord. 963 §39, 1995; Ord. 822 §1, 1989)
- G. Conditions of approval: Any modification of development standards granted shall be subject to such conditions as will ensure that the adjustment thereby authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and in the zone district within such property is located. (Ord. 1237 §8, 2019; Ord. 963 §39, 1995; Ord. 822 §1, 1989)

- H. Notice of decision: Following the action by the community development director or designee, in granting or denying the request for a modification of development standards, a letter shall be mailed to the applicant at the address shown on the application form and to any other person requesting a copy, advising of the decision made. (Ord. 1237 §8, 2019; Ord. 963 §39, 1995; Ord. 822 §1, 1989)
- I. Expiration: Unless otherwise specified in the action granting the modification of development standards, any modification which has not been utilized within six months from the effective date of approval shall be null and void. The abandonment or nonuse of a modification for any period of six consecutive months shall terminate the modification and any privileges granted thereunder shall become null and void. A six-month extension may be granted by the community development director. (Ord. 1237 §8, 2019; Ord. 963 §39, 1995; Ord. 822 §1, 1989)
- J. Appeal: An appeal of a decision of the community development director may be made to the planning commission. (Ord. 1237 §8, 2019; Ord. 963 §39, 1995; Ord. 822 §1, 1989)
- K. Final review of plans: Before a building permit may be issued, the director of community development, or representative, shall sign the plot plan certifying that it complies with the conditions established and with the intent and purpose of the zone district in which the property is located. (Ord. 1237 §8, 2019; Ord. 963 §39, 1995; Ord. 822 §1, 1989)

17.03.190 Miscellaneous standards and permitted encroachments.

- A. Purpose: These standards are designed to ensure that property in the various zone districts established throughout the city are developed in a uniform and orderly manner and will promote the public health, safety, convenience, and general welfare. These development standards shall apply in addition to any other standards which may be established. (Ord. 822 §1, 1989)
- B. Accurate dimensions and calculations required—Violation: In measuring lot dimensions and other requirements set forth in this title, it shall be the responsibility of the property owner or authorized agent to provide accurate dimensions and calculations, and no person shall submit inaccurate dimensions or calculations. The submission of inaccurate dimensions which result in a lot or structure not complying with the requirements set forth in this title shall constitute a violation of this title, and any permits or approvals granted thereunder shall be void. (Ord. 822 §1, 1989)
- C. Minimum lot area: No lot shall be created with an area less than the minimum required, nor shall any existing lot be reduced in area to less than the minimum required in the zone in which such lot is located. (Ord. 822 §1, 1989)
- D. Permitted encroachments: The following projections may extend not more than four feet into a required side yard; provided, however, that the projections shall not in any event be closer than three feet to any rear or side property line:
  - 1. Cornices, eaves, belt courses, sills, buttresses or other similar architectural features
  - 2. Fireplace structure not wider than eight feet, measured in the general direction of the wall of which it is a part
  - 3. Stairways, balconies and fire escapes, provided that balconies may extend three feet into the required front setback when above the ground floor

4. Uncovered porches which do not extend above the floor level of the first floor; such porches may extend six feet into the front and side yard
  5. Planter boxes or masonry planters not exceeding forty-two inches in height
  6. Guard railings around ramps not exceeding forty-two inches in height
  7. A porte cochere over a driveway in a side yard, provided such structure is not more than one story and is entirely open on at least three sides, except for the necessary supporting columns and customary architectural features, and is a minimum of thirty-six inches from the side property line. (Ord. 822 §1, 1989)
- E. Distance between buildings: In the residential zones, all buildings or structures hereafter designed or erected, and all existing buildings hereafter altered shall have a minimum distance of six feet between main buildings or between main buildings and accessory buildings unless a greater distance is required by any other applicable code or regulation. (Ord. 963 §31, 1995; Ord. 822 §1, 1989)
- F. Distance between buildings—Permitted encroachments: The following projections may extend into the required open space between buildings:
1. Cornices, eaves, belt courses, sills, buttresses, or similar architectural features may extend no more than two feet into the required distance.
  2. Fireplace structures not wider than eight feet measured in the general direction of the wall of which it is a part may extend not more than two feet into the required distance.
  3. Stairways and fire escapes.
  4. Uncovered porches which do not extend above the floor level on the first floor.
  5. Balconies may extend not more than three feet into the required distance.
  6. Planting boxes or masonry planters and similar features.
  7. Guard railings around ramps. (Ord. 822 §1, 1989)
- G. Required yards—Not transferable: No yard or other open space required around a use or structure for the purpose of complying with the provisions of this title shall be considered as providing a yard or open space for any other use or structure; nor shall any yard or other required open space on a lot be considered as providing a yard or open space for an adjoining lot. (Ord. 822 §1, 1989)
- H. Measurement of building area: The area of a building shall be measured from plans submitted by the property owner or authorized agent. In the case of an existing building, measurement may be made on the site. The area of a building shall be measured to include the total floor area within the exterior walls of the structure, except that garages, porte cocheres, porches, decks, patios, breezeways and similar elements shall not be included in measuring the area of a building. (Ord. 822 §1, 1989)
- I. Visibility: All corner lots subject to yard requirements shall be maintained for safety vision purposes, a triangular area at the street intersection corner of the lot which triangle shall be formed by the front and side lot lines and a diagonal line drawn between two points located fifteen feet along the front and

side lot lines from their point of intersection, or in case of a rounded lot corner, from the point of intersection of the extension of said lot lines. Within such triangular area, no tree, fence, shrub or other physical obstruction higher than forty-two inches above the established curb grade shall be permitted. This section shall not be deemed to set aside or reduce the requirements established for security fencing either by local, state, or federal law or by safety requirements of the board of education. (Ord. 822 §1, 1989)

- J. Swimming pools—Location: A swimming pool shall not be located in any required front yard, nor shall it be located closer than five feet from any side or rear property line. (Ord. 822 §1, 1989)
- K. Swimming pools—Enclosure: Swimming pools shall be enclosed and secured as required by the city's Building Code. All required fencing and security devices must be in place and approved before any water is put into the pool. (Ord. 963 §32, 1995; Ord. 822 §1, 1989)
- L. Height measurement of fences and walls: The height of a fence or wall shall be measured at the highest finished grade within three feet of either side of the wall or fence. In order to allow for variations in topography, the height of said wall or fence may vary an amount not to exceed six inches from the maximum permitted height contained in the regulations of the zone district in which the site is located. (Ord. 822 §1, 1989)
- M. Government exception: The provisions of this title shall not apply to a fence or wall required by regulation for security fencing of any use by any local, state, or federal law, or other governing agency. (Ord. 822 §1, 1989)
- N. Construction and alteration subject to design standards: No building permit shall be issued for construction or alterations in the commercial, manufacturing and commercial manufacturing zones which meet the following criteria unless the director of planning or designee determines that the construction or alteration authorized by that building permit conforms to the design guidelines adopted by resolution of the city council:
  - 1. Construction of a building with a gross floor area greater than five thousand square feet; or
  - 2. Construction of an addition of at least five hundred square feet to an existing building so that the combined gross floor area of the existing building and the addition exceeds five thousand square feet; or
  - 3. Structural alterations of more than fifty percent of the exterior walls of an existing building. (Ord. 964 §12, 1995)

#### 17.03.200 Enforcement.

- A. Intent and purpose: The purpose of this chapter is to define and clarify the powers of the city to enforce the provisions of the zoning ordinance. It is also the purpose of this chapter to define violations of the ordinance and to prescribe penalties and remedies for such violations. (Ord. 963 §39, 1995; Ord. 822 §1, 1989)
- B. Applicability: The provisions of this chapter are applicable not only to private persons, agencies, and organizations, but also to all public agencies and organizations to the full extent that they may be enforceable in connection with the activities of any such public agency or organizations. Where specific



chapters of this title include language concerning violations, penalties and remedies, the provisions of those chapters shall apply. (Ord. 963 §39, 1995; Ord. 822 §1, 1989)

- C. Issuance of licenses and permits: No license or permit for a use, building, or purpose where the issuance of such license or permit would be in conflict with the Zoning Ordinance shall be issued. All departments, officials or other employees of the city vested with the authority to issue licenses or permits shall not issue such permits or licenses which would not be in conformity with the provisions of the zoning ordinance. Any license or permit so issued shall be null and void. (Ord. 963 §§39, 43, 1995; Ord. 822 §1, 1989)
- D. Penalties: Any firm, corporation, person or persons violating any of the provisions of this title shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine not to exceed one thousand dollars or imprisonment for not more than six months or both such fine and imprisonment at the discretion of the court. (Ord. 963 §§39, 44, 1995; Ord. 822 §1, 1989)
- E. Each day a separate violation: Each person, or persons violating any of the provisions of this title shall be deemed guilty of a separate offense for every day during which any violation of any provision of the zoning title is committed, or continued by such persons, firms or corporation and shall be punishable as provided in this chapter. (Ord. 963 §§39, 44, 1995; Ord. 822 §1, 1989)

17.03.210 Catering vehicle as a conditionally permitted accessory use to a restaurant.

- A. Purpose: The purpose of this section is to conditionally permit catering vehicles as an accessory use in conjunction with full-service restaurants. The development standards set forth herein are designed to ensure that any proposed accessory use will be compatible with surrounding uses and will not be detrimental to the health, safety and welfare. (Ord. 1094 §1, 2007)
- B. Retail sales of food from a catering vehicle: The owner or operator of a full-service restaurant may apply for a conditional use permit pursuant to Section 17.03.060 to sell and serve food from a catering vehicle as an accessory use in conjunction with that restaurant. The city may impose reasonable conditions to ensure that the proposed use will be compatible with surrounding uses and will not be detrimental to the health, safety and welfare. (Ord. 1094 §1, 2007)
- C. Application requirements: As part of the application, the applicant must provide evidence establishing:
  - 1. Permission to Operate. Ownership of the property upon which the restaurant is located or that the property owner has granted permission to allow the vehicle to be parked on the property for the purpose of conducting sales and service of food therefrom.
  - 2. Restaurant Has All Necessary Permits. The restaurant has received all necessary permits.
  - 3. Licensing Requirements. The applicant has complied with the licensing requirements for the vehicle set forth in Section 5.08.060(i) through (iv).
  - 4. Compatibility with Surrounding Uses and Property. The proposed accessory use will be compatible with uses and property in the vicinity and will not be detrimental to the health, safety and welfare. (Ord. 1094 §1, 2007)

- D. Development and operational standards: In addition to satisfying the criteria set forth in Section 17.03.060 and state law governing conditional uses, the applicant must comply with the following:
1. Location Criteria. The catering vehicle shall park in the area designated for parking for the restaurant. The catering vehicles shall not, at any time, block access to or from the parking lot or park in an area used for landscaping or walkway surfaces.
  2. Operational Standards. The operator shall comply with the following standards:
    - a. No flashing lights or temporary signage is permitted on the vehicle or in the parking area.
    - b. No table or seating is permitted in the parking area.
    - c. Outdoor speakers or music are prohibited.
    - d. The restaurant's restroom facilities must be open to employees and patrons at all times when the catering vehicle is open for business.
    - e. The operator shall provide trash receptacles within ten feet of the vehicle at all times the vehicle is open for business.
    - f. The vehicle may only be open for business between the hours of six p.m. and two a.m. each day.
    - g. The parking area shall be clean at all times. During the hours that the catering vehicle is not open for business, the vehicle must be removed from the site or parked in an area where the vehicle is not visible from the street.
    - h. The vehicle must contain a cash register to record all sales. The operator must maintain register receipts for each month of the year.
    - i. There shall be no sale or service of alcoholic beverages from the vehicle. Signs shall be posted indicating no consumption of alcohol or loitering in the parking area.
    - j. The vendor shall maintain the parking area in a neat and orderly condition, and collect and dispose in a sanitary manner all debris, garbage, papers, trash, discarded food and litter generated by the vehicle. (Ord. 1094 §1, 2007)

17.03.220 Electric vehicle charging systems.

- A. Purpose: The purpose of this section is to promote and encourage the use of electric vehicles by creating an expedited, streamlined permitting process for electric vehicle charging stations while promoting public health and safety and preventing specific adverse impacts in the installation and use of such charging stations.
- B. Applicability: This section applies to the permitting of all electric vehicle charging systems in the City. Electric vehicle charging systems legally established or permitted prior to the effective date of this section are not subject to the requirements of this section unless physical modifications or alterations are undertaken that materially change the size, type, or components of an electric vehicle charging

system in such a way as to require new permitting. Routine operation and maintenance or like-kind replacements shall not require a permit.

C. Electric Vehicle Charging System Requirements:

1. All electric vehicle charging systems shall meet the requirements of the California Electrical Code, the Society of Automotive Engineers, the National Electrical Manufacturers Association, and accredited testing laboratories such as Underwriters Laboratories, and rules of the Public Utilities Commission regarding safety and reliability.
2. All electric vehicle charging stations shall meet all applicable health and safety standards and requirements, including but not limited to any requirements imposed by the state and the City, local fire department and utility director, the California Building Code, City of South El Monte Municipal Code, and Federal laws including the Americans with Disabilities Act.
3. Installation of electric vehicle charging stations shall be incorporated into the load calculations of all new or existing electrical services and shall meet the requirements of the California Electrical Code. Electric vehicle charging equipment shall be considered a continuous load.
4. Anchorage of either floor-mounted or wall-mounted electric vehicle charging stations shall meet the requirements of the California Building or Residential Code as applicable per occupancy, and the provisions of the manufacturer's installation instructions. Mounting of charging stations shall not adversely affect building elements.

D. Duties of the City's Chief Building Official:

1. All documents required for submission of an electric vehicle charging system application shall be made publicly available on the City's website.
2. The chief building official shall allow the electronic submittal of the electric vehicle charging station application.
  - a. An applicant's electronic signature shall be accepted on all forms, applications, and other documents in lieu of a wet signature.
3. By resolution, the City Council shall adopt a checklist of all requirements with which electric vehicle charging systems shall comply to be eligible for expedited review.
4. The electric vehicle charging system permit process and checklist shall substantially conform to recommendations contained in the most current version of the Plug-In Electric Vehicle Infrastructure Permitting Checklist contained in the Zero-Emission Vehicles in California: Community Readiness Guidebook adopted by the Governor's Office of Planning and Research.

Table 17.03.220-A Development Standards for Plug-In Electric Vehicle Charging

Standard	Requirement
Garages serving a new single-family residence	Must be constructed with a listed cabinet, box or enclosure connected to a raceway linking the garage to the electrical service, in a manner approved by the building and safety official, to allow for the future installation of electric vehicle supply equipment to provide an EVCS for use by the resident.

Garages serving each unit of a duplex	Must be constructed with a listed cabinet, box or enclosure connected to a raceway linking the garage to the electrical service, in a manner approved by the building and safety official, to allow for the future installation of electric vehicle supply equipment to provide an EVCS for use by the resident.
Garages serving new multifamily – 10 units or less	All required parking spaces shall be provided with a listed cabinet, box or enclosure connected to a conduit linking the covered parking spaces or garages with the electrical service, in a manner approved by the building and safety official, to allow for the future installation of electric vehicle supply equipment to provide EVCSs at such time as it is needed for use by residents. EVCSs shall be provided in disabled parking spaces in accordance with state and federal requirements.
Garages serving new multifamily – 10 units or more	10% of the total parking spaces required (all of the 10% shall be located within the required covered parking) shall be provided with a listed cabinet, box or enclosure connected to a conduit linking the covered parking spaces or garages with the electrical service, in a manner approved by the building and safety official. Of the total listed cabinets, boxes or enclosures provided, 50% shall have the necessary electric vehicle supply equipment installed to provide active EVCSs ready for use by residents. The remainder shall be installed at such time as they are needed for use by residents. EVCSs shall be provided in disabled parking spaces in accordance with state requirements.
Parking serving new commercial, industrial or other uses	<p>New commercial, industrial and other uses with the building or land area, capacity or numbers of employees listed herein shall provide the electrical service capacity necessary and all conduits and related equipment necessary to ultimately serve 2% of the total parking spaces with EVCSs in a manner approved by the building and safety official. Of these parking spaces, 1/2 shall initially be provided with the equipment necessary to function as online EVCSs upon completion of the project. The remainder shall be installed at such time as they are needed for use by customers, employees or other users. EVCSs shall be provided in disabled person parking spaces in accordance with state and federal requirements.</p> <ul style="list-style-type: none"> <li>• Construction of a hospital of 500 or more beds, or expansion of a hospital of that size by 20% or more.</li> <li>• Construction of a postsecondary school (college), public or private, for 3,000 or more students, or expansion of an existing facility having a capacity of 3,000 or more students by an addition of at least 20%.</li> <li>• Hotels or motels with 500 or more rooms.</li> <li>• Industrial, manufacturing or processing plants or industrial parks that employ more than 1,000 persons, occupy more than 40 acres of land or contain more than 650,000 square feet of gross floor area.</li> <li>• Office buildings or office parks that employ more than 1,000 persons or contain more than 250,000 square feet of gross floor area.</li> <li>• Shopping centers or trade centers that employ 1,000 or more persons or contain 500,000 square feet of gross floor area.</li> <li>• Sports, entertainment or recreation facilities that accommodate at least 4,000 persons per performance or that contain 1,500 or more fixed seats.</li> <li>• Transit projects (including but not limited to transit stations and park and ride lots).</li> </ul>

E. Permit Review Requirements:

1. The Building Official shall implement an administrative review process to expedite approval of electric vehicle charging stations. Review of a complete permit application shall be limited to the Building Official's review of whether it meets all health and safety requirements of local, state and federal law. Local law requirements shall be limited to those standards and regulations necessary to ensure there is no specific, adverse impact on public health or safety by the proposed installation. For direct current fast chargers (DCFC), the review of a complete permit application will be a fifteen business day timeline.
2. A permit application that satisfies the information requirements in the checklist, as adopted by the City, shall be deemed complete.
3. A complete permit application and proposed installation that meets the required standards and approved checklist that does not have a specific, adverse impact on public health or safety shall not be denied.
4. An applicant that provides an incomplete permit application shall be provided with a written correction notice detailing all deficiencies in the application and any information required to be eligible for expedited permit issuance.
5. The Building Official may require an applicant to apply for a conditional use permit if the official makes a written finding, based on substantial evidence, that the proposed electric vehicle charging station could have a specific, adverse impact upon the public health or safety and conditions are necessary. The decision of the Building Official may be appealed to the City Planning Commission.
6. The Director may not deny an application for a conditional use permit unless written findings are made based upon substantial evidence in the record that the proposed installation would have a specific, adverse impact upon the public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact. The Director's written findings shall include the basis for the rejection of potential feasible alternatives or conditions for preventing the adverse impact. The decision of the Director may be appealed to the City Planning Commission.
7. Any conditions imposed on an application shall be designed to mitigate the specific, adverse impact upon the public health or safety at the lowest cost possible. Government Code Section 65850.7 requires that the Building Official shall not condition the approval for any conditional use permit on the approval of such a system by an association, as that term is defined by Civil Code 4080.
8. A feasible method to satisfactorily mitigate or avoid the specific, adverse impact includes, but is not limited to, any cost-effective method, condition, or mitigation imposed by the City on another similarly situated application in a prior successful application for a permit.

17.03.230      Message establishments.

- A. Location criteria: A message establishment may be located in any zone district which permits that particular use subject to the following exceptions and qualifications:
  1. A message establishment shall not be established or located within five hundred feet of any existing message establishment. The distance between any two message establishments shall be

measured in a straight line, without regard to the boundaries of the city and to intervening structures, from the closest point of each establishment.

2. A massage establishment may not open or operate in a location where that establishment or a prior massage establishment was closed due to criminal activity, had its conditional use permit revoked, or had a massage establishment permit revoked any time within the past three years. (Ord. 1195 §14, 2015)
- B. Condition use permit required: A conditional use permit shall be required for the establishment of any massage establishment. The following provisions shall govern the issuance of conditional use permits for massage establishments:
1. Applications for conditional use permits under this section shall be subject to the procedures and requirements of Section 17.03.060.
  2. In considering applications for massage establishments, the planning commission shall be guided by the provisions of Section 17.03.060 and this section. However, in the event of any inconsistency in said standards, the provisions of this section shall govern.
  3. In granting a conditional use permit, the planning commission may impose conditions if the planning commission determines such conditions are necessary to minimize any adverse effect of the proposed use on properties and uses in the area and the rest of the city.
  4. A massage establishment shall not operate under any name or conduct business under any designation not specified in the application for the conditional use permit, which shall be identical as the name listed in the applications for the city business license and massage establishment permit.
  5. Any information of an engineering nature that the applicant submits, whether civil, mechanical, or electrical, shall be certified by a licensed professional engineer.
  6. An applicant for a conditional use permit shall submit the information described in this section and a non-refundable fee as established in the city's schedule of fees by resolution of the city council to reimburse the city for the costs of reviewing the application.
  7. In addition to any information required for applications for a city business license pursuant to Title 5 of this Code, a massage establishment permit pursuant to Chapter 5.22 of this Code, and conditional use permits pursuant Section 17.03.060 of this Code, an applicant for a conditional use permit for a massage establishment shall submit the following information:
    - a. A legal description of the parcel.
    - b. Proof of legal title or a possessory or leasehold interest in the real property upon which the proposed massage establishment will be operated.
    - c. If the massage establishment has a leasehold interest in the real property, a certified statement from the real property owner(s) authorizing the proposed use of the premises as a massage establishment.

- d. A scaled site plan.
- e. A description of all physical changes proposed to the property, whether permanent or impermanent, both inside and outside of the building.
- f. The separation distance from other existing massage establishments shall be shown on an updated site plan or map.
- g. A description of compliance with all facility requirements in Chapter 5.22 of this Code.
- h. In addition to any standards for consideration of conditional use permit applications pursuant to Section 17.03.060 of this Code, the planning commission shall consider the following factors in determining whether to issue a conditional use permit, although the planning commission may waive or reduce the burden on the applicant of one or more of these criteria if the planning commission determines that the goals of this section are better served thereby.
- i. No massage establishment shall be sited in a location where the applicant cannot produce proof of legal title or a possessory or leasehold interest in that real property and a certified statement from the real property owner(s) authorizing the proposed use of the premises as a massage establishment.
- j. No massage establishment shall be sited within five hundred feet of an existing or otherwise approved massage establishment.
- k. No massage establishment shall be sited in a zone where it is not permitted.
- l. No massage establishment shall violate any provision regarding facility requirements within Chapter 5.22 of this Code. (Ord. 1195 §14, 2015)

C. Amortization and regulation of nonconforming massage establishments:

1. Any use of real property existing on April 1, 2015, which does not conform to the provisions of this section, but which was constructed, operated and maintained in compliance with all previous regulations prior to March 11, 2014, shall be regarded as a nonconforming use.
2. Any nonconforming use pursuant to this section may continue in operation until June 30, 2017, provided that use and its facility is in compliance with all other laws, except the use restrictions in the zoning ordinance; the use is not extended, enlarged, moved or altered so as to occupy land outside the current structure(s); and the use is not discontinued or abandoned for a continuous period of one hundred eighty days or more.
3. Any nonconforming use pursuant to this section may apply for a conditional use permit pursuant to Section 17.03.230 B. In the event the city grants the conditional use permit, such use shall be considered to be a conforming use.
4. The city manager may approve an extension of time until termination pursuant to Section 17.03.230 D. (Ord. 1195 §14, 2015)

- D. Extension of time for termination of nonconforming use: The owner or operator of a nonconforming use as described in Section 17.03.230 C may apply under the provisions of this section to the city manager for an extension of time within which to terminate the nonconforming use, as follows:
1. The owner of the real property upon which such use operated or the operator of the use may file an application for an extension of time within which to terminate a use made nonconforming by the provisions of this section. Such application must be filed with the city manager at least sixty days but no more than ninety days prior to the expiration of the time established in Section 17.03.230 B for termination of such use.
  2. The application shall state the grounds for requesting an extension of time. The filing fee for such application shall be the same as that for a variance as is set forth in the city's schedule of fees established by resolution from time to time by the city council. An application which fails to state a basis upon which an extension may be granted, as set forth in subsection D of this section, shall be returned to the applicant as nonresponsive, together with the application fee less any administrative costs of processing the application.
  3. The city manager shall appoint a hearing officer to hear the application. The hearing officer shall set the matter for hearing within twenty days of receipt of the application. All parties involved: shall have the right to offer testimonial, documentary and tangible evidence bearing on the issues; may be represented by counsel; and shall have the right to confront and cross-examine witnesses. Any relevant evidence may be admitted. Any hearing under this section may be continued for a reasonable time for the convenience of a party or a witness. The decision of the hearing officer shall be final and subject to judicial review pursuant to Code of Civil Procedure Section 1094.6.
  4. An extension under the provisions of this section shall be for a reasonable period of time commensurate with the investment involved, and shall be approved only if the hearing officer makes all of the following findings or such other findings as are required by law:
    - a. The applicant has made a substantial investment (including, but not limited to, lease obligations) in the property or structure on or in which the nonconforming use is conducted; such property or structure cannot be readily converted to another use; and such investment was made before April 1, 2015;
    - b. The applicant will be unable to recoup said investment as of the date established for termination of the use; and
    - c. The applicant has made good faith efforts to recoup the investment and to relocate the use to a location in conformance with Section 17.03.230 C. (Ord. 1195 §14, 2015)



## Title 17

### ZONING

#### Chapters:

- 17.01 GENERAL PROVISIONS
- 17.02 DEFINITIONS
- 17.03 PERMIT APPROVAL PROCEDURES
- 17.04 ZONING MAP
- 17.05 RESIDENTIAL ZONES – STANDARDS AND USES
- 17.06 COMMERCIAL ZONES – STANDARDS AND USES
- 17.07 MIXED-USE ZONES – STANDARDS AND USES
- 17.08 PUBLIC FACILITIES ZONES – STANDARDS AND USES
- 17.09 INDUSTRIAL ZONES – STANDARDS AND USES
- 17.10 OVERLAY ZONES – STANDARDS AND USES
- 17.11 SPECIAL USES – STANDARDS AND USES
- 17.12 ACCESSORY DWELLING UNITS
- 17.13 DENSITY BONUS
- 17.14 OBJECTIVE DESIGN STANDARDS
- 17.15 ADVERTISING SIGNS
- 17.16 OFF-STREET PARKING AND LOADING



- D. Commercial Zone (C) (Ch. 17.06);
- E. Commercial-Residential Zone (C-R) (Ch. 17.07);
- F. Commercial-Manufacturing Zone (C-M) (Ch. 17.09);
- G. Manufacturing Zone (M) (Ch. 17.09);
- H. Public Facilities Zone (P-F) (Ch. 17.08).

17.04.030 **Official zoning map.**

The location and boundaries of the zone districts established by Section 17.04.020 are set forth on the official zoning map of the city and which map, with all locations, references, and other information shown thereon is incorporated herein by reference. (Ord. 822 §1, 1989)

17.04.040 Revision to, and amendment of the **official zoning map.**

All amendments and changes to the official zoning map adopted according to the provisions of this title shall be considered a part of these regulations and of the official zoning map at the time of the effective date of all changes and amendments. The city council may, from time to time, order revision of the official zoning map so as to include all changes to date. No changes shall be made to the map which have not been officially adopted according to the provisions of this title. The revised map shall become the official zoning map of the city and shall replace the preceding map. (Ord. 822 §1, 1989)

17.04.050 Interpretation of the **official zoning map.**

Where uncertainties exist as to the boundaries of any zone district indicated on the official zoning map, the following shall apply:

- A. Street, alley, railroad right-of-way, water channel, or other right-of-way indicated on the official zoning map shall be included within the zone district of the adjoining property.
- B. Where a street, alley, railroad right-of-way, water channel, or other right-of-way serves as a boundary between two or more zone districts, the centerline of the right-of-way or water channel shall be considered the zone district boundary.
- C. Where uncertainty still exists, the planning commission shall, by written resolution, determine the location of the zone district boundary.
- D. In the event that a vacated street, alley or other right-of-way has been the boundary between two or more zone districts prior to its vacation, the new zone district boundary shall be at the new property line. Where the vacation does not involve the establishment of a new property line, the new zone district boundary shall be fixed by written resolution of the planning commission. (Ord. 822 §1, 1989)

## Title 17

### ZONING

#### Chapters:

- 17.01 GENERAL PROVISIONS
- 17.02 DEFINITIONS
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- 17.08 PUBLIC FACILITIES ZONES – STANDARDS AND USES
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Chapter 17.05  
RESIDENTIAL ZONES – STANDARDS AND USES

Sections

- 17.05.010 Intent and purpose.
- 17.05.020 Uses.
- 17.05.030 Property development standards.
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- 17.05.110 Pedestrian safety.
- 17.05.120 Miscellaneous standards (Multiple-Residential Zone (R-3) only).

17.05.010 Intent and purpose.

- A. Single-Family Residential Zone (R-1): The single-family residential zone (R-1) is designed to provide for conservation and development of stable, attractive single-family residential neighborhoods, protected from encroachment by uses which may be detrimental to the enjoyment of property rights. (Ord. 822 §1, 1989)
- B. Multiple-Residential Zone (R-2): The multiple-residential zone (R-2) is designed to permit multiple development on existing smaller lots which are not suitable for more intensive multiple residential development. These regulations will permit better utilization of properties while retaining the low-density single-family appearance of the areas. (Ord. 822 §1, 1989)
- C. Multiple-Residential Zone (R-3): The multiple-residential zone (R-3) is designed to provide areas throughout the city in which a range of multiple residential development can be located and protected from encroachment by incompatible uses. (Ord. 822 §1, 1989)

17.05.020 Uses.

No building or structure shall be erected, reconstructed or structurally altered or enlarged nor shall any building, structure or land be used for any purpose except as allowed by this chapter. (Ord. 822 §1, 1989)

Table 17.05.020-A Permitted Uses

Use	Zone		
	Single-Family Residential Zone (R-1)	Multiple-Residential Zone (R-2)	Multiple-Residential Zone (R-3)
One additional single family dwelling (provided the lot contains a minimum of 10,000 sqft of lot area and provided that	P	X	X

all setbacks, lot coverage limitations and parking requirements can be met)			
Agricultural uses	X	X	X
Boarding or roominghouses (10 guests or fewer)	C	C	C
Places of Worship	X	X	X
Commercial Uses	X (except as permitted within this table)	X (except as permitted within this table)	X (except as permitted within this table)
Community care facilities (6 persons or fewer)	P	P	P
Community care facilities (7 persons or more)	P	P	P
Conversion of a garage into any other use except ADUs as permitted by state law (unless a replacement garage in on site)	X	X	X
Duplexes	P	P	P
Emergency shelters, transitional and supportive housing	P	P	P
Ground-mounted satellite antennae – accessory building/use	P	P	P
Home Occupation	P	P	P
Large day care facilities (14 children or fewer)	C	C	C
Metal buildings	X	X	X
Mobile Home and trailer as part of an approved mobile home/trailer park (legally est. before January 01, 1980)	P	P	P
Mobile home parks	X	C	C
Multiple-family dwellings (3 units or more)	X	P	P
Off site signs (such as billboards)	X	X	X
On site signs	P	P	P
Patios – accessory building/use	P	P	P
Private garages – accessory building/use	P	P	P
Private swimming pools – accessory building/use	P	P	P
Recreation rooms – accessory building/use	P	P	P
Schools (public or private)	X	X	X
Second units (pursuant to the requirements spelled out in this Chapter 17.05)	P	P	P

Senior citizen developments	C	C	C
Single-family dwellings	P	P	P
Small day care facilities (for the care of 8 or fewer children)	P	P	P
Supportive housing	P	P	P
Triplexes	X	P	P
Vegetable and flower gardens	P	P	P

P = Permitted as a Principal Use  
C = Permitted as a Conditional Use  
A = Permitted as an Ancillary Use  
X = Prohibited Use

17.05.030 Property development standards.

- A. Property Development Standards for Single Family Residential Zone (R-1) – Generally: Development standards for the R-1 zone can be found below in 17.05.030-A; large day care facilities and second units shall be subject to the additional development standards contained in Chapters 17.03, 17.10, 17.11, 17.12, 17.13 and 17.14, and provided further that any lot or parcel which is substandard in width, depth or area and was legally recorded as a separate lot as of July 1, 1988, may be used for any use permitted by the R-1 zone district regulations. (Ord. 822 §1, 1989)
- B. Property Development Standards for Multiple-Residential Zone (R-2) – Generally: Development standards for the R-2 zone can be found below in Table 17.05.030-A; single-family dwellings shall be subject to development standards of the R-1 zone, and provided further that any lot or parcel which is substandard in width, depth or area and was legally recorded as a separate lot as of July 1, 1988, may be used for any use permitted by the R-2 zone district regulations. (Ord. 822 §1, 1989)
- C. Property Development Standards for Multiple-Residential Zone (R-3) – Generally: Development standards for the R-3 zone can be found below in Table 17.05.030-A; single-family dwellings shall be subject to standards of the R-1 zone and townhouses and condominiums to the provisions of Section 17.11.130, and provided further that any lot or parcel which is substandard in width, depth or area and was legally recorded as a separate lot as of July 1, 1988, may be used for any use permitted by the R-3 zone district regulations. (Ord. 822 §1, 1989)

Table 17.05.030-A Development Standards for Single-Family Residential Zone (R-1), Multiple-Residential Zone (R-2) and Multiple-Residential Zone (R-3)

Zone	Single-Family Residential Zone (R-1)	Multiple-Residential Zone (R-2)	Multiple-Residential Zone (R-3)
Low density	1 to 8 du per acre	N/A	N/A
Medium density	Prohibited	9 to 12 du per acre	16 du per acre
Minimum lot area	5000 sqft	5000 sqft	11000 sqft
Minimum lot area per dwelling unit (du) (single family)	5000 sqft (a second unit does not constitute a dwelling unit)	5000 sqft (a second unit does not constitute a dwelling unit)	5000 sqft (a second unit does not constitute a dwelling unit)

Minimum lot area per dwelling unit (du) (2- and 3-family dwellings)	Prohibited	3500 sqft	3500 sqft
Minimum lot area per dwelling unit (du) (multi-family)	Prohibited	Prohibited	2750 sqft
Minimum lot width (non-cul-de-sac)	50 ft	50 ft	75 ft
Minimum lot width (cul-de-sac)	30 ft at the front of the property 50 ft at the rear of the front setback	30 ft at the front of the property 50 ft at the rear of the front setback	40 ft at front of the property 75 ft at the rear of the front set-back
Maximum lot coverage	52%	61%	61%
Minimum lot depth	None	100 ft	100 ft
Maximum building height	2 stories or 28 ft (whichever is less)	3 stories or 30 ft (whichever is less)	3 stories or 35 ft (whichever is less)
Minimum distance between main buildings	None specified	15 ft	15 ft
Minimum floor area per dwelling unit, exclusive of patios, garages or porches (Single-family dwellings)	950 sqft	950 sqft	950 sqft
Minimum floor area per dwelling unit, exclusive of patios, garages or porches (duplexes)	Duplexes prohibited	950 sqft	950 sqft
Minimum floor area per dwelling unit, exclusive of patios, garages or porches (triplexes)	Triplexes prohibited	950 sqft	950 sqft
Minimum floor area per dwelling unit, exclusive of patios, garages or porches (Detached second units)	500-640 sqft	150-640 sqft	150-640 sqft
Minimum floor area per dwelling unit, exclusive of patios, garages or porches (Attached second units)	Maximum : 15% of gross floor area of attached residence	Minimum : 150 sqft Maximum : 15% of gross floor area of attached residence or 200 sqft if residence < 1335 sqft	Minimum : 150 sqft Maximum : 15% of gross floor area of attached residence or 200 sqft if residence < 1335 sqft
Refuse enclosures provision	None specified	Must be provided when 2 or more units located on site	Must be sufficient refuse enclosures provided to serve each development
Refuse enclosure dimensions	None specified	5 ft x 7 ft Shall be completely	5 ft x 7 ft



		enclosed by gates but not by a roof	Shall be completely enclosed by gates but not by a roof
Refuse enclosure materials	None specified	None specified	Wood, masonry, block or a combination of such materials

17.05.040 Minimum yard requirements.

Table 17.05.040-A Minimum Yard Standards for Single-Family Residential Zone (R-1), Multiple-Residential Zone (R-2) and Multiple-Residential Zone (R-3)

Zone	Single-Family Residential Zone (R-1)	Multiple-Residential Zone (R-2)	Multiple-Residential Zone (R-3)
Front yard	20 ft	15 ft	15 ft
Side yard (interior or key lot)	5 ft on each side	5 ft on each side	5 ft on each side
Side yard (corner or reversed corner lot)	10 ft on the street side 5 ft on the interior side	10 ft on the street side 5 ft on the interior side	10 ft on the street side 5 ft on the interior side
Rear yard	15 ft	15 ft	15 ft
Through lot – setbacks on street frontage	Equal to required yard depth	Equal to required yard depth	Equal to required yard depth
Legally existing substandard widths and depths	Side and rear yards of not less than ten or fifteen percent of the required width or depth, respectively, shall be maintained	Side and rear yards of not less than ten or fifteen percent of the required width or depth, respectively, shall be maintained	Side and rear yards of not less than ten or fifteen percent of the required width or depth, respectively, shall be maintained

17.05.050 Open space requirements – multiple dwellings.

- A. Multiple Residential Zone (R-3): A minimum of four hundred square feet of ground level common open space per dwelling unit shall be provided for all multiple dwellings. This required area may be incorporated in landscaping or recreation areas for use by all residents, except that any multiple residential development of five or more units shall include in its design a formal outdoor recreation area for residents which shall include not less than fifty percent of the required open space. The planning commission shall have the authority to modify the percentage of formal recreational space based on the quality of the design submitted and the amenities provided. (Ord. 822 §1, 1989)

1. Open space shall consist of one (1) or more of the following amenities:
  - a. Playgrounds, play equipment, and/or tot lots;
  - b. Recreational facilities – fountains, sculptures, etc.;
  - c. Tennis courts, basketball courts, and similar sports courts;
  - d. Recreational building(s)/room(s);
  - e. Game areas;
  - f. Picnic/barbecue areas; and
  - g. Required common open space in the form of decks located above the first floor may be permitted subject to the review and approval of the Commission.
2. The remaining required usable open space may be fulfilled by providing one (1) or more of the following amenities:
  - a. Landscaping;
  - b. Gardens;
  - c. Benches; and
  - d. Secondary walkways or walks.

17.05.060 Electronic gates.

The provisions of Section 17.05.060 notwithstanding, a minimum six-foot-high, decorative wrought iron fence shall be provided along the front of the property, to the rear of any required setback. Such fence shall incorporate a self-locking remote controlled vehicle and pedestrian entry/exit gate. The vehicle entry shall incorporate an electronically activated tenant marquee to permit notification of tenants in the event of visitors. Such marquee shall be five feet above finished grade. (Ord. 822 §1, 1989)

17.05.070 Landscaping.

All areas not used for buildings, structures, patios, parking or pedestrian walks shall be landscaped with ground cover or other low-water plantings. If an irrigation system is installed (such as sprinklers, bubblers, or diffuser heads) it shall be designed with water conservation in mind. For units in Single-Family Residential Zone R-1, hose bibs not over fifty feet from any portion of the planted area shall be provided. (Ord. 822 §1, 1989). For units in Multiple-Residential Zones R-2 or R-3, one hose bib for each three automobile parking spaces shall be provided. (Ord. 822 §1, 1989)

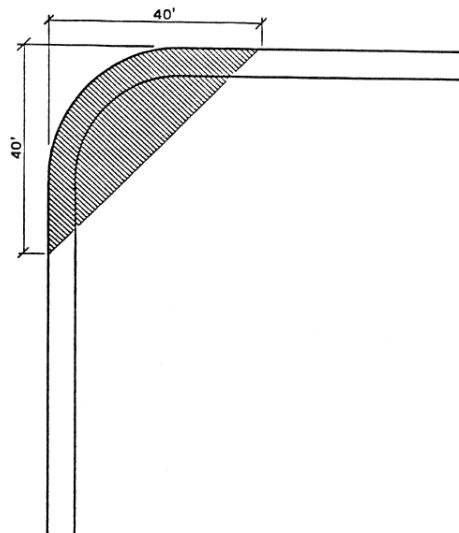
- A. In all residential zones, the front and street side yards shall be landscaped and maintained in good condition and shall be kept free and clear of all construction and automotive materials and parts, trash, refuse, debris, trash storage receptacles, inoperative motor vehicles, discarded or broken materials, appliances, junk, equipment, car cover structures or similar materials and shall not be paved except for approved pedestrian walkways, driveways, and patios.
- B. Front and Street Side Yards – Maximum Paving (Hardscape).
  1. For properties with a width of sixty feet (60') or greater, the total of all paving (hardscape) within the front setback or street side setback, including all driveways and walkways, shall not exceed forty percent (40%) of the area within the total front setback or street side setback.
  2. For properties that are less than sixty feet (60') wide, the total of all paving (hardscape) within the front setback or street side setback, including all driveways and walkways, shall not exceed fifty percent (50%) of the total front setback or street side setback.

17.05.080 Fences, walls, and hedges.

Single-Family Residential Zone (R-1)

- A. Fences, walls and hedges shall be permitted in a required front yard setback provided that no sight obscuring fence (concrete, block, masonry or wood) shall exceed forty-two inches in height, except that the fence may be increased in height to six feet if the increase consists of wrought iron, chain link, or other "see through" materials and the design is approved by the director of planning and community development. Fences and walls located to the rear of the front setback and along the side and rear property line shall not exceed six feet in height, except that fences, hedges and walls located adjacent to a freeway right-of-way shall not exceed ten feet in height; provided, that any height increase exceeding six feet will require a building permit.
- B. Corner or Reversed Corner Lot. On property at any corner formed by intersecting streets it shall be prohibited to construct, install or maintain any fence, hedge or wall or any other obstruction to view higher than forty inches above the reference point located at either:
  - 1. The point of intersection with the prolongation of the curblines; or
  - 2. The point of intersection of the prolongation of the edge of the paved roadway when curblines do not exist.
- C. Within the triangular area between the curb or edge of the paved roadway lines and a diagonal line joining points on the curb or edge of paved roadway lines forty feet from the point of their intersection, or in the case of rounded corners, the triangular area included between the reference point and the curbline or edge of paved roadway line forty feet from the point of their intersection (see Figure 17.05.080-A).

Figure 17.05.080-A Fences, Hedges and Walls—Corner or Reverse Corner Lot



(Ord. 822 §1, 1989)

#### Multiple-Residential Zone (R-2)

- A. Interior Lots. Fences, hedges and walls shall be permitted in a required front yard area, provided that no sight-obscuring fence (concrete, block, masonry or wood) shall exceed forty-two inches in height, except that the fence may be increased to an overall height of six feet if the increase consists of wrought iron, chain link, or other "see through" materials and the design approved by the director of planning and community development, and provided that no plants, vines or other material shall be planted in such a way as to limit visibility through the fence. Fences, hedges and walls located to the rear of the front setback and along the side and rear of the property shall not

exceed six feet in height except that fences or walls located adjacent to a freeway right-of-way shall not exceed ten feet in height.

- B. Corner or Reversed Corner Lots. On property at any corner formed by intersecting streets it shall be prohibited to construct, install or maintain any fence, hedge or wall or any other obstruction to view higher than forty inches above the reference point located at either:
  - 1. The point of intersection with the prolongation of the curblines; or
  - 2. The point of intersection of the prolongation of the edge of the paved roadway when curblines do not exist.
- C. Within the triangular area between the curb or edge of the paved roadway lines and a diagonal line joining points on the curb or edge of paved roadway lines forty feet from the point of their intersection, or in the case of rounded corners, the triangular area included between the reference point and the curbline or edge of paved roadway line forty feet from the point of their intersection (see Figure 17.05.080-A). (Ord. 822 §1, 1989)

#### Multiple-Residential Zone (R-3)

- A. Interior Lots. Fences, hedges and walls shall be permitted in a required front yard area, provided that no sight-obscuring fence (concrete, block, masonry or wood) shall exceed forty-two inches in height, except that the fence may be increased to an overall height of six feet if the increase consists of wrought iron, chain link, or other see through materials and the design is approved by the director of planning and community development, and provided that no plants, vines or other material shall be planted in such a way as to limit visibility through the fence. Fences, hedges and walls located to the rear of the front setback and along the side and rear of the property shall not exceed six feet in height except that fences or walls located adjacent to a freeway right-of-way shall not exceed ten feet in height.
- B. Corner or Reversed Corner Lot. On property at any corner formed by intersecting streets it shall be prohibited to construct, install or maintain any fence, hedge or wall or any other obstruction to view higher than forty inches above the reference point located at either:
  - 1. The point of intersection with the prolongation of the curblines; or
  - 2. The point of intersection of the prolongation of the edge of the paved roadway when curblines do not exist.
- C. Within the triangular area between the curb or edge of the paved roadway lines and a diagonal line joining points on the curb or edge of paved roadway lines forty feet from the point of their intersection, or in the case of rounded corners, the triangular area included between the reference point and the curbline or edge of paved roadway line forty feet from the point of their intersection (see Figure 17.05.080-A). (Ord. 822 §1, 1989)

#### 17.05.090 Parking requirements.

For each single-family, duplex, or triplex dwelling unit, not including second units, there shall be provided two parking spaces contained within an enclosed garage. See Chapter 17.16 for parking standards.

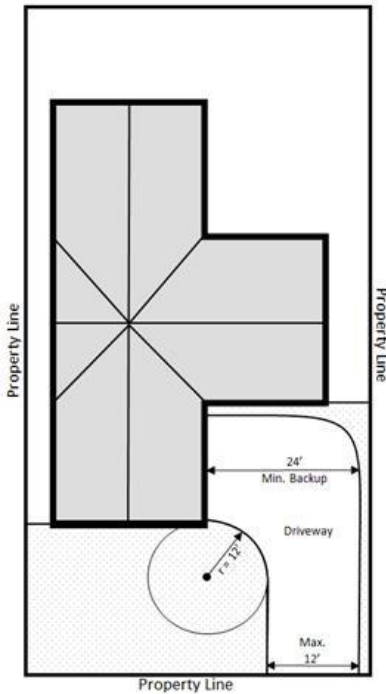
- A. For each single-family dwelling, there shall be provided two covered parking spaces located within an enclosed garage. Each parking space shall be a minimum of ten feet by twenty feet.
- B. Second Units. See Chapter 17.12 of this title.
- C. Large Day Care Facilities. See Chapter 17.11 of this title.
- D. Parking on Unpaved Areas. No parking, whether the provision of required spaces or other parking, shall be permitted on unpaved areas in the front setback or in the side yard of a corner or reversed corner lot except on an approved, paved driveway which leads to a garage, carport or approved parking area. (Ord. 822 §1, 1989)

17.05.110 Access.

A. No building permit shall be issued for any lot or parcel of land unless said lot or parcel has frontage on a dedicated and improved public street or on a private street conforming to street standards established by the city. (Ord. 822 §1, 1989)

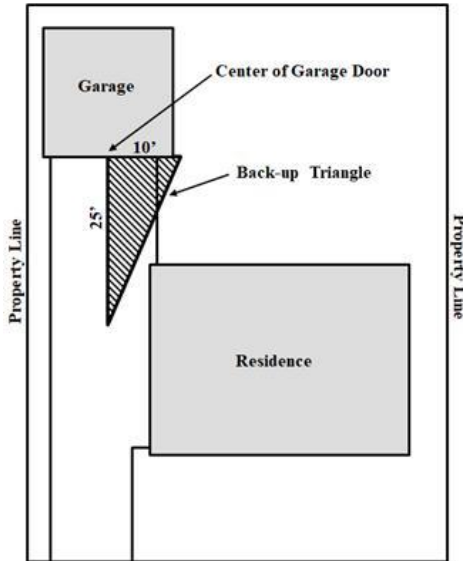
1. Driveways to required garages having a setback from the street property line greater than forty feet (40') shall have a minimum width of ten feet (10') and a maximum width of twelve feet (12') in the front or street side setback area. Driveways located outside of the setback area, shall be a minimum of ten feet (10') wide.
2. Where required garage spaces are equal to or less than forty feet (40') to the property line, the maximum width of a driveway shall not exceed eighteen feet (18') or two feet (2') wider than the opening of the garage door, whichever is greater, but in no event shall the maximum width exceed thirty feet (30') at the front property line.
3. A driveway that serves as required access to a garage, in which the garage door is not parallel to the front property line, or side property line in the case of a corner lot, shall not exceed twelve feet (12') in width at the property line, provide a maximum turn radius of twelve feet (12'), and a minimum twenty-four foot (24') back up (see Figure 17.05.110).

Figure 17.05.110-A Access to garage



B. A back up triangle on the garage side closest to the residence shall be required as depicted in Figure 17.05.110-B. The sight area shall be free from visual and physical obstructions.

Figure 17.05.110-B Back-up Triangle



- C. When a driveway and walkway are parallel to each other, there shall be a minimum two foot (2') separation between the driveway and walkway. Said separation shall be landscaped with a combination of mulch, plants, shrubs, (no rock, pebbles, decomposed granite or similar material).

#### 17.05.110 Pedestrian Safety

- A. Multiple-Residential Zone (R-3): Each driveway serving a multiple dwelling building or complex shall contain not less than two strips of bomanite or comparable material to provide warning of approaching or departing vehicles. The strips shall be a minimum of ten feet in depth and shall extend the full width of the driveway. One strip shall be located within six feet of the entry to the driveway, the second shall be located approximately midway in the drive. These strips shall be shown on the site plan for the development. (Ord. 822 §1, 1989)
1. The minimum required dimension of a parking space shall be ten feet (10') wide by twenty feet (20') in depth; with a two (2) car garage or carport having a minimum interior measurement of twenty feet (20') wide and twenty feet (20') in depth.
  2. Access to garages, carports, or automobile parking areas required by this section which serve four (4) or less multiple dwelling units shall have an unobstructed paved driveway not less than ten feet (10') in width. Each required parking space, including garages, carports, or automobile parking areas, shall have a back up area as depicted in the figure above.
  3. Access to garages, carports, or automobile parking areas required by this section which serve five (5) or more multiple dwelling units shall have an unobstructed paved driveway not less than twelve feet (12') in width for one (1) way only driveways and twenty feet (20') in width for two (2) way driveways. Each required parking space, including garages, carports, or automobile parking areas.

#### 17.05.120 Miscellaneous standards (Multiple-Residential Zone (R-3) only).

- A. Lighting. Lighting designed to reduce hazards and to illuminate potentially unsafe areas such as walkways, passages between buildings, garage areas and parking areas and areas containing heavy or high foliage shall be installed. Consideration should be given to both elevated and ground level lighting and all lighting shall be designed to ensure that neighboring properties or public streets are

protected from direct or hazardous glare. The location, foot candle power and type of light fixtures shall be shown on the site plan.

- B. Refuse enclosures. There shall be a refuse enclosure provided when two or more units are located on a site. This enclosure shall have minimum interior dimensions of five feet by seven feet and shall be completely enclosed, including gates, but excluding a roof. The placement and design of such enclosure shall be determined during review of the development. (Ord. 822 §1, 1989)

## Title 17

### ZONING

#### Chapters:

- 17.01 GENERAL PROVISIONS
- 17.02 DEFINITIONS
- 17.03 PERMIT APPROVAL PROCEDURES
- 17.04 ZONING MAP
- 17.05 RESIDENTIAL ZONES – STANDARDS AND USES
- 17.06 COMMERCIAL ZONES – STANDARDS AND USES
- 17.07 MIXED-USE ZONES – STANDARDS AND USES
- 17.08 PUBLIC FACILITIES ZONES – STANDARDS AND USES
- 17.09 INDUSTRIAL ZONES – STANDARDS AND USES
- 17.10 OVERLAY ZONES – STANDARDS AND USES
- 17.11 SPECIAL USES – STANDARDS AND USES
- 17.12 ACCESSORY DWELLING UNITS
- 17.13 DENSITY BONUS
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Chapter 17.06  
COMMERCIAL ZONES – STANDARDS AND USES

Sections

- 17.06.010 Intent and purpose.
- 17.06.020 Uses.
- 17.06.030 Residential uses.
- 17.06.040 Property development standards.
- 17.06.050 Minimum yard requirements.
- 17.06.060 Accessory buildings and structures.
- 17.06.070 Landscaping.
- 17.06.080 Fences, walls, and hedges.
- 17.06.090 Outdoor storage and operations.
- 17.06.100 Outdoor display of merchandise for sale.
- 17.06.110 Exterior lighting facilities.
- 17.06.120 Refuse enclosures.
- 17.06.130 Access.
- 17.06.140 Parking, loading, truck and vehicle codes and requirements.

17.06.010 Intent and purpose.

The intent and purpose of the Commercial Zone (C) is to provide areas throughout the city in which commercial facilities designed to serve a broad area with a wide range of commercial services may be located. Such zone districts will generally be located along arterial and collector streets and will buffer residential areas from traffic, noise, and pollutants. It is the objective of this chapter to achieve development which will be compatible with surrounding uses. (Ord. 822 §1, 1989)

17.06.020 Uses.

No building or structure shall be erected, reconstructed, structurally altered, or enlarged, nor shall any building, structure or land be used for any purpose except as provided in this chapter. The following uses shall be permitted in the Commercial Zone (C). (Ord. 822 §1, 1989)

Table 17.06.020-A Uses for Commercial Zone (C)

		Zone
Categories	Uses	Commercial Zone (C)
Agricultural Facilities	Agricultural uses	X
	Aviaries	X
	Catteries	X
	Kennels	X
	Stables	X
Automobile and Other Vehicle Sales	Automotive sales, leasing, or rental further than 500 ft away from SR-60	P
	Automotive sales, leasing, or rental within 500 ft of SR-60	C

Eating and Drinking Establishments	Bars (including entertainment and off-sale of alcoholic beverages)	C
	Beverage lounge	C
	Cafes	P
	Cafeterias	P
	Nightclubs (including entertainment and off-sale of alcoholic beverages)	C
	Off-sale of alcoholic beverages other than beer or wine within five hundred linear feet of any church, school, or park	X
	Off-sale of beer and wine on the site of an automobile service station, subject to the provisions of Section 17.11.090	C
	On-sale of alcoholic beverages in association with restaurants, cafés, cafeterias, and similar eating establishments, subject to the provisions of Section 17.11.100	C
	Restaurants	P
	Retail bakeries, all goods sold at retail, on site	P
	Taverns (including entertainment and off-sale of alcoholic beverages)	C
Financial	Banks, savings and loans and other similar financial institutions	P
General Commercial Uses	Adult businesses pursuant to the provisions of Chapter 17.10	P
	Amusement arcades	C
	Billiard halls	C
	Bowling establishments	C
	Certain commercial activity in conjunction with, or on the site of an automobile service station, subject to the provisions of Chapter 17.11	C
	Commercial athletic recreation facilities (handball, racquetball)	P if no alcohol sold or consumed on site
	Fortunetelling	P
	Health clubs	P if no alcohol sold or consumed on site
	Indoor theatres	C
	Live entertainment	C
	Massage establishments	C
	Miniature golf courses	C
	Pool halls	C
	Retail businesses	P

	Spas	P if no alcohol sold or consumed on site
	Wholesale businesses, including warehousing and distribution	X
Medical Facilities	Ambulance services	X
	Pharmacies associated with medical/dental uses	P
	Dental Laboratories	P
	Dental Offices	P
	Medical Laboratories	P
	Medical Offices	P
Professional and Office Uses	Business and professional offices	P
	Business services	P
	Wholesale businesses, including warehousing and distribution	X
Residential Uses	Emergency shelters	P
	Hotels	C
	Motels	C
	Residential uses and structures except as specifically permitted by Section 17.06.030	X
Services and Equipment	Auto detail shops further than 500 ft away from SR-60	P
	Auto detail shops within 500 ft of SR-60	C
	Auto glass installation within 500 ft of SR-60	C
	Auto overhaul or repair	C
	Auto paint shops	C
	Auto upholstery within 500 ft of SR-60	C
	Auto upholstery and auto glass installation (all activities are to take place within a completely enclosed building with no openings other than required emergency fire exits, facing or adjacent to any residentially zoned property)	P if located more than five hundred feet of SR-60
	Automobile service stations (minor repair only) within 500 ft of SR-60	C
	Automobile service stations (minor repairs only) further than 500 ft away from SR-60	P
	Automotive repair facilities, including body and fender shops	C
	Car washes further than 500 ft away from SR-60	P
	Car washes within 500 ft of SR-60	C
	Engine rebuild	C
	Manufacturing uses	X except where manufacturing occupies

		< 5% of gross floor area and all goods manufactures are sold at retail, on suite
	Public utility facilities	P
Other	Accessory buildings and uses normally associated with any permitted use	P
	Any other use not specifically permitted or prohibited, which is determined to be compatible with the permitted uses of the commercial zone	C
	Any use listed as a conditional use in this table, except that hotels, public utility facilities and on-sale of alcoholic beverages in association with restaurants, cafés, cafeterias, and similar eating establishments shall be permitted with a conditional use permit	X if adjacent to or across from public/private street from a residential zone district
	Any use when such use is determined to be hazardous in nature, either by virtue of activity or product, or through the emission of noise, pollutants, or hazardous effluent;	X
	Gateway signs, subject to the provisions of Chapter 17.15	S
	Metal buildings as defined in Section 17.11.070	X
	On-site advertising in accordance with Chapter 17.15	P
	Personal services	P

P = Permitted as a Principal Use  
C = Permitted as a Conditional Use  
S = Permitted as a Secondary Use  
X = Prohibited Use

17.06.030 Residential uses.

Each residential use and structure legally existing as of January 1, 1980, is a permitted use in the commercial zone.

- A. Residential uses and structures as set forth in this chapter are defined herein as single-family residential dwellings, two-family dwellings, three-family dwellings, multiple-family dwellings, and mobile homes or trailers designed and used for residential occupancy located within a mobile home park legally established prior to January 1, 1980. Each such mobile home park legally established prior to January 1, 1980, shall comply with the provisions of Section 17.11.080.
- B. The development standards set forth in this Chapter shall apply to each residential dwelling permitted by this section, except townhouses and condominiums.

- C. The development standards set forth in Section 17.11.130 of this Code shall apply to each townhouse and condominium permitted by this section.
- D. The development standards set forth in the applicable sections of Chapter 17.11 that are applicable to mobile home sites and structures shall apply to each mobile home and trailer permitted by this section. (Ord. 984 §2, 1996)

17.06.040 Property development standards.

The following standards shall apply to uses within the Commercial Zone (C) provided that automobile service stations, public utility facilities, public and quasi-public buildings and facilities and drive-through and walkup restaurants, and buildings constructed adjacent to or directly across a public or private street from a residentially zoned district shall be subject to development standards contained in Chapter 17.11 of these regulations; and provided further, that any lot or parcel which is substandard in width, depth, or area and was legally recorded as a separate lot as of July 1, 1988, may be used for any use permitted by the commercial zone district regulations. Notwithstanding the above, residential uses and structures permitted by Section 17.14.030 shall be subject to development standards contained therein. (Ord. 984 §4, 1996; Ord. 822 §1, 1989)

Table 17.06.040-A Development Standards for Commercial Zone (C)

Zone	Commercial Zone (C)
Minimum lot area	No minimum
Maximum building coverage	50%
Minimum lot width	No minimum
Minimum lot depth	No minimum
Maximum building height (adjacent to residential zone)	28 ft
Maximum building height (not adjacent to residential zone)	No maximum

17.06.050 Minimum yard requirements.

Table 17.06.050-A Minimum Yard Standards for Commercial Zone (C)

Zone	Commercial Zone (C)
Front yard	10 ft
Side yard (interior or key lot)	No requirements, except a 10 ft yard when abutting/across from a residential zone
Side yard (corner or reversed corner lot)	10 ft
Rear yard	No requirements, except a 10 ft yard when abutting/across from a residential zone
Through lot	Maintain the required front yard setback on each frontage required by the zone in which the lot is located

17.06.060 Accessory buildings and structures.

Accessory buildings and structures shall conform to the standards contained in Chapter 17.12. (Ord. 822 §1, 1989)

17.06.070 Landscaping.

A minimum of five percent of the total area devoted to parking shall be landscaped as well as all other areas not designated for parking, structures, or pedestrian walkways. Landscaping shall consist of grass, ground cover, or other plant materials and shall include an accepted automatic irrigation system (sprinklers, bubblers, or diffuser heads) or hose bibs not over fifty feet from any portion of a planted area and all landscaping shall be contained within six-inch concrete or eight-inch masonry curbing.

17.06.080 Fences, walls, and hedges.

- A. A solid masonry wall eight feet in height shall be constructed and maintained along any side or rear property line which adjoins a residential zone, school, church or park, except that the wall shall not exceed forty-two inches in height when it adjoins the front setback of the adjacent residential property, except that the fence may be increased to a height of six feet if the increase in height consists of wrought iron, chain link or other "see-through" material and the design is approved by the director of planning and community development.
- B. Any fence or wall located in the front of any building must be located to the rear of the required setback. No fence or wall in the front of any building may exceed forty-two inches in height if constructed of solid or sight obscuring materials but may be increased to a total height of six feet if wrought iron, chain link or other "see-through" materials are used, and the design is approved by the director of planning and community development.
- C. Corner or Reversed Corner Lot. On property at any corner formed by intersecting streets it shall be prohibited to construct, install, or maintain any fence, hedge or wall or any other obstruction to view higher than forty inches above the reference point located at either:
  - 1. The point of intersection with the prolongation of the curb lines; or
  - 2. The point of intersection of the prolongation of the edge of the paved roadway when curb lines do not exist.
- D. Within the triangular area between the curb or edge of the paved roadway lines and a diagonal line joining points on the curb or edge of paved roadway lines forty feet from the point of their intersection, or in the case of rounded corners, the triangular area included between the reference point and the curb line or edge of paved roadway line forty feet from the point of their intersection (see Figure 17.05.080-A). (Ord. 822 §1, 1989)

17.06.090 Outdoor storage and operations.

Except as permitted by Section 17.06.100, all business operations in the commercial zone must be conducted entirely within a completely enclosed building. However, automobile, and light truck sales, automobile service stations, outdoor dining, and other businesses which, by their nature, require operations outside of a building may be conducted outside of a building. Also, certain ancillary operations, such as the immediate loading and unloading of merchandise and supplies, routine property and building maintenance and permitted advertising may be conducted out of doors. Non-spoilable trash and/or recyclable material may be temporarily stored in approved and permitted trash enclosure area(s) for not more than seven days. (Ord. 1057 §1, 2004; Ord. 822 §1, 1989)

17.06.100 Outdoor display of merchandise for sale.

Businesses selling merchandise at retail may display sale or promotional items outdoors subject to the following regulations

- A. The merchandise must be displayed on the same lot as the principal location of the business.
- B. The area occupied by the outside display of merchandise shall not exceed an area greater than the gross square footage of the principal building on the lot multiplied by a factor of 0.025. The maximum permissible area occupied by outdoor display of merchandise shall be five hundred square feet.
- C. The displayed merchandise must be grouped into a single area and visible from the public street. The displayed merchandise shall not block, or diminish the public view of, or physical access to, any other business or use.
- D. The merchandise may not be displayed on, or over, any public right-of-way and may not be located within ten linear feet of any public right-of-way.
- E. The displayed merchandise may not be in, or encroach into, any required yard or setback, or unpaved area.
- F. The displayed merchandise must not be in, or encroach into, any designated driveway, required parking space, or designated fire lane.
- G. The displayed merchandise may not block any doorway, designated private pedestrian walkway or access for the handicapped.
- H. The merchandise may not be displayed on top of any portion of any building, hung from, or affixed to building walls, rafters, or eaves. Nor may any merchandise be hung from, or affixed to, any fence or wall or inflatable device.
- I. The outdoor display of merchandise shall be subject to all applicable health, safety, and fire codes.
- J. The outdoor display of merchandise for sale, is in and of itself, a form of advertising and no additional signage shall be permitted for the displayed merchandise except price signs measuring no larger than three inches by five inches may be affixed to the items displayed for sale.
- K. The outdoor display of merchandise shall be subject to an outdoor display site plan review and approval by the planning commission and said approval shall be subject to conditions, if any, that may be imposed by the planning commission as needed to mitigate any potential negative effects created by the proposed outdoor display, and the planning commission shall deny the application if the planning commission finds that the outdoor display would be detrimental to persons or properties in the immediate vicinity of the subject property or to the city in general. The planning commission may revoke any approval for cause.
- L. Application for an outdoor display site plan approval shall be made on application forms supplied by the city and pursuant to the instructions provided by the city. At the time of submittal, applicant shall pay an application fee in the same amount as the application fees established for development site plan review. (Ord. 1057 §2, 2004)

17.06.110 Exterior lighting facilities.

Exterior lighting facilities shall be arranged in a manner that will not provide a direct glare or create hazardous interference with highways and neighboring properties. (Ord. 822 §1, 1989)

17.06.120 Refuse enclosures.

There shall be sufficient refuse enclosures provided to serve each development. Each enclosure shall have minimum interior dimensions of five feet by seven feet and shall be constructed of wood, masonry, block, or a combination of such materials and shall be designed to be compatible with the principal structure or

structures on the site. The number, placement and design of such enclosures shall be determined during review of the proposed development. (Ord. 822 §1, 1989)

17.06.130 Access.

No building permit shall be issued for any lot or parcel of land unless said lot or parcel has frontage on a dedicated and improved public street or on a private street conforming to street standards established by the city. (Ord. 822 §1, 1989)

17.06.140 Parking, loading, truck and vehicle codes and requirements.

- A. No parking, whether the provision of required parking spaces or other parking, including the storage of trucks or other similar types of equipment shall be permitted on unpaved areas. (Ord. 822 §1, 1989)
- B. All loading docks and doors facing a public or private street shall be in such a manner that all truck maneuvering shall take place on-site .
- C. All drive approaches shall be so designed as to preclude direct access to a loading door or loading dock from a public or private street whenever possible. (Ord. 822 §1, 1989)
- D. No vehicle maintenance or repair, other than that permitted by Section 17.06.020 shall take place on any lot in the Commercial Zone (C). (Ord. 822 §1, 1989)



## Title 17

### ZONING

#### Chapters:

- 17.01 GENERAL PROVISIONS
- 17.02 DEFINITIONS
- 17.03 PERMIT APPROVAL PROCEDURES
- 17.04 ZONING MAP
- 17.05 RESIDENTIAL ZONES – STANDARDS AND USES
- 17.06 COMMERCIAL ZONES – STANDARDS AND USES
- 17.07 MIXED-USE ZONES – STANDARDS AND USES
- 17.08 PUBLIC FACILITIES ZONES – STANDARDS AND USES
- 17.09 INDUSTRIAL ZONES – STANDARDS AND USES
- 17.10 OVERLAY ZONES – STANDARDS AND USES
- 17.11 SPECIAL USES – STANDARDS AND USES
- 17.12 ACCESSORY DWELLING UNITS
- 17.13 DENSITY BONUS
- 17.14 OBJECTIVE DESIGN STANDARDS
- 17.15 ADVERTISING SIGNS
- 17.16 OFF-STREET PARKING AND LOADING

Chapter 17.07  
MIXED-USE ZONES – STANDARDS AND USES

Sections

- 17.07.010 Applicability.
- 17.07.020 Permit requirements.
- 17.07.030 General development standards.
- 17.07.040 Additional development standards.
- 17.07.050 Setback requirements and exceptions.

17.01.010 Purpose and applicability.

The purpose of these regulations is to serve the public health, safety and general welfare by establishing zone *The Commercial-Residential zoning district (C-R) is applied to areas appropriate for a mix of commercial and residential activities in conformance with the General Plan. This district allows for a mix of commercial and residential uses, or just commercial, or just residential land uses. (Ord. 1161 §1, 2012)*

17.07.020 Permit requirements.

- A. Permitted Primary Uses and Structures. No building, structure or land shall be used and no building, structure or use in the commercial-residential zone shall be erected, structurally altered, enlarged or established except the following permitted uses, buildings and structures identified with a "P" in Table 17.07.020-A.
- B. Conditional Uses and Structures. The following uses and structures identified with a "C" in Table 17.07.020-A may be permitted in the commercial-residential zone subject to approval of a conditional use permit.
- C. Temporary Uses. Temporary uses identified with as "T" in Table 17.07.020-A shall be allowed subject to approval and compliance with all applicable provisions of this zoning code.
- D. Prohibited Uses. Prohibited uses are identified with no entry in the second column.

Table 17.07.020-A Uses for Commercial-Residential Zone (C-R)

Land Uses	C-R
Accessory Uses and Structures	
Accessory uses, buildings and structures, including gazebos, greenhouses, noncommercial workshops, cabanas, dressing rooms, recreational buildings and restrooms	P
Antennas (pole type) and flagpoles	P
Dish antennas	C
Home occupations subject to the approval of a home occupation permit	P
Incidental outdoor storage shall be permitted provided such storage is conducted wholly within an area completely enclosed by a masonry wall not less than 5.5 feet in height,	P

Land Uses	C-R
with all entrances and exits enclosed with opaque gates equal in height of the wall. No outdoor storage shall be permitted to project above the height of the masonry wall	
Swimming pools, spas and saunas	P
Tennis, paddleball, badminton, volleyball and similar recreational courts	P
Solar energy equipment	P
Education, Public Assembly, Recreation	
Commercial court game facilities, including, but not limited to, racquetball, tennis, paddleball, badminton and volleyball courts	C
Gymnasiums and health clubs including diet centers and tanning salons	C
Places of amusement (bowling alleys, ice skating, roller rinks)	C
Places of worship	P
Private educational institutions (not allowed on the first floor)	C
Theaters	C
Residential Uses	
Live/work units provided that the commercial portion is an office, retail or service use that is permitted in the C-R zone	C
Mixed-use development with a residential component	P
Multiple residential dwelling units, including senior and affordable housing developments	C
Single-family with a minimum density of 30 units per acre. The minimum number of units on each lot is 16 units per lot	P
Multiple-family residential, affordable housing and single room occupancy (SRO) with a minimum density of 30 units per acre	P
Retail Uses	
Alcoholic beverage sales, serving or consumption within any use permitted in the C-R zone	C
Art stores or galleries	P
Audio and visual products	P

Land Uses	C-R
Bakery shops, including baking of products sold on the premises only; baking for off-site sales prohibited	P
Bicycle, sales and service	P
Camera stores	P
China and glassware stores	P
Christmas tree sales lots, when maintained between November 1 and December 31	T
Clothing and apparel stores	P
Delicatessens	P
Drapery stores	P
Drugstores	P
Florist and plant shops	P
Food stores and markets	P
Furniture stores	P
Gift shops	P
Hardware stores	P
Hobby shops	P
Household appliance and repair shops	P
Ice cream parlors	P
Interior decorator shops	P
Jewelry stores (including incidental fabrication)	P
Lighting stores	P
Liquor stores	C
Lock and key services	P
Mail order houses, retail	P
Music stores	P
Nurseries and garden supplies	P

Land Uses	C-R
Office uses	P
Paint and wallpaper stores	P
Pet shops	P
Pumpkin sales lots, when maintained between October 15 and November 1	T
Radio, television and similar electronic component stores	P
Restaurants, fast food	P
Restaurants, full service	P
Shoe stores	P
Sporting goods stores	P
Stamp and coin shops	P
Stationery stores	P
Supermarkets	P
Taverns	C
Tobacco shops	P
Toy stores	P
Typewriter and office machine sales and service	P
Service Uses	
Answering services	P
Automobile service stations	C
Banks, savings and loans, and finance services	P
Beauty shops	P
Carpet cleaning services	P
Car washes (full- or self-service)	C
Copying services, including, but not limited to, photo stating and blueprinting	P
Data processing services	P

Land Uses	C-R
Day care centers	C
Diet centers	P
Domestic pet grooming shops; provided that no animals shall be kept on the premises overnight	P
Dry cleaning and laundry establishments (non-industrial)	P
Electrical appliance repair shops	P
Employment agencies	P
Hotel and extended stay uses	C
Hospitals	P
Laundry operated exclusively as a retail-business with laundry machines that are the automatic type and capable of being operated by the public. Such use shall not include machines ordinarily found in industrial type uses	P
Linen supply services	P
Massage establishment	C
Medical and dental laboratories above the first level only	P
Nightclubs	C
Parcel delivery and pick up services	P
Pawnshops	C
Photocopying and blueprinting services	P
Photo developing stores	P
Portrait studios	P
Printing, other than publishing services	P
Shoe repair	P
Tailor, custom alteration shops	P
Tanning salons	P
Tire stores	P
Tire stores within 500 feet of SR 60	C

Land Uses	C-R
Tire stores with tire installation services	C
Tools sharpening and repair services	P
Travel agencies	P
Vehicle repair garages	
Veterinary offices, including hospitalization services	P
Water softener services	P
Transportation and Communication Uses	
Parking lot/structure facilities	C
Privately operated public utility uses, structures or transmission facilities	C
Publicly operated public utility uses	P
Wireless telecommunication facilities integrated into a building façade or structure or located behind a roof parapet; and located at least 300 feet from any residential zone, measured as the shortest distance, without regard to intervening buildings, from the nearest point of the proposed wireless telecommunication facility to the nearest point of the zone district boundary	C

(Ord. 1239 §6, 2019; Ord. 1228 §5, 2018; Ord. 1217 §5, 2017; Ord. 1195 §11, 2015; Ord. 1161 §1, 2012)

P = Permitted as a Principal Use

C = Permitted as a Conditional Use

T = Permitted as a Temporary Use

17.07.030 General development standards.

Table 17.07.030-A Commercial-Residential District General Development Standards

Development Feature	C-R
Minimum Lot Size	Minimum lot area and width required for new parcels
Area	15,000 square feet
Width	100 feet
Maximum Residential Density	35 dwelling units per acre when abutting a single-family zone; 87 dwelling units per acre when abutting a multifamily zone; 100 dwelling units per acre when not abutting any residential zone

Minimum Residential Density	For developments comprised solely as residential, 20 dwelling units per acre
Front and Side Yard Setbacks	None For residential development only, 10 feet shall be required
Interior Setback Abutting a Residential Zone	5 feet for one story, 15 feet for two stories and 25 feet for three to five stories. Setbacks are measured from the residential property line
Exceptions to Setbacks Requirements	See Section 17.07.050 for setback exceptions
Distance Between Dwellings	N/A
Maximum Height Limits	Maximum building height is 5 stories or 65 feet for commercial, commercial/residential and residential developments
Accessory Structures	N/A
Landscaping	Minimum 10% of lot area
Fences and Walls	See Section 17.06.080 for commercial uses and Section 17.05.080 for residential uses only
Rooftop Equipment	Must be screened from public view
Lighting	Photometric plan is required
Trash Collection Areas	Minimum dimensions: 8' x 10' interior must be enclosed and screened from public view with a decorative structure
Parking and Loading	Parking demand study required

- A. Minimum Lot Size for Multifamily Development. The minimum lot size in the C-R zoning district shall be fifteen thousand square feet for new multifamily housing development.
- B. No Setback Requirements for the First Two Floors from the Garvey or Santa Anita Avenue Property Lines. Above the second story, the setback from the Garvey or Santa Anita Avenue property lines shall be a minimum of five feet. All residential units developed at ground level along Garvey or Santa Anita Avenue shall be required to maintain a ten-foot setback from the front street property line.
- C. Minimum Setbacks. No setbacks required from the street property line, except as required for corner cutoffs at intersections and residential development. If setbacks are provided, these areas shall only be used for landscaping and active pedestrian areas (e.g., plazas, outdoor dining). All street adjacent parking shall be set back a minimum of five feet and the setback area shall be fully landscaped.
- D. Corner Cutoff at Intersection. In order to maintain visibility at intersections and to provide architectural interest for buildings at corner locations, buildings shall provide a ten-foot minimum corner cutoff and



shall have an entrance to the building from this area. The minimum cutoff area shall be a triangular area that is determined by measuring ten feet back from the corner along both street property lines and drawing a line between the two points.

- E. Landscaped Buffer Within Setback Area. Landscaped buffer required. A minimum five-foot wide landscaped buffer shall be provided on the subject property adjacent to any residentially zoned property or intervening alley regardless of the actual building setback that is provided. A landscaped buffer is not required adjacent to an alley at areas where direct vehicular access is provided to the subject property. (Ord. 1240 §5, 2020; Ord. 1161 §1, 2012)

17.07.040 Additional development standards.

- A. Limitations and Exceptions to Permitted Uses and Structures. Notwithstanding any other provisions of this chapter, the following limitations shall apply to the conduct of any use permitted in C-R zone as applicable:
  - 1. All uses except outdoor eating areas, parking, growing plants, cut flowers, Christmas tree lots, pumpkin sales lots and provision and storage of shopping carts shall be subject to specific standards contained within this chapter; additionally in the C-R zone, car washes, incidental or temporary uses, service stations, storage yards, vehicle storage or display, tire store uses, and vending machines (vending machines shall not include coin operated amusement devices, rides, scales, or similar devices) shall be conducted entirely within a completely enclosed building which is attached to a permanent foundation. There shall be no outside storage of tools, equipment, supplies or materials.
  - 2. No wholesaling of goods and materials shall be permitted in the C-R zone; retail sales to the general public only shall be permitted.
  - 3. Shopping cart storage shall be located on-site adjacent to the entry of a building and shall be screened with a minimum three-foot, six-inch high solid wall/fence or combination of fence and landscaping to obscure the visibility of shopping carts from the adjacent public rights-of-way. Where the director of the community development department, in his or her discretion, determines that screening interferes with the cart removal/retrieval "opening" given the unique location of the building (e.g., corner structure where cart storage may be visible from two or more intersecting public rights-of-way), the director of the community development department shall exempt the "opening" from the screening requirement and shall determine the orientation, location, size and configuration of the unscreened "opening." Shopping cart storage shall not intrude into any required pedestrian passageway or public right-of-way.
  - 4. All shopping carts shall be contained or controlled within the boundaries of store premises, in accordance with the standards set forth in the Title 8, Chapter [8.26](#).
- B. Performance Standards. In accordance with the goals and precepts of the comprehensive General Plan of the city environmental performance standards are hereby established to protect the community from hazards, nuisances and other negative factors; to ensure that land uses are not operated in such a manner as to cause a detrimental effect on adjacent land uses or the community environment; and to preserve and enhance the lifestyle of South El Monte residents through the protection of the public health, safety and general welfare. In the C-R zone, the following guidelines shall be evaluated on the basis of whether or not the activity is obnoxious to a person of normal sensitivity.
  - 1. General Provisions. No land, building or structure shall be used or occupied in any manner so as to create or maintain any dangerous, injurious, noxious or otherwise objectionable condition caused

by fire, explosion or other hazards; noise or vibration; smoke, dust or other form of air pollution; liquid or solid refuse or waste; or any other substance, condition or element used in such a manner or in such amount as to adversely affect the surrounding area or adjoining premises.

2. Air Quality. Any activity, operation, or device which causes or tends to cause the release of air contaminants into the atmosphere shall comply with the rules and regulations of the South Coast Air Quality Management District and with the following:
    - a. Visible Emissions. No visible emissions of air contaminants or particulate matter shall be discharge into the atmosphere. No combustible refuse incineration shall be permitted.
    - b. Dust. Windborne dusts and debris across lot lines shall be prevented by planting, wetting, compacting, paving or other suitable treatment of land surface; storing, treating or enclosing materials; controlling sources of dust and debris by cleaning; or, such other measures as may be required.
    - c. Odors. No odorous material shall be permitted so as to be obnoxious to persons of normal sensitivity as readily detectible at the property line or at any point off-site where the odor is greater.
  3. Vibration. No activities shall be permitted which cause objectionable vibration to adjoining property except for construction activities in connection with an effective building permit.
  4. Noise. No noise shall be generated which causes the maximum sound level to exceed the noise levels specified in the Title 8, Chapter [8.20](#). Further, in a mixed use project, no increase in the ambient noise base level for nonresidential uses shall be permitted. Such noise measurements shall be taken at the residential zone property line, or at any point within an abutting residential zone, or at a point within the residential portion of the mixed use project, where the noise level from the nonresidential use is greater. No steady impulsive noise (such as hammering or riveting) or steady audible tone components (such as whines, screeches or hums) shall be detectible from any residential use which is part or adjacent to the mixed use project.
- C. Dwelling Unit Size. The gross floor area of any dwelling unit in the C-R zone shall be not less than provided herein. For the purpose of this section, dens, studies or other similar rooms which may be used as bedrooms shall be considered bedrooms. Living rooms, dining rooms, kitchens or bathrooms shall not be considered bedrooms, except that separate dining rooms in efficiency units or rooms that could be converted into additional bedrooms shall be considered bedrooms.

Table 17.07.040-A Minimum Size Requirements

Unit Type	Minimum Size Requirements
Efficiency and one-bedroom units	750 square feet for the residential development
Two-bedroom units	900 square feet for the residential development
Three- or more bedroom units	1,100 square feet for the residential development
Senior affordable units	540 square feet

- D. Outdoor Space. A minimum outdoor space of one hundred forty square feet shall be provided per dwelling unit. Outdoor space may be provided as common or private space. Any common outdoor

space shall have a minimum level surface dimension of twenty feet and a minimum area of four hundred square feet.

- E. Distance Between Dwellings. A minimum distance of ten feet shall separate exterior walls of separate buildings containing dwelling units on the same lot. The windows or window/door or any one dwelling unit may not face the windows or window/door of any other dwelling unit unless separated by a distance of ten or more feet except where the angle between the wall of the separate dwellings units is ninety degrees or more. Walls parallel to each other shall be considered to be at a zero degree angle.
- F. Access to Dwelling Units. An elevator shall be provided to serve all stories in a building containing more than three dwelling units where the floor area of any dwelling units is located only on the third story and other dwelling units are located on the first and second stories.
- G. Laundry Facilities. Laundry facilities shall be provided to serve all residential dwelling units on a lot. Such laundry facilities, constituting washer and dryer appliances connected utilities, shall be provided in the individual dwelling units where there are three or less dwelling units on a lot. Where there are more than three dwelling units on a lot, laundry facilities shall either be provided in the individual dwelling units or in a common laundry room. A common laundry room shall be in an accessible location and shall have at least one washer and one dryer for each five dwelling units. A minimum of two washers and dryers shall be provided at all times. The washer and dryers shall be maintained in operable condition and accessible to all tenants daily between the hours of seven a.m. to ten p.m.
- H. Storage Space—Private. A minimum of ninety cubic feet of private storage space shall be provided for each residential dwelling unit outside such unit unless a private attached garage, serving only the dwelling unit, is provided. Such private storage space shall have a minimum horizontal surface area of twenty-four square feet and shall be fully enclosed and lockable. (Ord. 1161 §1, 2012)

17.07.050 Setback requirements and exceptions.

- A. Street Front and Street Side Setback. In the C-R zone, no person shall construct, locate or maintain within the space between a street and a setback line established by ordinance or by this title, any building, wall, fence or structure except:
  - 1. General Exceptions.
    - a. Driveway and walks, provided that a driveway shall be limited to that area reasonably necessary to provide safe and efficient ingress to and egress from off-street parking spaces located behind a setback area.
    - b. Eaves may project into a required setback area for a distance not to exceed thirty inches.
    - c. Flagpoles limited to one per site.
    - d. Footings and public utility vaults if fully subterranean.
    - e. Landscape accent lighting not to exceed eighteen inches in height.
    - f. Necessary railings adjacent to stairways.
    - g. Retaining walls, planters or curbs which are not more than eighteen inches in height above the ground surface existing at the time of construction.
    - h. Subterranean parking garages may extend to the street property line including equipment, service, utility and storage areas provided such areas do not have any door, window or other opening to the outside along the street property line.
    - i. Uncovered steps or landings not over four feet high as measured parallel to the natural or finish ground level at the location of the construction may project into the required setback area to the property line.

2. Storage of Material Prohibited. No person shall store materials or equipment within the space between a street and a setback line established by ordinance or by this chapter, except temporarily during construction on the same premises.
- B. Interior Setback (Exceptions). In the C-R zone, no person shall construct, locate or maintain within the space between a property line and an interior setback line established by ordinance or by this title, any building, wall, fence or structure except:
1. General Exceptions.
    - a. Boundary line walls.
    - b. Eaves may project into a required setback area for a distance not to exceed thirty inches, provided they do not project closer than thirty inches to an interior property line.
    - c. Footings and public utility vaults if fully subterranean.
    - d. Driveways, walks and parking areas including lighting pursuant to the provisions of Chapter 17.60.
    - e. Railings adjacent to stairways.
    - f. Subterranean and semi-subterranean parking garages may extend to the interior property line including equipment, service, utility and storage areas provided such areas do not have any door, window or other opening to the outside along the interior property line.
    - g. Uncovered steps or landings not over four feet high as measured parallel to the natural or finish ground level at the location of the construction may project into the required setback are four feet for a length of fourteen feet measured parallel to the building.
  2. Storage Prohibited. No required interior setback area shall be used to store any motor vehicle, trailer, camper, boat or parts thereof, equipment or any type of antenna except as provided for in this title. (Ord. 1161 §1, 2012)
  3. Interior Setbacks abutting a Residential Zone:
    - a. Setback standards:
      - i. 5 feet for one story.
      - ii. 15 feet for two stories.
      - iii. 25 feet for three to five stories.
    - b. Setbacks are measured from the residential property line.

## Title 17

### ZONING

#### Chapters:

- 17.01 GENERAL PROVISIONS
- 17.02 DEFINITIONS
- 17.03 PERMIT APPROVAL PROCEDURES
- 17.04 ZONING MAP
- 17.05 RESIDENTIAL ZONES – STANDARDS AND USES
- 17.06 COMMERCIAL ZONES – STANDARDS AND USES
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- 17.16 OFF-STREET PARKING AND LOADING

Chapter 17.08  
PUBLIC FACILITIES ZONES – STANDARDS AND USES

Sections

- 17.08.010 Intent and purpose.
- 17.08.020 Uses.
- 17.08.030 Uses allowed in public facilities zone.
- 17.08.040 Property development standards.
- 17.08.050 Minimum yard requirements.
- 17.08.060 Accessory buildings and structures.
- 17.08.070 Parking and loading requirements.
- 17.08.080 Landscaping.
- 17.08.090 Fences, walls, and hedges.
- 17.08.100 Outdoor storage and operations.
- 17.06.110 Refuse enclosures.

17.08.010 Intent and purpose.

The Public Facilities zone (P-F) is established to provide areas throughout the city for the location of a variety of public, quasi-public and institutional facilities. Such areas shall be developed in a manner designed to enhance the neighborhood and to protect the surrounding areas from unnecessary noise, traffic or other disturbance. (Ord. 822 §1, 1989)

17.08.020 Uses.

No building structure shall be erected, reconstructed, or structurally altered or enlarged, nor shall any building structure or land be used for any purpose except as allowed by this chapter. (Ord. 822 §1, 1989)

17.08.030 Uses allowed in public facilities zone.

Table 17.08.030-A Uses for Public Facilities Zone (P-F)

	Zone
Uses	Public Facilities (P-F)
Accessory buildings and uses customarily associated with any permitted use (see Chapters 17.12)	A
Any public or quasi-public use not specifically permitted under this use table here (17.08.030) may be permitted subject to obtaining a conditional use permit in accordance with Chapter 17.03 of these regulations.	C
Any use not specifically permitted by this use table here (17.08.030)	X
Churches and related facilities	P
City Hall	P
City yards	P
Cultural Institutions	C
Metal buildings as defined in Chapter 17.02 of these regulations.	X
Other public buildings	P

Other quasi-public facilities	P
Outdoor commemorative or fundraising events if sponsored by the city or by the use permitted on the site.	A
Police and fire facilities	P
Public libraries	P
Public parks, recreational facilities and associated structures	P
Public utility facilities	P
Schools (private)	C
Schools (public)	P
Special Events	P
Water wells	P
Wireless Communication Facilities	C

P = Permitted as a Principal Use

C = Permitted as a Conditional Use

A = Permitted as a Accessory Use

X = Prohibited Use

17.08.040 Property development standards.

The following property development standards shall apply to all uses within the P-F zone.

Table 17.08.040-A Development Standards for Public Facilities Zone (P-F)

	Zone
Standard	Public Facilities (P-F)
Minimum lot area	Not Required
Maximum building coverage	Not Required
Minimum lot width	Not Required
Minimum lot depth	Not Required
Maximum building height (adjacent to residential zone)	28 ft
Maximum building height (not adjacent to residential zone)	No maximum

17.08.050 Minimum yard requirements.

Table 17.08.050-A Minimum Yard Standards for Public Facilities Zone (P-F)

	Zone
Standard	Public Facilities (P-F)
Front yard	10 ft minimum and landscaped
Side yard (interior or key lot)	No requirements, except a 10 ft landscaped yard when abutting/across from a residential zone
Side yard (corner or reversed corner lot)	10 ft landscaped yard on the street side

Rear yard	No requirements, except a 10 ft landscaped yard when abutting/across from a residential zone
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17.08.060 Accessory buildings and structures.

Accessory buildings and structures shall conform to the standards contained in Chapters 17.12 of these regulations. (Ord. 822 §1, 1989)

17.08.070 Parking and loading requirements.

- A. No parking, whether the provision of required parking spaces or other parking, shall be permitted on unpaved areas, including the storage of trucks or similar types of equipment. The only exception to this rule shall be in the case of outdoor commemorative, special events or fundraising events permitted by above.
- B. All loading docks and doors facing a public or private street shall be located in such a way that all truck maneuvering shall take place on site whenever possible.
- C. All drive approaches shall be so designed as to preclude direct access to a loading door or loading dock from a public or private street whenever possible.
- D. Vehicle maintenance and repair must take place within a solid masonry structure enclosed on at least three sides with any openings, other than windows or fire exits, facing away from a public or private street. (Ord. 822 §1, 1989)

17.08.080 Landscaping.

A minimum of five percent of the total area devoted to parking shall be landscaped as well as other areas not designated for parking, structures, or pedestrian walkways. Landscaping shall consist of grass, ground cover, or other plant material and shall include an accepted automatic irrigation system (sprinklers, bubblers or diffuser heads) or hose bibs not over fifty feet from any portion of a planted area and all landscaping shall be contained within a six-inch concrete or eight-inch masonry curbing.

17.08.090 Fences, walls, and hedges.

- A. Interior Lots. Fences, hedges and walls shall be permitted in a required front yard area, provided that no sight-obscuring fence (concrete, block, masonry or wood) shall exceed forty-two inches in height, except that the fence may be increased to an overall height of six feet if the increase consists of wrought iron, chain link, or other see-through materials and the design is approved by the director of planning and community development, and provided that no plants, vines or other material shall be planted in such a way as to limit visibility through the fence. Fences, hedges and walls located to the rear of the property shall not exceed six feet in height except that fences or walls located adjacent to a freeway right-of-way shall not exceed ten feet in height.
- B. Corner or Reversed Corner Lots. On property at any corner formed by intersecting streets it shall be prohibited to construct, install or maintain any fence, hedge or wall or any other obstruction to view higher than forty inches above the reference point at either:
  - 1. The point of intersection with the prolongation of the curblines; or



2. The point of intersection of the prolongation of the edge of the paved roadway when curblines do not exist.
- C. Within the triangular area between the curb or edge of the paved roadway lines and a diagonal line joining points on the curb or edge of paved roadway lines forty feet from the point of their intersection, or in the case of rounded corners, the triangular area included between the reference point and the curbline or edge of paved roadway line forty feet from the point of their intersection.
- D. On property which is located in a block which is otherwise entirely zoned C-M or M and developed in permitted manufacturing uses, fences or walls shall not exceed eight feet in height on sides, front or rear provided that any wall located on the front or side, in the case of a corner or reversed corner lot, shall be constructed to the rear of the required setback. If outdoor storage is constructed on the property, all fences must be sight-obscuring.
- E. When parking is located so that vehicles are facing a public or private street, a minimum forty-two inch high decorative block wall shall be installed to the rear of the required setback. (Ord. 822 §1, 1989)

17.08.100 Outdoor storage and operations.

All operations must be conducted entirely within a completely enclosed building except for activities which, by their nature, require operations outside of a building. Any outdoor storage of supplies, equipment or products is prohibited unless such storage is screened from public view by a solid masonry wall or sight-obscuring fence and does not extend above the height of the fence. All refuse enclosures shall be screened from public view. (Ord. 822 §1, 1989)

17.08.110 Refuse enclosure.

There shall be sufficient refuse enclosures provided to serve each development. Each enclosure shall have minimum interior dimensions of five feet by seven feet and shall be constructed of wood, masonry block or a combination of such materials and shall be designed to be compatible with the principal structure or structures on the site. The number, placement and design of such enclosures shall be determined during review of the proposed development. (Ord. 822 §1, 1989)

## Title 17

### ZONING

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Chapter 17.09  
INDUSTRIAL ZONES – STANDARDS AND USES

Sections

- 17.09.010 Intent and purpose.
- 17.09.020 Uses.
- 17.09.030 Residential uses.
- 17.09.040 Proximity to residential uses.
- 17.09.050 Property development standards.
- 17.09.060 Minimum yard requirements.
- 17.09.070 Landscaping.
- 17.09.080 Outdoor storage and operations.
- 17.09.090 Outdoor display of merchandise for sale.
- 17.09.100 Exterior lighting facilities.
- 17.09.110 Refuse enclosures.
- 17.09.120 Parking, loading, truck and vehicle codes and requirements.

17.09.010 Intent and purpose.

Manufacturing Zone (M): The purpose of the manufacturing zone (M) is to provide for and encourage the development of industrial uses in suitable areas throughout the city, and to promote a desirable and attractive working environment with a minimum of detriment to surrounding properties and a maximum of protection for the permitted uses through the prohibition of incompatible uses. (Ord. 822 §1, 1989)

Commercial-Manufacturing Zone (C-M) : The purpose of the commercial manufacturing zone, C-M, is to provide areas within the city in which general commercial and limited manufacturing uses can be co-located. Development standards are imposed in order to control the type and intensity of uses and to ensure quality of design which will enhance the area in which the use is located and which will protect adjacent and neighboring properties. (Ord. 822 §1, 1989)

17.09.020 Uses.

Manufacturing Zone (M): No building or structure shall be erected, reconstructed or structurally altered or enlarged, nor shall any building, structure or land be used for any purpose except as provided in this chapter. (Ord. 822 §1, 1989) Any other use not specifically permitted or prohibited, which is determined to be compatible with the permitted uses of the manufacturing zone is subject to a conditional use permit. (Ord. 1237 §5, 2019; Ord. 1195 §13, 2015; Ord. 1152 §3, 2011; Ord. 1151 §2, 2011; Ord. 978 §3, 1996; Ord. 963 §13, 1995; Ord. 822 §1, 1989) Any use not specifically permitted by these regulations unless determined by the planning commission to be the same as, or similar to, a permitted use is prohibited.

Table 17.09.020-A Uses for Industrial Zones – Manufacturing Zone (M)

	Zone
Uses	Manufacturing Zone (M)
Accessory buildings and uses normally associated with any permitted use	S
Ambulance Services	C

Any use which involves the mixing or handling of hazardous or toxic chemicals or products or requires the construction of any H-1 or H-2 structure	N
Any use which involves the use of cyclones or other similar methods of moving materials which would create noise levels above city standards as spelled out in Title 8	N
Any use which would involve heavy truck uses. Heavy truck uses meaning any use in which the movement of goods by truck on a regular basis is a major or principal part of the daily operation such as, but not limited to, distribution centers, moving and storage firms, steel distribution or any firm engaged primarily in transshipment of goods	N
Appliance repairs and service	P
Audio and video recording studios	P
Automotive impound and storage of inoperable vehicles	X
Automotive repair facilities, including body and fender shops, auto paint shops, engine rebuild, overhaul or repair, when located within 300 ft of a residential zone	C
Bakeries without retail	P
Blueprint and Photocopy services	P
Carpet and rug cleaning	P
Catering facilities	P
Drive-in movie theaters	C
Existing single-family residence when such residence is occupied either by the owner of the property or the owner of a business when such is located on the site. The residence shall comply with regulations of the R-1 zone district and when any such structure is no longer occupied in accordance with the provisions of this chapter, it shall be removed within 60 days of notification that it is in violation of these regulations.	S
Gateway signs, subject to the provisions of Chapter 17.15	S
Heavy metal works including drop forges, drop hammers, punch presses, forges and forging works	N
Industrial uses when such uses are determined to be hazardous in nature, either by virtue of process or product or through the emission of hazardous effluents, offensive odors or pollutants	X
Junk yards, salvage yards, contractors' equipment yards, building material yards, machinery and equipment storage yards	X
Laboratories, commercial testing, experimental research or similar operations, except that any experimental or research use of animals shall be prohibited	P
Laundry or Dry Cleaning, Limited. An establishment to dry clean and/or wash and dry clothes and other fabrics brought in and carried away by the customer. This includes self-service or coin-operated facilities	P
Laundry, Unlimited. An establishment where large quantities of clothes and other fabrics are washed and/or ironed or dry-cleaned but are collected and delivered primarily by laundry employees	P

Living quarters for switchboard or security personnel subject to planning commission approval	S
Machine shops employing such operations as deburring, the use of high speed drilling, sawing or cutting of metals; the use of any punch press over twenty tons capacity, and the use of brakes or other equipment capable of producing excessive noise or vibration, including drop hammers. See Title 8 for noise regulations	N
Manufacture or processing of perfumes, vinegar, yeast, sauerkraut, and similar highly aromatic products provided that no odors are allowed to emanate from the building(s) in which the operations occur or from the property in general	P
Manufacturing, repair, maintenance, preparation, compounding, processing, packaging, treatment, fabrication or assembly when not specified as a conditional use in the zone or prohibited by this use table here	P
Massage establishment	C
Metal buildings as defined and regulated by 17.11.070	X
Mini-warehouses or mini-storage facilities	X
Offices related to, or supportive of, uses permitted in the manufacturing zone (M)	P
Off-site signs and sign structures	X
On-sale of alcoholic beverages in association with restaurants, cafés, cafeterias and other similar eating establishments	C
On-site advertising in accordance with the provisions of Chapter 17.15 of these regulations	P
Open storage, provided that the only materials, products, or equipment stored are necessary to the operation of the use being conducted on the site, that all storage is located within a fence, screened area, that storage does not exceed the height of any fence or wall permitted or required, and that storage is not placed within any required yard or parking area	S
Outdoor market when conducted on a single site having an area of five acres or more in addition to the required parking area	C
Personal and business services serving the building or complex in which they are located. Such services may include cafeterias, barber and beauty shops, travel services and similar businesses.	S
Pest control operators and services	P
Places of worship and schools (public and private)	X
Plumbing, electrical, mechanical shops and services	P
Public utility facilities	P
Radio, television or cellular telephone transmission towers or telephone switching and relay facilities, in accordance with Section 17.11.120.	P
Recreational facilities, including, but not limited to, soccer facilities, basketball courts, and water polo facilities	P
Refrigeration repairs and services	P
Research and development	P

Residential uses and structures except as specifically permitted by either this use table or Section 17.09.040	X
Restaurants, cafes, cafeterias, and other similar eating establishments without on-sale alcoholic beverages.	P
Restaurants with a drive-through	C
Retail sales associated with the principal use in a building or complex in which they are located. Such uses shall not exceed 25% of the gross floor area occupied by the principal use and shall be subject to approval by the director of planning and community development	S
Support services such as: truck and automobile sales, leasing or rental and appurtenant facilities; restaurants; banks and other financial institutions, excluding check cashing services; business, trade and technical schools; labor or trade organizations and business offices; child care centers, when related to the industrial community; industrial medical clinics; and automobile service stations (minor repair only)	C
Swap meets	C
Technical, trade, or vocational schools	P
The manufacture of metal alloys, asphalt or asphalt products, cement, lime gypsum or plaster of Paris, coal, coke, charcoal, fuel briquettes and similar products, gas, rubber (natural or synthetic), soap, tallow, grease, lard and similar products, paints and paint products, acetylene, chemicals and chemical products, cellulose and cellophane, and plastics	N
The manufacturing of explosives	X
The refining or rerefining of petroleum or petroleum products	X
The slaughter, dressing, butchering or similar operations involving animals, seafood, poultry or fowl, or the tanning or other treatment of hides, skins, or the like	X
Tow yard	X
Trucking, transit and transportation terminals and related repair and storage facilities	X
Warehousing and bulk storage	P
Water pumping and treatment plants, reservoirs, wells and appurtenant facilities	N
Wholesaling	P
Wireless telecommunication facilities	C
Vehicle Accessory Sales and Installation	P

P = Permitted as a Principal Use

C = Permitted as a Conditional Use

S = Permitted as a Secondary Use

X = Prohibited Use

N= Uses allowed in areas non-adjacent to residential uses (adjacent defined as: next to or across a public or private street from residential uses)

Table 17.09.020-B Uses for Industrial Zones – Commercial-Manufacturing (C-M)

	Zone
Uses	Commercial-Manufacturing (C-M)
Any use listed as a principal permitted use in the commercial zone (C) when not prohibited by this table	P
Any use listed as a conditionally permitted use in the commercial zone (C) when not prohibited by this table	C
Any use not specifically permitted or prohibited which is determined to be compatible with the permitted uses of the commercial manufacturing zone (C-M)	C
Any uses listed as conditional uses in the manufacturing zone (M) unless specifically permitted by this table	X
Any use when such use is determined to be hazardous in nature, either by virtue of activity or product, or through the emission of noise, pollutants, or hazardous effluents	X
Any use which involves the mixing or handling of hazardous or toxic chemicals or products or requires the construction of any H-1 or H-2 structure	N
Any use which involves heavy truck uses. Heavy truck uses meaning any use in which the movement of goods by truck on a regular basis is a major or principal part of the daily operation such as, but not limited to, distribution centers, moving and storage firms, steel distribution or any firm engaged primarily in transshipment of goods	N
Any use which involves the use of cyclones or other similar methods of moving materials which could create excessive or irritating noise	N
Ambulance services	N
Accessory buildings and uses customarily associated with any permitted use	S
Adult businesses pursuant to the provisions of Chapter 5.25 of the South El Monte Municipal Code	P
Catering Facilities	P
Gateway signs, subject to the provisions of Chapter 17.15	S
Hotels and motels	X
Machine shops employing such operations as deburring, the use of high speed drilling, sawing or cutting of metals; the use of any punch press over twenty tons capacity, and the use of brakes or other equipment capable of producing excessive noise or vibration	N
Manufacturing, processing, packaging, treatment, fabrication or assembly when not specified as a conditional use in the M zone or prohibited by this table	P
Massage establishment	C
Metal buildings as defined in Section 17.11.070 of these regulations	X

Off-sale of alcoholic beverages other than beer and wine within five hundred linear feet of any church, school, or park	X
On-sale of alcoholic beverages in association with restaurants, cafés, cafeterias and similar establishments	C
Outdoor storage, as determined by the director of planning and community development or his or her representative, provided that the only materials and products or equipment stored are necessary to the operation of a use being conducted on the site. The height of the storage shall not exceed the height of any fence or wall required or permitted by these regulations, and storage shall not be permitted in any required front or side yard or in any area designated for required parking if such storage would eliminate necessary employee parking or force employees to park on the public street	S
Places of worship and schools (both private and public)	X
Residential uses and structures except as specifically permitted by Section 17.09.030	X
Retailer commercial cannabis operations in accordance with Chapter 5.26 of Title 5 of this Code	P
The slaughter, dressing, butchering or similar operations involving animals, seafood, poultry, or fowl or the tanning or other treatment of hides, skins, or the like	X
Technical, trade, or vocational schools	C
Wholesale and distribution businesses, providing that no trucks shall be based on the premises other than those owned, operated by, and servicing only the use on the site	P

P = Permitted as a Principal Use

C = Permitted as a Conditional Use

S = Permitted as a Secondary Use

X = Prohibited Use

N= Uses allowed in areas non-adjacent to residential uses (adjacent defined as : next to or across a public or private street from residential uses)

17.09.030 Residential uses.

- A. Each residential use and structure legally existing as of January 1, 1980, is a permitted use in the manufacturing zone.
- B. Residential uses and structures as set forth in this chapter are defined herein as single-family residential dwellings, two-family dwellings, three-family dwellings, multiple-family dwellings, and mobile homes or trailers designed and used for residential occupancy located within a mobile home park legally established prior to January 1, 1980. Each such mobile home park legally established prior to January 1, 1980, shall comply with the provisions of Chapter 17.11.
- C. No residential uses, including single-family residential dwellings, two-family dwellings, three-family dwellings, multiple-family dwellings, and mobile homes or trailers designed and used for residential



occupancy located within a mobile home park legally established after January 1, 1980 are permitted in this zone.

- D. The development standards set forth in Chapter 17.05 of this Code shall apply to each residential dwelling permitted by this section, except townhouses and condominiums.
- E. The development standards set forth in Chapter 17.05 of this Code shall apply to each townhouse and condominium permitted by this section.
- F. The development standards set forth in the applicable sections of Chapter 17.11 that are applicable to mobile home sites and structures shall apply to each mobile home and trailer permitted by this section. (Ord. 984 §8, 1996)

17.09.040 Proximity to residential uses.

There are two situations involving the location of industrial sites in proximity to multiple residential zone districts. Adjacent, either to the side or rear, and across a public or private street. Each of these situations requires separate design treatment to ensure a minimum of conflict between the two dissimilar uses.

- A. Across a Public or Private Street. No industrial or commercial building shall be constructed closer than one hundred feet from building envelope of an existing residence located in a multiple residential zone district when the residence is across a public or private street from the industrial or commercial parcel. If the residential parcel is vacant, the one hundred feet will be measured from the building setback line established by the zone district regulations. If more than one residential parcel is involved, the distance shall be computed from the closest residential structure or from setback line if there is a vacant parcel involved. Measurements shall be made from the building envelope of a property; detached garages, or accessory buildings will not be considered. (See 17.09.040-A.)
- B. Adjacent to a Multiple Residential Zone District (Side or Rear). Industrial or commercial buildings will maintain a five feet side or rear setback from a multiple residential zone district with no openings, other than required fire exits facing the residential property. The only exception to this shall be in the case of a rear yard which abuts a multiple residential zone district. In this case, a forty-six-foot rear yard may be maintained providing that this area is used only for passenger vehicle parking and that the only openings facing the residential property are required fire exits. (See 17.09.040-B.)
- C. Required Front Setback. That area between the property line and the face of a commercial or industrial building created to maintain the required one hundred foot separation for buildings facing a multiple residential zone district shall be considered a required front yard. Parking shall be permitted to the rear of the first ten feet of the setback.

Figure 17.09.040-A

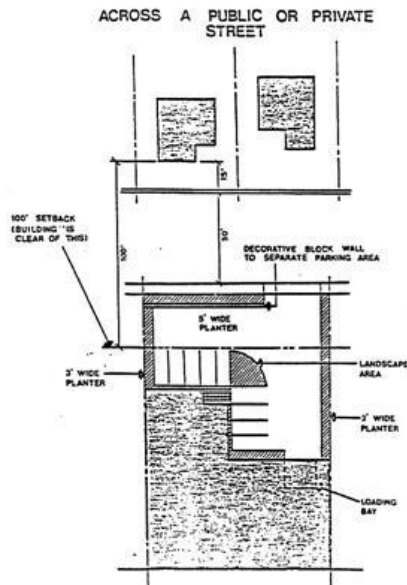
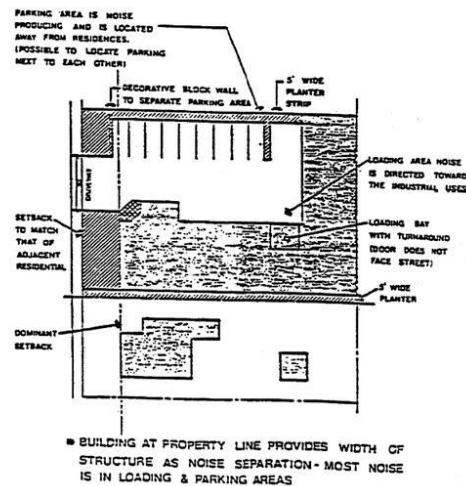


Figure 17.09.040-B



17.09.050 Property development standards.

The following standards shall apply to uses within the Manufacturing Zone (M) and the Commercial-Manufacturing Zone (C-M) provided that automobile service stations, day care centers and any use located adjacent to or directly across a public or private street from a residentially zoned district shall be subject to development standards contained in Section 17.09.040, and provided further, that any lot or parcel which is substandard in width, depth, or area and was legally recorded as a separate lot as of July 1, 1988, may be used for any use permitted by the manufacturing zone district regulations. Notwithstanding the above, residential uses and structures permitted by Section 17.09.040 shall be subject to development standards contained therein. (Ord. 984 §10, 1996; Ord. 822 §1, 1989)

Table 17.09.050-A Property Development Standards for Industrial Zones – Manufacturing Zone (M) and Commercial-Manufacturing (C-M) Zone

Zone	Manufacturing Zone (M)	Commercial-Manufacturing (C-M)
Minimum lot area	10,000 sqft	10,000 sqft
Maximum building coverage	No maximum building coverage	50% or NA
Minimum lot width	100 ft	50 ft
Minimum lot depth	100 ft	None
Maximum building height (50 feet from zone district boundary)	28 ft	28 ft
Maximum building height (not within 50 feet from zone district boundary)	No maximum	No maximum
Accessory buildings and structures	Shall conform to the standards contained in Chapter 17.12 of these regulations	Shall conform to the standards contained in Chapter 17.12 of these regulations

17.09.060 Minimum yard requirements.

Table 17.09.060-A Minimum Yard Requirements for Industrial Zones – Manufacturing Zone (M) and Commercial-Manufacturing (C-M) Zone

Zone	Manufacturing Zone (M)	Commercial-Manufacturing (C-M)
Front yard	5 ft	5 ft
Side yard (interior or key lot)	No requirement	No requirement
Side yard (corner or reversed corner lot)	5 ft	5 ft
Rear yard	No requirement	No requirement

17.09.070 Landscaping.

A minimum of five percent of the total area devoted to parking shall be landscaped as well as other areas not designated for parking, structures, or pedestrian walkways. Landscaping shall consist of grass, groundcover, or other plant material and shall include an accepted automatic irrigation system (sprinklers, bubblers, or diffuser heads) or hose bibs not over fifty feet from any portion of a planted area and all landscaping shall be contained within six-inch concrete or eight-inch masonry curbing. Provision of landscaping within parking areas shall be in accordance with Chapter 17.09. (Ord. 822 §1, 1989)

- A. A solid masonry wall, eight feet in height, shall be constructed and maintained along any side or rear property line which adjoins a residential zone, school, church or park, except that the wall shall not exceed forty-two inches in height when it adjoins the front setback of the adjacent residential property, except that the fence may be increased to a height of eight feet if the increase in height consists of wrought iron, chain link or other "see-through" material and the design is approved by the director of planning and community development.
- B. On property which is located in a block which is entirely zoned C-M or M and developed in permitted manufacturing uses, fences or walls shall not exceed eight feet in height on sides, front or rear, provided that any wall located in the front or on the side, in the case of a corner or reversed corner lot,

shall be constructed to the rear of the required setback. If outdoor storage is conducted on the property, all fences must be sight-obscuring.

- C. Corner or Reversed Corner Lot. On property at any corner formed by intersecting streets it shall be prohibited to construct, install or maintain any fence, hedge or wall or any other obstruction to view higher than forty inches above the reference point located at either:
  - 1. The point of intersection with the prolongation of the curblines; or
  - 2. The point of intersection of the prolongation of the edge of the paved roadway when curblines do not exist.
- D. Within the triangular area between the curb or edge of the paved roadway lines and a diagonal line joining points on the curb or edge of paved roadway lines forty feet from the point of their intersection, or in the case of rounded corners, the triangular area included between the reference point and the curbline or edge of paved roadway line forty feet from the point of their intersection (see Figure 17.05.080-A).
- E. When parking is so located that vehicles are facing a public or private street, a forty-two inch high decorative block wall shall be installed to the rear of the required setback. (Ord. 822 §1, 1989)

#### 17.09.080 Outdoor storage and operations.

##### A. Manufacturing Zone (M)

- 1. Except as permitted by Section 17.09.100 all business operations in the manufacturing zone must be conducted entirely within a completely enclosed building. However, automobile and light truck sales, automobile service stations, outdoor dining, and other businesses which, by their nature, require operations outside of a building may be conducted outside of a building. Also, certain ancillary operations, such as the immediate loading and unloading of merchandise and supplies, routine property and building maintenance and permitted advertising may be conducted out of doors. Non-spoilable trash and/or recyclable material may be temporarily stored in approved and permitted trash enclosure area(s) for not more than seven days. (Ord. 1057 §5, 2004; Ord. 822 §1, 1989)
- 2. Loading Doors and Access.
  - a. Access to an industrial or commercial site shall be located on the side farthest from the residential property when the properties are adjacent.
  - b. Any loading doors which face a multiple residential zone district shall be designed to require that all truck maneuvering take place on site where possible.

##### B. Commercial- Manufacturing Zone (C-M)

- 1. Except as permitted by Chapter 17.14 all business operations in the commercial-manufacturing zone must be conducted entirely within a completely enclosed building. However, automobile and light truck sales, automobile service stations, outdoor dining, and other businesses which, by their nature, require operations outside of a building may be conducted outside of a building. Also, certain ancillary operations, such as the immediate loading and unloading of merchandise and supplies, routine property and building maintenance and permitted advertising may be conducted out of doors. Non-spoilable trash and/or recyclable material may be temporarily stored in approved

and permitted trash enclosure area(s) for not more than seven days. (Ord. 1057 §3, 2004; Ord. 822 §1, 1989)

17.09.090 Outdoor display of merchandise for sale.

Businesses selling merchandise retail purposes in the Manufacturing zone (M) and Commercial-Manufacturing zone (C-M) may display sale or promotional items outdoors subject to the following regulations:

- A. The merchandise must be displayed on the same lot as the principal location of the business.
- B. The area occupied by the outside display of merchandise shall not exceed an area greater than the gross square footage of the principal building on the lot multiplied by a factor of 0.025. The maximum permissible area occupied by outdoor display of merchandise shall be five hundred square feet.
- C. The displayed merchandise must be grouped into a single area and visible from the public street. The displayed merchandise shall not block, or diminish the public view of, or physical access to, any other business or use.
- D. The merchandise may not be displayed on, or over, any public right-of-way and may not be located within ten linear feet of any public right-of-way.
- E. The displayed merchandise may not be located in, or encroach into, any required yard or setback, or unpaved area.
- F. The displayed merchandise must not be located in, or encroach into, any designated driveway, required parking space, or designated fire lane.
- G. The displayed merchandise may not block any doorway, designated private pedestrian walkway or obstruct accessibility. The displayed merchandise must follow all ADA standards and regulations.
- H. The merchandise may not be displayed on top of any portion of any building, hung from, or affixed to building walls, rafters or eaves. Nor may any merchandise be hung from, or affixed to, any fence or wall or inflatable device.
- I. The outdoor display of merchandise shall be subject to all applicable health, safety and fire codes.
- J. The outdoor display of merchandise for sale, is in and of itself, a form of advertising and no additional signage shall be permitted for the displayed merchandise except price signs measuring no larger than three inches by five inches may be affixed to the items displayed for sale.
- K. The outdoor display of merchandise shall be subject to an outdoor display site plan review and approval by the planning commission and said approval shall be subject to conditions, if any, that may be imposed by the planning commission as needed to mitigate any potential negative effects created by the proposed outdoor display, and the planning commission shall deny the application if the planning commission finds that the outdoor display would be detrimental to persons or properties in the immediate vicinity of the subject property or to the city in general. The planning commission may revoke any approval for cause.

- L. Application for an outdoor display site plan approval shall be made on application forms supplied by the city and pursuant to the instructions provided by the city. At the time of submittal, applicant shall pay an application fee in the same amount as the application fees established for development site plan review. (Ord. 1057 §6, 2004)

17.09.100 Exterior lighting facilities.

Exterior lighting facilities shall be arranged in a manner that will not provide a direct glare or create hazardous interference with highways and neighboring properties. (Ord. 822 §1, 1989)

17.09.110 Refuse enclosures.

There shall be sufficient refuse enclosures provided to serve each development. Each enclosure shall have minimum interior dimensions of five feet by seven feet and shall be constructed of wood, masonry, block, or a combination of such materials and shall be designed to be compatible with the principal structure or structures on the site. The number, placement and design of such enclosures shall be determined during review of the proposed development. (Ord. 822 §1, 1989)

17.09.120 Parking, loading, truck and vehicle codes and requirements.

- A. Off- street parking and loading shall be provided in accordance with Chapter 17.16.
- B. No parking, whether the provision of parking spaces, or other parking, shall be permitted on unpaved areas, including the storage of trucks or other types of equipment. (Ord. 822 §1, 1989)
  - 1. No tow yards, impounding, or storage of inoperable vehicles are permitted per 17.09.020.
- C. All loading docks and doors facing a public or private street shall be located in such a way that all truck maneuvering shall take place on site whenever possible.
- D. All drive approaches shall be so designed as to preclude direct access to a loading door or loading dock from a public or private street wherever possible. (Ord. 822 §1, 1989)
- E. Vehicle maintenance and repair must take place within a solid masonry structure enclosed on at least three sides with any openings, other than windows or fire exits, facing away from any public or private street. (Ord. 822 §1, 1989)

## Title 17

### ZONING

#### Chapters:

- 17.01 GENERAL PROVISIONS
- 17.02 DEFINITIONS
- 17.03 PERMIT APPROVAL PROCEDURES
- 17.04 ZONING MAP
- 17.05 RESIDENTIAL ZONES – STANDARDS AND USES
- 17.06 COMMERCIAL ZONES – STANDARDS AND USES
- 17.07 MIXED-USE ZONES – STANDARDS AND USES
- 17.08 PUBLIC FACILITIES ZONES – STANDARDS AND USES
- 17.09 INDUSTRIAL ZONES – STANDARDS AND USES
- 17.10 OVERLAY ZONES – STANDARDS AND USES
- 17.11 SPECIAL USES – STANDARDS AND USES
- 17.12 ACCESSORY DWELLING UNITS
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- 17.15 ADVERTISING SIGNS
- 17.16 OFF-STREET PARKING AND LOADING

Chapter 17.10  
OVERLAY ZONES – STANDARDS AND USES

Sections

- 17.10.010 Intent and purpose.
- 17.10.020 Overlay zone districts established.
- 17.10.030 Changes in boundaries.
- 17.10.040 Building permits.
- 17.10.050 Application for precise plan.
- 17.10.060 Powers of the architectural board of review and rules of procedure.
- 17.10.070 Consideration of adjoining property values.
- 17.10.080 Compliance required.
- 17.10.090 Appeal.
- 17.10.100 Adult business overlay zone.
- 17.10.110 Religious establishment overlay zone.
- 17.10.120 Santa Anita Corridor overlay zone.

17.10.010 Intent and purpose.

The overlay zone districts are designed to establish a greater degree of control and regulation of architectural design in certain defined areas of the city felt to be of special concern. The regulations established by this chapter are in addition to, or may supersede, regulations established for the individual zone districts included within the overlay zone district. However, no uses not specifically permitted in the zone district shall be permitted in the overlay district. (Ord. 822 §1, 1989)

17.10.020 Overlay zone districts established.

The city council may, following a public hearing, adopt an ordinance declaring certain defined areas within the city as overlay zone districts:

- A. The adult business overlay zone
- B. The religious establishment overlay zone
- C. The Santa Anita Corridor district consisting of the area indicated in Section 17.10.120 is established as an overlay zone district.

17.10.030 Change in boundaries.

Changes in the boundaries of any overlay zone district shall be made by ordinance amending the boundaries shown on the appropriate exhibits codified in Section 17.10.020. (Ord. 822 §1, 1989)

17.10.040 Building permits.

No building permit shall be issued for the construction or erection of any building or structure, or for the reconstruction or addition to any existing building or structure, anywhere within an overlay zone district until a proposed precise development plan for such construction, reconstruction or addition has been submitted to and approved by the architectural board of review in accordance with Section 17.10.060. (Ord. 822 §1, 1989)



17.10.050 Application for precise plan.

An application for a precise plan approval shall be filed with the planning director with each application for a building permit and shall thereafter be referred to the architectural board of review. All information, plans, documents, and other matters relating to the issuance of building permit shall accompany said application and, in addition, the following:

- A. Parcel dimensions;
- B. The location, proposed use, site, height, floor plans of all existing and proposed buildings;
- C. The location, height, and materials to be used in the construction of all walls and fences;
- D. The location, number of spaces, dimensions, and circulation pattern of all proposed off-street parking;
- E. All pedestrian and vehicle access routes including interior traffic circulation design;
- F. The location, size, height, materials, and lighting of signs;
- G. The location, dimensions, number of spaces and access to loading areas;
- H. The location and general nature of lighting;
- I. Existing and proposed streets;
- J. A landscaping plan indicating existing and proposed natural features, such as trees, shrubs, watercourses, topography and proposed landscaping and materials for the surfacing of areas between buildings, driveways, and other open areas;
- K. Exterior elevation plans. (Ord. 822 §1, 1989)

17.10.060 Powers of the architectural board of review and rules of procedure.

The planning commission is designated the architectural board of review. (Ord. 822 §1, 1989). The architectural board of review shall have the power to establish its own rules of procedure with the following limitations:

- A. A quorum shall consist of at least three members;
- B. A majority vote shall be required to approve any action;
- C. The secretary to the planning commission shall take and maintain minutes of all meetings of the board. (Ord. 964 §2, 1995; Ord. 822 §1, 1989)

The board shall determine whether the proposed development follows these regulations, the design guidelines adopted by resolution of the city council, and whether or not it will be detrimental to the public health, safety and welfare or affect the desirability of property values or the present or future development of the surrounding areas. The board shall determine whether the purposes and objectives of this chapter have been met and, in that regard, conditions may be imposed to assure that the purposes and objectives of this chapter are realized. Consideration will be given to site plans, landscaping, architectural design, arrangements, and the relationship of such factors to similar features of buildings in the immediate area.

Interior design shall not be considered, nor shall conditions be imposed to require development incongruous with the surroundings.

The board, in compliance with the foregoing, may approve, conditionally approve, or disapprove any application for a building permit based upon said precise plan, provided that the board may not approve or conditionally approve the application if the board finds that the building for which the permit has been applied would, if erected or altered or expanded, be detrimental to the environment, property values or development of the surrounding area. (Ord. 964 §3, 1995; Ord. 822 §1, 1989)

17.10.070 Consideration of adjoining property values.

In the approval or rejection of a precise plan, consideration shall be given and restrictions shall be imposed to the extent necessary in view of the size and shape of the parcel and the present and proposed zoning and use of the subject property and the surrounding property, to permit the same degree of enjoyment of the subject property, to permit the same degree of protection of adjoining properties, as would be afforded in normal circumstances by the standard restrictions imposed by this title. If the proposed precise plan of design would substantially depreciate property value in the vicinity or would unreasonably interfere with the use or enjoyment of property in the vicinity by the occupants thereof for lawful purposes or would endanger the public peace, health, safety or general welfare, such plan shall be rejected or shall be so modified or conditioned upon adoption as to remove such objections. (Ord. 822 §1, 1989)

17.10.080 Compliance required.

No person shall violate or fail to comply with any adopted precise plan of design or any condition or provision thereof, nor shall a building permit be issued for any structure which would violate or fail to comply with any adopted precise plan of design for the parcel or parcels on which said structure is to be located. (Ord. 822 §1, 1989)

17.10.090 Appeal.

Any appeal of a decision of the board shall be in accordance with the provisions of Section 17.03.130. (Ord. 822 §1, 1989)

17.10.100 Adult business overlay zone.

A. Intent, Purpose, and Establishment of Overlay Zone: The city council hereby establishes the adult business overlay (ABO) zone. The adult business overlay zone shall be the area indicated on Exhibit A (attached to the ordinance codified in this chapter and adopted by reference) as may be amended from time to time. The intent and purpose of the adult business overlay zone is to provide ample reasonable opportunities for adult businesses, as defined in Chapter 5.25 of this Code, to locate in South El Monte. (Ord. 1066 §1, 2005)

B. Permitted Uses:

1. Any adult business that complies with the provisions of Chapter 5.25 of this Code.
2. Any manufacturing use permitted pursuant to Section 17.09.020. (Ord. 1066 §1, 2005)

C. Development Standards:

D. Any adult business proposed to be located within the ABO zone must comply with all standards, regulations and criteria set forth in Chapter 5.25 of this. (Ord. 1066 §1, 2005)

- E. No adult business, as that term is defined in Chapter 5.25 of this Code, shall be established on any property:
1. Within one thousand feet of an existing adult business. For the purposes of this subsection, an adult business shall be considered existing if either: (1) an adult business permit has been issued for the business; (2) it is currently operating; or (3) an adult business permit has been issued for the business, but it is not currently operating due to a suspension of such permit.
  2. Within five hundred feet of any park, existing religious institution, or school, as those terms are defined in Chapter 5.25 of this Code, or property zoned for residential use. A religious institution or school shall be considered existing if such use: (1) is currently in use; (2) has received a building permit; or (3) is indicated on an adopted specific plan or plan submitted in connection with an improved land use entitlement application.
  3. Within five hundred feet of any property used for residential use if the property upon which the adult business is proposed is located within the ABO.
  4. The distances specified in this section shall be measured in a straight line, without regard for intervening structures and the boundaries of the city, from the nearest property line of the property upon which the adult business is proposed, to the nearest property line of the existing adult business, religious institution, school, park, or property zoned or used for residential use. (Ord. 1066 §3, 2005)

17.10.110 Religious establishment overlay zone.

- A. Purpose: The purpose of this chapter is to provide standards of development designed to ensure that these uses will be compatible with the neighborhood in which they are located. (Ord. 822 §1, 1989)
- B. Location Criteria: a church or place of assembly may be located in any zone district which permits that particular use subject to the following exceptions and qualifications:
1. Primary access shall be from a thoroughfare at least 50 ft in right-of-way width for churches and 62 ft of roadway width for places of assembly.
  2. Churches may be located across a street from a residential zone district if the street is classified as a local collector, as a minimum. Places of assembly may be located across a street from a residential zone district if the street is an arterial or secondary collector, as a minimum. (Ord. 963 §23, 1995; Ord. 822 §1, 1989)
- C. Design Standards: design and appearance of churches and places of assembly shall be compatible with surrounding land uses and zone districts and shall enhance the appearance of the neighborhood in which they are located. The design of such facilities shall incorporate, but not be limited to, the following:
1. Appropriate use of decorative siding and roofing materials such as wood, tile, tinted glass and/or masonry;
  2. Additional landscaping above that required;
  3. Control of lighting and light fixtures;

4. Substitution of decorative rock or aggregate or other suitable materials for portions of areas proposed to be paved. (Ord. 822 §1, 1989)
- D. Site plan requirements:
1. Minimum building site: 20,000 sq.ft. This requirement may be waived by the planning commission in the case of churches.
  2. Minimum setbacks: 20 ft on all sides of the site. (Ord. 822 §1, 1989)
- E. Landscaping:
1. A minimum 10 ft wide planter shall be installed parallel to all street right-of-way or precise plan lines.
  2. At least 20% of the site shall be landscaped.
  3. Landscaping shall consist of trees, shrubs, groundcover, or a combination thereof. All landscaped areas shall contain an accepted irrigation system (sprinklers, bubblers, or diffuser heads) with an automatic timer-clock mechanism. All landscaped areas shall be contained within 6-inch concrete or 8-inch masonry planter curbing. All landscaped areas shall be maintained in a reasonably litter-free and weed-free condition and all plant materials shall be kept in a reasonably healthy, growing condition. (Ord. 822 §1, 1989)
- F. Frontage and access: Driveway locations and width must meet standards established by the city. (Ord. 963 §24, 1995; Ord. 822 §1, 1989)
- G. Fencing and screening: Except for areas used for traffic circulation, a natural wood or uniformly painted wooden fence, masonry wall, or shrubbery between 3 and 6 ft in height shall be maintained along all interior lot lines. Where any interior lot line abuts a residentially zoned lot or a lot with permitted residential uses, the fence shall be constructed of decorative and view-obstructing wood or masonry compatible with the design of the principal structure on the site. The fence or wall shall be 6 ft in height, except within 20 ft of the front property line, in which case it shall not exceed 42 inches in height. (Ord. 822 §1, 1989)
- H. Performance standards: Churches and places of assembly shall be operated in a manner which does not interfere with the normal use of adjoining properties. Accordingly, the following performance standards shall be applicable to all such establishments:
1. Noise levels measured at the property lines shall not exceed the levels prescribed in the noise regulations of the city.
  2. The premises shall be kept clean, and the operator shall ensure that no trash or litter originating from the site is deposited on neighboring properties or on the public right-of-way.
  3. All exterior lighting shall be designed in such a manner that will protect the highway and neighboring properties from direct glare or hazardous interference of any kind.

4. Hours of operation, including deliveries to the site shall be compatible with the needs and character of the surrounding neighborhood. For the purpose of this chapter, the usual operating hours shall be considered to be between 6 a.m. and 10 p.m. for places of assembly within 500 ft of a residential zone. Any modification of these hours must be approved by the planning commission.
  5. Management of the use shall take all necessary steps to assure the orderly conduct of employees, patrons, and visitors on the premises. (Ord. 963 §25, 1995; Ord. 822 §1, 1989)
- I. Establishment and administration of the Religious Establishment Overlay Zone: notwithstanding any other provision in this municipal code, the city council hereby creates a religious establishment overlay zone for the properties listed in subsection 2 below.
1. All religious establishments shall comply with the requirements and standards set forth in Section 17.10.110 C. through Section 17.10.110 H.
    - a. Prior to establishing a religious establishment at any of the properties listed in subsection d, an applicant must:
      - b. File an application;
      - c. Pay a fee in an amount established by the city council; and
      - d. Demonstrate that the proposed use can comply with the requirements and standards set forth in Section 17.10.110 C. through Section 17.10.110 H.
  2. The following properties are included in the religious establishment overlay zone:
    - a. Calvary Chapel: 1510 Peck Road (Ord. 1159 §2, 2012)

17.10.120 Santa Anita Corridor overlay district.


- A. Purpose: The purpose of the Santa Anita Corridor overlay district is to encourage the development of affordable housing and a mixed land use pattern along an underutilized commercial corridor in the City
- B. Applicability. This section applies to lots located in the Santa Anita Corridor overlay district as indicated in Figure 17.10.120-A. All development shall comply with the applicable development standards (e.g., setbacks, height) of the underlying zoning district in addition to the standards provided in this section. In situations where an inconsistency occurs between the development standards of the underlying zoning district and the standards in this section the most restrictive standard shall prevail.
- C. Uses Allowed. Land uses allowed in the Santa Anita Corridor overlay district are all those uses allowed in the underlying zoning district.
- D. Required Residential Density. For commercial-residential zoned properties that are located within this overlay district, the following standards shall apply:
  1. A minimum of fifty percent of the total floor area proposed for all new mixed-use projects will be devoted to residential uses.
  2. Allowed development types will be limited to mixed use developments and residential stand-alone uses; and
  3. Owner-occupied and rental multifamily residential uses will be allowed by right for developments in which at least twenty percent of the units are affordable to lower-income households during the

planning period. Currently owner-occupied and rental multifamily residential uses with densities of at least thirty units per acre are allowed by right. (Ord. 1243 §6, 2020)

Figure 17.10.120-A The Santa Anita Corridor district



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**City of  
South El Monte**

Santa Anita Corridor Overlay Zone  
**Zoning**

- R-1 (Single Family Residential)
- R-3 (Multi Family Residential)
- C (Commercial)
- C-R (Commercial-Residential)
- C-M (Commercial-Manufacturing)
- M (Manufacturing)
- P-F (Public Facilities)
- City Boundary

(Ord. 1243 §5, 2020; Ord. 964 §1, 1995; Ord. 822 §1, 1989)

## Title 17

### ZONING

#### Chapters:

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- 17.09 INDUSTRIAL ZONES – STANDARDS AND USES
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Chapter 17.11  
SPECIAL USES – STANDARDS AND USES

Sections

- 17.11.010 Automobile service stations.
- 17.11.020 Boarding and roominghouses.
- 17.11.030 Day care centers.
- 17.11.040 Drive-In and drive-through establishments.
- 17.11.050 Hotels.
- 17.11.060 Industrial and commercial uses adjacent to a residential zone.
- 17.11.070 Metal buildings.
- 17.11.080 Mobile home parks.
- 17.11.090 Off-sale of beer and wine.
- 17.11.100 On-sale of beer and wine.
- 17.11.110 Public utility facilities.
- 17.11.120 Radio and television antennas and wireless telecommunications antenna facilities.
- 17.11.130 Residential condominiums.
- 17.11.140 Retail sales of alcoholic beverages.
- 17.11.150 Senior housing.
- 17.11.160 Water efficient landscaping.

17.11.010 Automobile service stations.

Table 17.11.010-A Operations at Automobile Service Stations

Operation	Approval and Permit Requirements
The retail sales of gasoline and lubricants	P
The incidental servicing of motor vehicles, including grease racks, tire repairs, battery charging, automobile washing (nonmechanical); sale of merchandise and supplies related to the servicing of motor vehicles; minor automotive maintenance, replacements and repair; and other incidental customer service and products	P
Certain retail commercial activity pursuant to the terms of Section 7.30.015;	C
The sale of beer and wine for off-site consumption pursuant to the terms of Section 17.11.090	C
Major automotive repairs, painting, auto body repair, fender work, major mechanical work, engine overhauling and similar work, outside display of new or used vehicles, equipment or parts for sale or lease, except as specifically provided in this Code	X

P: Permitted operations



C: Conditionally permitted operations

X: Prohibited operations

A. Additional retail commercial activity:

1. Retail commercial activity in addition to those uses permitted by Section 17.11.020-A may be conditionally permitted on the same site as an automobile service station. Only permitted or conditionally permitted uses in the commercial zones may be conditionally permitted in addition to those uses permitted by Section 17.11.020-A.
2. A conditional use permit must be obtained pursuant to the provisions of Section 17.11.010-A prior to establishing a concurrent use of additional retail commercial activity on the same site as an automobile service station.
3. In addition to the criteria set forth in Section 17.03.060, the following factors shall be considered in reviewing the conditional use permit application:
  - a. Whether the proposed commercial activity is compatible with the activities associated with an automobile service station, the area and surrounding uses;
  - b. Whether the concurrent activities would create or cause any of the following:
    - i. An adverse traffic impact or a traffic safety hazard, including, but not limited to, an adverse impact on traffic circulation of parking
    - ii. Pedestrian-vehicle conflicts or pedestrian safety hazards,
    - iii. An accumulation of garbage or trash,
    - iv. Excessive noise,
    - v. Intrusive lighting,
    - vi. Excessive or unpleasant odors,
    - vii. Noxious fumes,
    - viii. Interference with properties or uses in the surrounding area due to activities associated with the proposed concurrent activities or due to their hours of operation;
  - c. Whether the facilities can be located or situated in such a manner so that:
    - i. Lighting, noise, fumes, rodents, pests and odors can either be eliminated, mitigated or reduced so as to not adversely affect neighboring properties or uses,
    - ii. Traffic generated by the concurrent activities can flow smoothly, both on-site and off-site, without creating an adverse traffic impact, or a traffic or safety hazard to vehicles or pedestrians,

- iii. The impact on properties or uses in the surrounding area due to the activities associated with the concurrent activities or due to their hours of operation does not exceed acceptable levels;
  - d. Where the commercial activity is related to the sales, preparation and/or dispensing of food, whether there is adequate distance between retail petroleum pump islands and the facilities and activities of the food-related commercial activity.
4. Upon application for a conditional use permit, the planning commission may approve, deny or conditionally approve such application. The planning commission may impose any conditions which are necessary to preserve the public health, welfare or safety or to mitigate any potential adverse impacts resulting from the establishment of concurrent activities at an automobile service station. (Ord. 985 §7, 1997)
- B. Location criteria: An automobile service station may be located in any zone district which permits that particular use subject to the following exceptions and qualifications:
- 1. Primary access shall be from thoroughfares at least sixty-two feet in width.
  - 2. Automobile service stations may not be located across a street from residential zone districts unless the street is an arterial, collector, or state highway as shown on the select street system.
  - 3. Automobile service stations may not be permitted on sites abutting schools, parks, playgrounds, libraries, churches or other public or quasi-public uses which have a demonstrated substantial pedestrian traffic flow for which pedestrian/vehicle conflicts cannot be adequately mitigated. (Ord. 963 §21, 1995; Ord. 943 §4, 1994; Ord. 822 §1, 1989)

Table 17.11.010-B Design/Development Standards for Automobile Service Stations

Standard	Requirement
Design Standards	<p>Appropriate use of decorative siding and roofing materials such as wood, tile, tinted glass or masonry.</p> <p>Vending machines may be placed outside the structure.</p> <p>Exterior tire displays may be permitted subject to approval of the design and location by the director of planning and community development. Such display may not block a required parking space, driveway aisle, or pedestrian path of travel.</p> <p>Repairs and Servicing. All permitted repair equipment and services, other than the service of fuel, shall be enclosed entirely within a building. No automotive repairs shall be permitted outside the structure.</p> <p>No Charge Services. Air for tire inflation, water for radiators, windshield washing materials, and men's and women's public restrooms shall be provided to the public at no charge.</p> <p>A limited number of light-haul type travel trailers as determined by planning commission may be permitted for rental purposes, provided they are kept in an orderly manner and appropriately screened from view wherever possible by use of wood or masonry and/or landscaping. For the purpose of this section, light-haul type trailers are defined as non, self-propelled vehicles designed to be towed by an average passenger-type vehicle. Light-haul trailers shall not exceed four feet in length overall nor have a gross weight of more than one thousand five hundred pounds.</p>

	Front entry to lubrication bays and/or service areas shall not be generally permitted except where necessary to minimize the impact on adjacent residential uses.
Landscaping	All required yard areas abutting streets and not used for vehicle maneuvering or parking shall be landscaped. In all zone districts a planter of at least 5 ft in width shall be installed parallel to the street right-of-way or precise plan line.
Landscaping – Coverage and Materials	At least 10% of the total site shall be landscaped. Landscaped areas shall contain trees, shrubs, planted groundcover, or a combination thereof. At least 75% of the required landscaping shall be in planting and the remaining 25% may be in landscaping and aggregate materials.
Landscaping - Irrigation	All landscaping areas shall contain an accepted irrigation system (sprinklers, bubblers or diffuser heads) with an automatic timer-cloak mechanism. All landscaped areas shall be contained within 6-inch concrete or 8-inch masonry planter curbing.
Landscaping – Corner Lots	Except for driveways, corner lots shall have a permanently landscaped evergreen planted triangular area, formed by the street right-of-way lines and a line connecting them at points thirty feet from the real or projected point of intersection of the street right-of-way.
Refuse Enclosures Standards -	<p>Refuse enclosures shall comply with the following:</p> <p>Minimum interior dimensions - Please check with City's trash hauler for specific requirements, as they vary from use to use.</p> <p>The walls of each solid waste enclosure shall be constructed of concrete block or other solid masonry material with an exterior surface finish compatible with the main structure(s).</p> <p>Each solid waste enclosure shall have a solid gate capable of screening the contents of the enclosure.</p> <p>Each solid waste enclosure should be designed to allow walk-in pedestrian access without having to open the main enclosure gate.</p> <p>The property owner shall supply and maintain adequate bins and containers for waste disposal.</p> <p>Solid waste enclosures shall be architecturally compatible with the main building.</p> <p>All trash enclosures constructed after the date of the adoption of this article shall comply with the standards set by the Department of Public Works to address runoff water quality and pollutant source reduction.</p> <p>A two (2) foot perimeter surrounding each recycling and solid waste enclosure, exclusive of access to the enclosure, shall be planted with landscaping.</p> <p>No solid waste enclosure shall be located in any front or corner side yard.</p> <p>No recycling or solid waste enclosures (including access doors, when open) shall be located in any required parking space.</p> <p>Instructional signs shall be conspicuously posted on each trash enclosure giving instructions on the use of the bins and containers.</p>
Refuse Enclosures Screening -	Refuse disposal areas shall be adequately screened from view utilizing a decorative wood or masonry enclosure, or a combination thereof, which is compatible with the design of the principal structure on the site.
Fencing and Screening	Except for areas used for traffic circulation, a natural wood or uniformly painted wooden fence, masonry wall, or shrubbery between three and six feet in height, shall be maintained along the interior lot lines. Where any interior lot line abuts a

	residentially zoned lot with a permitted residential use, the fence shall be constructed of decorative and view obstructing wood or masonry compatible with the design of the principal structure on the site. The fence or wall shall be six feet in height, except within twenty feet of the front property line, in which case, it shall not exceed forty-two inches in height. (Ord. 963 §21, 1995; Ord. 822 §1, 1989)
Required Parking	See Chapter 17.16

Table 17.11.010-C Site Plan Requirements for Automobile Service Stations

Standard	Requirements
Minimum building site	20,000 sqft
Minimum frontage on one street *	140 ft
Minimum setbacks for fuel pump islands, measured from the property lines **	15% of depth of the lot or 20 ft (whichever is less)
Minimum Facilities Required - Principal service structure:	2 restrooms, office area; equipment and miscellaneous storage and service area adequate to provide for the operation and maintenance of the station. A minimum of one air and water outlet for each site.

\* In the case of corner lots, frontage shall be measured to the extension of the intersecting property lines.

\*\*A canopy or roof structure over a pump island may encroach up to ten (10) feet from the street property line.

- C. Performance standards: Automobile service stations shall be operated in a manner which does not interfere with the normal use of adjoining properties. Accordingly, the following performance standards shall be applicable to all such establishments:
1. Noise levels measured at the property lines shall not exceed the levels prescribed in the noise regulations of the city.
  2. The premises shall be kept clean, and the operator shall assure that no trash or litter originating from the site is deposited on the neighboring properties or on the public right-of-way.
  3. All exterior lighting shall be designed in such a manner that will protect the highway and neighboring properties from direct glare or hazardous interference of any kind.
  4. Hours of operation, including deliveries to the site, shall be compatible with the needs and character of the surrounding neighborhood. For the purposes of this section, the usual operating hours shall be considered to be between six a.m. and ten p.m. if the establishment is within five hundred feet of a residential zone. Any modification of these hours must be approved by the planning commission.
  5. No undesirable odors may be generated from the site.
  6. Air for tire inflation, water for radiators, windshield washing materials, and men's and women's public restrooms shall be provided to the public at no charge.
  7. Management of the use shall take all necessary steps to assure the orderly conduct of employees, patrons and visitors to the premises.
  8. A copy of these performance standards shall be posted alongside the establishment's permits and licenses and visible to employees at all times. (Ord. 963 §22, 1995; Ord. 822 §1, 1989)

9. Restroom Access. All restrooms shall take access from the interior of a building. No exterior access to the restrooms shall be permitted.
  10. Vapor Recovery Equipment.
    - a. All equipment shall be located adjacent to a building, but as far as possible, to any property with a residential use or other uses designed for overnight human habitation, such as motels, hotels, hospitals, or group homes. In no case shall the vapor recovery equipment be located within twenty (20) feet to any property with a residential use or other uses designed for overnight human habitation.
    - b. The location on the site shall not disrupt the flow of vehicular traffic onto and off of the site.
    - c. All vapor recovery equipment shall be completely screened from public view by architectural building features or other screening elements that are compatible in color, texture, and design with the principal structure.
  - D. Closed Service Stations.
    1. All closed service stations, including all buildings, structures, and yards shall be maintained so there is no adverse or detrimental effect on the property of others within the vicinity or neighborhood. All landscaping shall be maintained and properly irrigated and shall not be allowed to become overgrown or dead.
    2. The conversion of a service station to another use shall be reviewed during Site Plan Review and/or Conditional Use Permit and shall be approved by the Commission prior to any remodeling or occupancy and pursuant to any cleanup and capping requirements regulated by the County, State, or Federal agencies.
- 17.11.020 Boarding and roominghouses.
- A. Purpose: The purpose of this section is to provide standards to ensure that residences used as boarding or roominghouses shall be compatible with surrounding neighbors and will not adversely impact the area in which such use is located. (Ord. 822 §1, 1989)
  - B. Conditional Use Permit – required: A conditional use permit shall be required for all boarding and roominghouses. (Ord. 822 §1, 1989)
  - C. Design standards:
    1. No exterior alterations shall be made to the residential structure which will change its appearance as to make it out of context with the surrounding dwellings.
    2. All parking will be located in the rear yard area.
    3. Parking standards shall be the same as for one bedroom or efficiency apartments.
    4. Driveway locations and widths must meet standards established by the city and be reviewed by the Community Development Department prior to the approval of the conditional use permit. (Ord. 822 §1, 1989)
  - D. Performance standards: Boarding and roominghouses shall be operated in a manner which does not interfere with the normal use of adjoining properties. If, in the opinion of the Director Community Development, the provisions of the conditions of approval of the conditional use permit are being violated, such violations shall be grounds for reopening the conditional use permit hearing and the

addition of conditions to correct the violations or, if the violations are severe enough, to consider revocation of the conditional use permit. (Ord. 822 §1, 1989)

17.11.030 Day care centers.

- A. Purpose: These standards are designed to complement the variety of state laws which control development and operation of day care centers. (Ord. 822 §1, 1989)
- B. Conditional Use Permit – Planning Commission criteria: Large day care centers (not more than fourteen children) require the approval of a conditional use permit. In evaluating the conditional use permit, the planning commission shall consider the following criteria:
  - 1. Off-Street Parking. One off-street parking space shall be provided for each two employees working at any one time. The spaces shall be in addition to any spaces required for any other use occupying the same building or premises.
  - 2. Off-Street Loading. Wherever possible, an area for the loading and unloading of children shall be provided on the site and laid out in such a manner as to provide for forward travel of vehicles both on entering and leaving the site. (Ord. 1063 §3, 2004; Ord. 822 §1, 1989)
- C. Conditional Use Permit – state requirements: Indoor areas, outdoor play areas, restrooms, fencing, and other structural requirements shall be governed by the California Health and Safety Code. Any application for a conditional use permit will show evidence of compliance with the applicable state laws. (Ord. 822 §1, 1989)
- D. Permitted by right – Family daycare home, a daycare center with 14 children or less that’s within the provider’s home.
- E. Licensing: Licensing of day care centers is the responsibility of the Los Angeles County Department of Public Social Services (DPSS) and any applicant for a conditional use permit must show evidence of application to Los Angeles County for proper licensing. (Ord. 822 §1, 1989)

17.11.040 Drive-In and drive-through establishments.

- A. Purpose: The purpose of this section is to provide standards of development and performance for drive-in and drive-through establishments. (Ord. 963 §20, 1995; Ord. 822 §1, 1989)
- B. Retail sales of gasolines and lubricants as an accessory use: The retail sale of gasoline and lubricants is permitted with conveyor and nonconveyor automobile washing operations, automobile repair garages which perform major mechanical repair, parking garages (structures), if the sale of gasoline and lubricants is accessory to the principal use, or in conjunction with a tire, battery and automobile accessory store which is part of a shopping center. (Ord. 985 §3, 1997; Ord. 963 §20, 1995; Ord. 822 §1, 1989)
- C. Location criteria: A drive-in or drive-through establishment may be located in any zone district which permits that particular use subject to the following exceptions and qualifications:
  - 1. Access.
    - a. Primary access shall be from a thoroughfare at least 62 ft in width.
    - b. The driveway entrance to a drive-through business shall not be within five (5) of a curb return
    - c. The width of driveways at the street property line shall not exceed thirty (30) feet. The width of a common driveway may not exceed thirty-six (36) feet.
    - d. The distance between driveways shall be at least twenty-five (25) feet.

- e. The driveway entrance to a drive-through shall be separated from the general on-site driveway aisle by a five-foot wide landscape planter (includes 6-inch width concrete curbs)
- 2. Drive-in and drive-through uses may not be located across a street from residential zone districts unless the street is an arterial or collector street shown on the select street system. This provision does not apply to commercial off-street parking lots. (Ord. 963 §20, 1995; Ord. 822 §1, 1989)
- D. Landscaping. In addition to the landscaping requirements set forth in Section 17.06.070, the following additional standards shall apply:
  - 1. Required planters abutting residential properties shall be planted with trees shrubs, which shall form an uninterrupted screen foliage not less than ten (10) feet in width and which will grow to be not less than fifteen (15) feet no more than twenty (20) feet in height at full growth.
  - 2. An uninterrupted screen hedge shall be planted adjacent to and parallel with any drive-thru lane. Said hedge shall be planted and maintained at a height of three (3) feet to three and one-half (3½) feet. The hedge shall not be thorny or spiked, and shall not extend over the sidewalk.
- E. Drive-Through Business Lane Standards.
  - a. All businesses that provide drive-through facilities for serving customers within their automobile shall provide stacking space that meets the requirement in Table 17.11.040-A.
  - b. Each stacking space shall be computed on the basis of a vehicle being nine (9) feet in width and twenty (20) feet in length. Each stacking lane shall be a minimum of twelve (12) feet in width.
  - c. Clear identification and delineation between the drive-in lane(s) and parking lot shall be provided.
  - d. Where the lot dimensions allow, all drive-in business shall provide an escape lane that allows other vehicles to pass those waiting to be serviced.
  - e. The stacking lane shall be independent of any on-site parking, parking maneuvering areas, public streets, or alley or traffic ways serving other on-site and/or off-site uses.
  - f. The minimum required length of any stacking space may be increased if it is determined that additional stacking area will be required to adequately serve the use.
  - g. A traffic study addressing both on-site and off-site traffic and circulation impacts may be required.

Table 17.11.040-A Drive-Through Facilities Requirements

Use	Number of Stacking Space
Banks	5
Coffee Facilities	
Before order board	4
Between order board and pick-up window	4
Drug Stores / Pharmacies	4
Dry Cleaning	4
Fast-Food Restaurants	

Before order board	4
Between order board and pick-up window	4
Car Washes (Self-Service, Coin-Operated)*	
Entry	2
Exit	1
Car Washes (Full-Service)	
Entry	6
Exit	2

\*Wash stalls shall not count as stacking space.

- F. Performance standards: Drive-in and drive-through establishments shall be operated in a manner which does not interfere with the normal use of adjoining properties. Accordingly, the following performance standards shall be applicable to all such establishments:
1. Noise levels measured at the property lines shall not exceed the levels prescribed in the noise regulations of the city.
  2. The premises shall be kept clean, and the operator shall assure that no trash or litter originating from the site is deposited on the neighboring properties or on the public right-of-way.
  3. All exterior lighting shall be designed in such a manner that will protect the highway and neighboring properties from direct glare or hazardous interference of any kind.
  4. All exterior lighting shall be designed in such a manner that will protect the highway and neighboring properties from direct glare or hazardous interference of any kind.
  5. No undesirable odors may be generated from the site.
  6. Management of the use shall take all necessary steps to assure the orderly conduct of employees, patrons and visitors to the premises.
  7. All deliveries made to businesses abutting residential zones shall occur between the hours of 7:00 a.m. and 9:00 p.m.
  8. A copy of the required performance standards shall be posted alongside the establishment's permits and licenses and be visible to employees at all times. (Ord. 963 §20, 1995; Ord. 822 §1, 1989)

17.11.050 Hotels.

- A. Purpose: The purpose of these development standards is to ensure that any hotel constructed in the city will enhance the appearance of both the area in which it is located and of the city as a whole. (Ord. 822 §1, 1989)
- B. Conditional use permit – required: A conditional use permit shall be required for all hotels within the city. (Ord. 822 §1, 1989)

Table 17.11.050-A Development Standards for Hotels

Standard	Requirement
Walls Required	6ft high decorative block wall will be constructed on side and rear property lines.



Landscaping	Minimum 10ft landscaped setback on each street frontage. 20% of the total site shall be landscaped. All landscaped areas shall contain an accepted irrigation system (sprinklers, bubblers, or diffuser heads) with an automatic timer-clock mechanism. All landscaped areas shall be contained within 6 in concrete or 8 in masonry planter curbing.
Refuse Areas – Dimensions	5 ft x 7 ft
Refuse Areas - Screening	Refuse disposal areas shall be adequately screened from view utilizing a decorative wood or masonry enclosure or a combination thereof, which is compatible with the design of the principal structure on the site.

C. Performance standards: Hotels shall be operated in a manner which does not interfere with the normal use of adjoining properties. If, in the opinion of the director of planning and community development, or designee, the provisions of this section are being violated, the violations shall be grounds for reopening the conditional use permit hearing and the addition of conditions to correct the violations, or if the violations are severe enough, to consider revocation of the conditional use permit. (Ord. 822 §1, 1989)

17.11.060 Industrial and commercial uses adjacent to a residential zone.

A. Purpose: the purpose of this section is to provide development standards designed to protect single-family and multiple residential neighborhoods from the adverse impacts of industrial and commercial uses while permitting such uses to exist in near proximity to residences. (Ord. 822 §1, 1989)

B. Design Standards for Industrial/Commercial Uses Adjacent to a Residential zone

Table 17.11.060-A Design Standards for Industrial/Commercial Uses Adjacent to a Residential zone

Standard	Requirement
Commercial/Industrial Uses Across the Street from Residential	No industrial or commercial building shall be constructed closer than one hundred feet from an existing residence located in a single-family residential zone district when the residence is across a public or private street from the industrial or commercial parcel. If the residential parcel is vacant, the one hundred feet will be measured from the building setback line established by the zone district regulations; if more than one residential parcel is involved, the distance shall be computed from the closest residential structure or from the setback line if there is a vacant parcel involved. Measurements shall be made from habitable structures only; detached garages, or accessory buildings will not be considered.
Commercial/Industrial Uses Adjacent to Single-Family Residential (Side or Rear)	Industrial or commercial buildings will maintain a setback (side or rear) of fifty feet from any existing residence located in a residential zone district. The side or rear setback area may be used for access to the site or for passenger vehicle parking only. No outdoor operations, storage or truck loading shall be permitted in this area.
Commercial/Industrial Uses Adjacent to Multifamily Residential (Side or Rear)	Industrial or commercial buildings will maintain a five feet side or rear setback from a multiple residential zone district with no openings, other than required fire exits facing the residential property. The only exception to this shall be in the case of a rear yard which abuts a multiple residential zone district. In this case, a forty-six-foot rear yard may be maintained providing that this area is used only for passenger

	vehicle parking and that the only openings facing the residential property are required fire exits.
Required Front Setback	That area between the property line and the face of a commercial or industrial building created to maintain the required one hundred feet separation for buildings facing a residential zone district shall be considered a required front yard. Parking shall be permitted to the rear of the first ten feet of the setback.
Loading Doors and Access	Access to an industrial or commercial site shall be located on the side farthest from the residential property when the properties are adjacent. Any loading doors which face a residential zone district shall be designed to require that all truck maneuvering take place on site whenever possible.
Landscaping	<ul style="list-style-type: none"> <li>• All required front setbacks shall be fully landscaped except for pedestrian walks, necessary drives and parking areas to the rear of a ten-foot landscaped strip.</li> <li>• Landscaping shall consist of trees, shrubs, groundcover, or a combination thereof.</li> <li>• All landscaped areas shall contain an accepted irrigation system (sprinklers, bubblers, or diffuser heads) with an automatic timer-clock mechanism. All landscaped areas shall be contained within a six-inch concrete or eight-inch masonry planter curbing</li> <li>• All landscaped areas shall be maintained in a reasonably litter-free and weed-free condition and all plant materials shall be kept in a healthy growing condition.</li> </ul>
Fencing and Screening	A solid masonry wall, eight feet in height shall be maintained on any property line which abuts a residential zone.
Fencing and Screening – Single Family Residential	When an industrial or commercial property is across a street from a residential zone district a solid masonry wall shall be constructed across any yard or parking area. This wall will be located to the rear of any required front setback.
Fencing and Screening – Multifamily Residential	When an industrial or commercial property is across a street from a multiple residential zone district, a fence or wall shall be constructed across any yard or parking area. This fence or wall shall be located to the rear of any required front setback and shall not exceed forty-two inches in height if constructed of solid masonry, concrete or wood, but may be increased to a height of eight feet if the increase in height consists of wrought-iron, chain link or other “see-through” material and the design is approved by the director of planning and community development, except when such wall or fence is required for screening purposes the wall fence shall be constructed of solid materials, either block or wood.

A. Performance Standards: All industrial and commercial businesses which are located in close proximity to residential zones shall be operated in a manner which will not interfere with the residents’ enjoyment of their property. Accordingly, the following performance standards shall be applicable to all such establishments:

1. Noise levels measured at the property lines shall not exceed levels prescribed by noise regulations of the city.
2. All punch presses, shears and similar types of equipment shall be mounted on vibration reducing mounts so that no detectable level of vibration is transmitted to other properties or the public right-of-way.
3. No outdoor storage shall be permitted in any yard adjacent to a residential zone district.

4. The premises shall be kept clean and the operator shall ensure that no trash or litter originating from the site is deposited on neighboring properties or on the public right-of-way.
5. All exterior lighting shall be designed in such a manner that will protect the highway and neighboring properties from direct glare or hazardous interference of any type.
6. No mechanical equipment such as compressors, pumps or air conditioning units will be placed adjacent to residentially zoned property.
7. Hours of operation, including deliveries to the site shall be compatible with the needs and character of the surrounding neighborhood. For the purpose of this section, the usual operating hours shall be considered to be between six a.m. and ten p.m. Any modification of these hours which results in earlier or later hours of operation shall require the approval of the planning commission. (Ord. 963 §29, 1995; Ord. 822 §1, 1989)

17.11.070 Metal buildings.

- A. Purpose and intent: The city prohibits the construction of buildings with exterior walls or roofs of metal. Many buildings in the city have been constructed of S-type galvanized, uncoated metal prior to the prohibition of metal buildings. These buildings are now nonconforming. The cost to remove or recover the metal walls or roofs could be considerable and could force some businesses out of the city. Since the adoption of the prohibition on metal buildings, new, more aesthetic and structurally sound metal panels have been developed. The intent of these regulations is to provide guidance and standards for the rehabilitation or reconstruction of existing metal buildings in order that the existing buildings shall be upgraded with as little adverse economic impact upon the community as is reasonably possible. (Ord. 822 §1, 1989)
- B. Metal buildings – defined: For the purpose of these regulations, a “metal building” means any building or structure in which any exterior wall or roof is constructed of metal, or a combination of metal and any other construction material including, but not limited to, wood, masonry block, concrete or stucco. Any existing shed type building open on three or more sides and which is constructed predominately of metal and/or has a metal roof shall, for the purpose of these regulations, be classified as a metal building. (Ord. 822 §1, 1989)
- C. Metal buildings – prohibited: No new metal building shall be constructed within the city; except for any new metal building that can meet the development standards under Section 17.11.070(G). This section does not prohibit use of metal for nonbearing architectural or decorative features. (Ord. 1219 §1, 2018; Ord. 822 §1, 1989)
- D. Metal buildings – existing: Existing metal buildings visible from any public street or private street generally open to the public may remain at their current location subject to the following conditions:
  1. Notwithstanding the provisions of Chapters 17.05 through 17.09, any metal building situated so that no other building is located between it and all streets from which the metal building is visible shall be entirely rehabilitated or reconstructed using nonmetallic materials, including wood, stucco, brick, masonry block or similar building materials, or may be reconstructed using approved metals meeting the standards contained in the figures in Section 17.11.120(E) of these regulations, or may

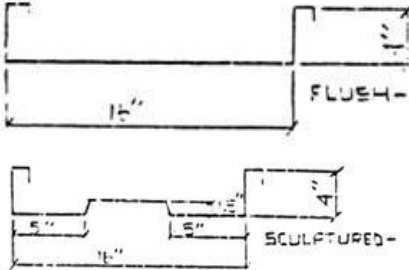
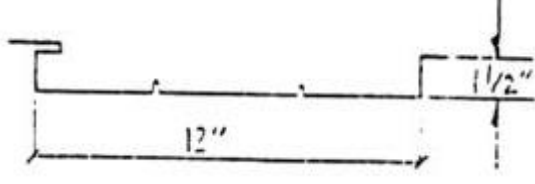
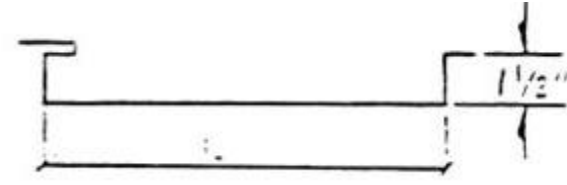
be reconstructed using a combination of approved metals and any other acceptable building materials.

2. Notwithstanding the provisions of Chapters 17.03, 17.05, 17.06, 17.07, 17.08, 17.09, 17.10, 7.11 and 17.13, any metal building situated so that another building is located between the building and all streets from which the metal building is visible shall be required to replace only those portions of the building visible from the street, including edges of metal roofs, with nonmetallic building materials or with approved metals meeting the standards contained in the figures in Table 17.11.070-A. In addition, all other portions of the walls of such metal building which are not visible shall be coated as provided in the figures in Table 17.11.070-A in a color to match the rehabilitated portion of the building.
3. All rehabilitation or reconstruction required by this section on buildings not located within the boundaries of the Rosemead Business Improvement Project Area or not located within the boundaries of South El Monte Improvement District Project Area No. 2 shall be completed not later than March 17, 1989. All rehabilitation or reconstruction required by this section on buildings located within the Rosemead Business Improvement Project Area or within South El Monte Improvement Project Area No. 2 shall be completed not later than April 24, 1992. Notwithstanding the above, all rehabilitation or reconstruction of roofs required by this section must be completed not later than provided in Section 17.11.070(E), regardless of whether the building is located within the boundaries of Rosemead Business Improvement Project Area or South El Monte Improvement Project Area No. 2.
4. Notwithstanding any other provision of this section, the city council may, after a public hearing held as prescribed in Section 17.03.130, grant an extension of the period of time permitted by this section for the rehabilitation or reconstruction in compliance with this section of buildings located in the Rosemead Business Improvement Project Area and Business Improvement District Project Area No. 2. One or more extensions may be granted for any use or building, but the total of such extensions shall not exceed two years.
5. The city council may grant an extension of the time periods prescribed by this section only where the following findings are made:
  - a. The property owner has provided proof satisfactory to the city manager and city attorney that a regulatory agency with jurisdiction over the property will not permit the rehabilitation or reconstruction required by this section without the expenditure of funds which would exceed the value of the property once rehabilitated or reconstructed by a factor of 1.0; or
  - b. The property owner has provided proof satisfactory to the city manager and city attorney that the property owner has received all necessary permits for the rehabilitation or reconstruction required by this section but that, in the discretion of the council, the property owner should be granted additional time to complete the rehabilitation or reconstruction; and
  - c. The property owner has provided proof satisfactory to the city manager and city attorney that the property owner has received all necessary permits for the rehabilitation or reconstruction

required by this section but that, in the discretion of the council, the property owner should be granted additional time to complete the rehabilitation or reconstruction; and

- d. That a schedule of repair and improvement has been established which will bring the property into a reasonable conformity within such period of time as the city council shall establish, not to exceed one year; and
  - e. That a time extension will not be materially detrimental to the public health or safety, or to the use, enjoyment or valuation of property of other persons in the vicinity.
6. The city council, in granting an extension as provided herein, may impose conditions it deems necessary to ensure that the grant will be in accord with the findings required. Failure to comply with the schedule of repair and improvement shall constitute grounds for revocation of any extension granted pursuant hereto, but only after a public hearing held as herein prescribed.

Table 17.11.070-A General Standards for Metal Panels and Coatings

Standard	Requirement
Metal Walls – Materials	<p>All metal wall panels shall be 6-90 hot-dipped galvanized steel, and shall be not less than 24-gauge in thickness. All panels and exposed fasteners shall be coated at the factory with products meeting the following specifications:</p> <ul style="list-style-type: none"> <li>• Colors shall not change more than 5E (hunter) units (per ASTM D-224) for a period of 20 years.</li> <li>• Colors shall not chalk more than a 7 rating (per ASTM D-659) for a period of 20 years.</li> <li>• Coatings shall not peel, crack, check or chip for a period of 20 years.</li> </ul>
Panels Permitted as Replacement Material	<p>Embossed architectural panels with concealed fasteners</p> 
	<p>Flat 12-inch panels with grooves and concealed fasteners</p> 
	<p>Flat 12-inch panels with concealed fasteners</p> 
	Type "A" panels

<p>Vee rib architectural panels with semi-concealed fasteners</p>	
<p>Shadow line panels</p>	
<p>Box rib panels</p>	
<p>Bold line panels</p>	
<p>Permitted metals</p>	<p>Only those metals meeting the standards contained in the figures above may be used to rehabilitate or reconstruct existing metal buildings except as provided in Section 17.11.070(G).</p>
<p>Prohibited metals</p>	<p>The use of S-type corrugated metal panels for rehabilitation or reconstruction of existing metal buildings is expressly prohibited as is any other metal panel not included in the figures above. No wall may be constructed or reconstructed using any metal other than those listed and illustrated above. The S-type galvanized corrugated metal panels illustrated below are specifically prohibited.</p>

7. Any metal building which is granted an exception under the provisions of Section 17.11.070(G), must comply with the following:
  - a. Planning and community development department would survey building to determine if and to what extent repairs to existing panels are necessary;

- b. Owner must do work in accordance with written specifications of the city and must use a licensed contractor and approved paint;
  - c. Must obtain a building permit;
  - d. Must execute a maintenance agreement with the city to ensure extended maintenance of the building;
  - e. All rehabilitation or reconstruction required by this section on buildings not located within the boundaries of the Rosemead Business Improvement Project Area or not located within the boundaries of South El Monte Improvement District Project Area No. 2 shall be completed not later than March 17, 1989. All rehabilitation or reconstruction required by this section on buildings located within the Rosemead Business Improvement Project Area shall be completed not later than April 24, 1992. All rehabilitation or reconstruction required by this section on buildings located within South El Monte Improvement Project Area No. 2 shall be completed not later than April 24, 1992. Notwithstanding the above, all rehabilitation or reconstruction of roofs required by this section must be completed not later than provided in Section 17.11.070(E), regardless of whether the building is located within the boundaries of the Rosemead Business Improvement Project Area or South El Monte Improvement Project Area No. 2 (Ord. 916 §1, 1992; Ord. 906 §§1, 2, 1991; Ord. 883 §§1, 2, 1990; Ord. 873 §1, 1989; Ord. 822 §1, 1989).
- E. Metal roofs – prohibited: Any metal building visible from a public street or private street generally open to the public must comply with the requirements of subsections A and B of this section within ten years of installation of a metal roof that does not comply with the requirements of Section 17.03.090 or by September 1, 1993, whichever is later. Furthermore, a permit for such improvement must be obtained no later than two years prior to the date upon which the improvements must be completed.
- 1. For a metal building so situated that no other building is located between the metal building and any street from which the metal building is visible, the roof of the metal building shall be covered by a nonmetal material, covered with metal meeting the requirements of this section, removed and replaced with metal meeting the requirements of this section, or removed and replaced with a nonmetal material.
  - 2. For a metal building so situated that another building is located between the metal building and any street from which the metal building is visible, all portions of the roof visible from any street, shall be either covered with a metal meeting the requirements of this section, removed and replaced with a metal meeting the requirements of this section, or removed and replaced with a nonmetal material. In addition, all other portions of the roof of such metal building shall be covered with a paint material approved by the city manager in a color to match the visible portions of the metal roof improved pursuant to this subsection. (Ord. 822 §1, 1989)
- F. Metal buildings – exempt: Any metal building not visible from a public street or a private street generally open to the public may remain as a nonconforming building, but shall be removed in ten years from the effective date of these regulations codified in this section unless either of the following occurs:

1. Reconstruction or rehabilitation in conformance with the provisions of these regulations as they apply to a building fully visible from a public street or private street generally open to the public; or
2. Increase in building area, whether by addition, whereupon, the entire site must be brought into conformity with the zone district regulations for the zone in which the building is located. (Ord. 822 §1, 1989)

G. Exception:

1. In any case where an existing metal building has been constructed of metal panels meeting one of the approved panel configurations shown in the figures in Table 17.11.070-A and such panels are in a good state of repair as determined by the building division, even though unpainted, such buildings may be treated with an approved coating as provided in the figures in Table 17.11.070-A in lieu of replacing the existing metal panels other than as required to eliminate damage.
2. Any new metal building shall be permitted if the building meets the following development standards:
  - a. The proposed metal building is located one hundred feet or more from the front property line;
  - b. The proposed metal building is not constructed on a corner lot; and
  - c. The exterior of the proposed metal building is a smooth exterior metal finish.
3. In addition to the requirements of subsections A and B, all other requirements of this Code shall be met, including the submission of a site plan, elevations and list of materials and colors for review and approval of the community development director. The above mentioned conditions must be satisfied; no variance shall be granted that would authorize a deviation from these conditions. (Ord. 1219 §2, 2018; Ord. 822 §1, 1989)

H. Landscaping: In order to facilitate the upgrading of existing metal buildings, landscaping provided shall not be required to comply with the landscaping requirements of the zone district in which the building is located. Every effort shall be made to meet requirements, however, failure to do so shall not preclude the issuance of the building permit. (Ord. 822 §1, 1989)

I. Parking: Because many sites were developed in accordance with codes no longer in effect parking may not comply with current standards. Every effort shall be made to provide parking in accordance with the zone district regulations for the zone in which the site is located, however, failure to meet the current requirements shall not preclude the issuance of a building permit. (Ord. 822 §1, 1989)

J. Information required: Each applicant for a building permit to rehabilitate or reconstruct an existing building or buildings shall submit a site plan showing the parameters of the site, the location type and construction of each building on the site, parking, loading doors or docks, landscaping and storage areas. The applicant shall also submit elevations of the building(s) to be rehabilitated or reconstructed including details on materials to be used and colors. (Ord. 822 §1, 1989)



17.11.080 Mobile home parks.

- A. Purpose: These standards are designed to ensure that mobile home parks located within the city are compatible with surrounding uses and will enhance the appearance of the neighborhood in which they are located and the city as a whole. (Ord. 822 §1, 1989)
- B. Conditional use permit – required: A conditional use permit shall be required for the establishment or enlargement of any mobile home park. (Ord. 822 §1, 1989)

Table 17.11.080-A Development Standards

Standard	Requirements
Minimum site area	5 acres
Setbacks	10 ft on all street frontages
Minimum Frontage – Mobile Home Spaces	Minimum frontage of 30 ft facing a drive or other designated roadway.
Area Requirements - Mobile Home Spaces	At least 80% of the sites or spaces within any mobile home park shall contain not less than 2000 sqft exclusive of areas required for off-street parking. The remaining 20% of such site will contain a minimum of 1500 sqft exclusive of areas required for off-street parking.
Off-Street Parking – Mobile Home Spaces	See Chapter 17.16
Recreation area	There shall be a minimum of 200 sqft of area per mobile home space set aside for recreational purposes for residents of the park and shall be landscaped and designed as a recreational facility. Any recreation building proposed for the development shall be located in the designated recreation area.
Design standards	<ul style="list-style-type: none"> <li>• Structures located on the site shall not exceed the maximum allowable height within the district unless approved by the planning commission.</li> <li>• All buildings constructed on the site shall have a common architectural theme.</li> <li>• A sign design plan, incorporating all proposed signs on the site, shall be required at the time the conditional use permit is considered.</li> </ul>
Lighting	All lighting shall be designed to protect the public streets and neighboring properties from direct glare or hazardous interference of any kind
Landscaping Setbacks	- All required setbacks shall be landscaped as well as 10% of the total site.
Landscaping Materials <sup>1</sup>	- Landscaped areas shall consist of trees, planted groundcover, shrubs, or a combination thereof. All landscaped areas shall contain an accepted irrigation system (sprinklers, bubblers, or diffuser heads) with an automatic timer-clock mechanism. All landscaped areas shall be contained within 6 in concrete or 8 in masonry planter curbing. All landscaped areas shall be maintained by the owner or operator in a reasonably litter-free, weed-free condition and all plant materials shall be kept in a healthy, growing condition.

Refuse enclosures	Sufficient refuse enclosures shall be provided. Such enclosures shall be constructed of masonry or wood, and shall be compatible with the general design theme of the park.
Refuse enclosures – Dimensions	Minimum interior dimensions of 5 by 7 ft
Fencing and Screening	A solid masonry wall, 6 ft in height shall be provided on all property lines, except that such wall shall be constructed to the rear of any required setback on street frontages.

1. A landscape plan shall be submitted to the department of planning and community development for approval.

17.11.090 Off-sale of beer and wine.

- A. Purpose and applicability: The purpose of this section is to protect the public health, safety and welfare by providing reasonable, uniform operational and performance standards for establishments selling beer and wine for off-site consumption (“off-sale beer and wine”).
1. The provisions of this section shall not apply to establishments lawfully existing on the effective date of these regulations provided the establishment retains the same type of ABC license within a license classification; continues to legally operate without substantial change in mode or character of operation; and does not expand the square footage of area used for sales or services.
  2. Nothing in this section shall prohibit or limit the transfer of a valid, existing off-sale permit to a new owner at the same location. (Ord. 1084 §2, 2006)
- B. Conditional use permit – required: A conditional use permit shall be required for off-sale beer and wine in addition to any other entitlement required for any use on the subject property. The application shall be filed by the applicant and considered by the planning commission for approval, conditional approval or denial pursuant to the procedures specified in Section 17.03.060. Any decision of the city to approve, conditionally approve, or deny the application shall be based upon written findings supported by substantial evidence in view of the whole record. (Ord. 1084 §2, 2006)
- C. Concurrent retailing of motor vehicles fuel – conditional use permit – required: The provisions of Section 17.03.060 shall apply to any application for the concurrent retail sales of motor vehicles fuel with off-sale wine and beer. Any decision of the city to approve, conditionally approve, or deny the application shall be based upon written findings supported by substantial evidence in view of the whole record. (Ord. 1084 §2, 2006)
- D. Operational and performance standards: Off-sale beer and wine establishments shall be operated in a manner that does not interfere with the normal use and enjoyment of adjoining properties. In addition to any conditions imposed by the city, such uses shall be subject to the following operational and performance standards:
1. Noise levels measured at the property line shall not exceed the levels prescribed by the city’s noise regulations as set forth in Chapter 8.20 of this Code.
  2. The property shall be maintained in a safe and clean condition and the owner shall ensure that no trash or litter originating from the site is deposited on neighboring properties or the public right-of-way.

3. Hours of operation, including deliveries to the site, shall be compatible with the needs and character of the surrounding neighborhood. For the purpose of this section, the usual hours of operation shall be as permitted by the state regulations for the off-sale of alcoholic beverages unless the city imposes shorter hours of operation as a condition to the permit to protect the public health, safety and welfare.
  4. The owner and operator shall each take all necessary steps to ensure the orderly conduct of employees, patrons and visitors when they are present on the property.
  5. There shall be no loitering on the property. Signs shall be posted on the exterior wall of the premises and in the parking lot stating that loitering and consumption of alcohol are each prohibited.
  6. Video or other coin-operated games may only be permitted subject to the provisions of Section 7.90.430 of the county business license ordinance.
  7. There shall be no outside vending machines other than newspaper racks or public telephones.
  8. There shall be no adult merchandise, as that term is defined in Section 5.25.020 of this Code, visible anywhere on the property and no such merchandise shall be sold to minors.
  9. The permittee shall maintain all required permits and licenses in good standing.
  10. There shall be no sale or service of any alcoholic beverages in the event there is any lapse or breach in the good standing of any one of the permits or licenses issued for such use, or noncompliance with any conditions imposed thereon. (Ord. 1084 §2, 2006)
- E. Conditional use permit – off-sale beer and wine – expiration: The regulations set forth in Section 17.03.060 regarding expiration apply to any conditional use permit for off-sale of beer and wine.
1. Notwithstanding Section 17.03.060, a permittee may request an extension of any time limit provided in Section 17.03.060 by filing a written request with the city's community development department before the conditional use permit expires.
  2. A request for an extension of time shall state the reasons why an extension is needed. The planning commission will consider the request at a duly noticed public hearing. Based upon the evidence presented at the public hearing, the planning commission may deny, approve, or conditionally approve the extension for up to one hundred eighty days. (Ord. 1084 §2, 2006)
- F. Modification or revocation: A conditional use permit granted pursuant to this section shall be subject to modification and/or revocation. If, in the opinion of the director of community development, the establishment is operated in a manner as to interfere with the normal use and enjoyment of the surrounding properties, the body taking final action on the permit may modify and/or revoke the conditional use permit pursuant to the provisions in the manner provided by Section 17.03.060 of this title. (Ord. 1084 §2, 2006)
- G. Design standards: The design and appearance of any off-sale establishments, if newly constructed or remodeled on the exterior, shall conform to the city architectural design guidelines and all other applicable development standards. When completed, the establishment shall be compatible with

surrounding land uses and zone districts and shall enhance the appearance of the neighborhood in which it is located and the city in general. (Ord. 1084 §2, 2006)

17.11.100 On-sale of beer and wine.

- A. Purpose and applicability: The purpose of this section is to protect the public health, safety and welfare by providing reasonable, uniform operational and performance standards for establishments selling or serving beer and wine for on-site consumption (“on-sale beer and wine”).
1. The provisions of this section shall not apply to establishments lawfully existing on the effective date of these regulations provided the establishment retains the same type of California Alcohol Beverages Control (“ABC”) license within a license classification; continues to legally operate without substantial change in mode or character of operation; and does not expand the square footage of area used for sales or services.
  2. Nothing in this section shall prohibit or limit the transfer of a valid, existing on-sale permit to a new owner at the same location. (Ord. 1084 §1, 2006; Ord. 1009 §11, 1999)
- B. Conditional use permit – required: A conditional use permit shall be required for on-sale beer and wine in addition to any other entitlement required for any use on the subject property. An applicant shall file an application for consideration by the planning commission for approval, conditional approval or denial pursuant to the procedures specified in Section 17.03.060. Any decision of the city to approve, conditionally approve, or deny the application shall be based upon written findings supported by substantial evidence in view of the whole record. (Ord. 1084 §1, 2006; Ord. 1009 §11, 1999)
- C. Conditional use permit – distance requirements: No conditional use permit for on-sale beer and wine shall be issued for adult businesses, full service bars, taverns, beverage lounges, nightclubs or any use where the sale or service of alcoholic beverages is the primary use, where the property upon which such use is proposed is located within five hundred feet of any establishment with an ABC license for on-sale of alcoholic beverages of any type, religious institution, school, park, or area zoned for residential uses. The distance specified in this section shall be measured in a straight line, without regard for intervening structures and the boundaries of the city, from the nearest property line of the property upon which the use is proposed to the nearest property line of the existing on-sale use, religious institution, school, park or property zoned for residential uses. (Ord. 1084 §1, 2006; Res. 04-56, 2004; Ord. 1009 §11, 1999)
- D. Operational and performance standards: On-sale wine and beer establishments shall be operated in a manner that does not interfere with the normal use and enjoyment of adjoining properties. In addition to any conditions imposed by the city, all such uses shall be subject to the following operational and performance standards.
1. Noise levels measured at the property line shall not exceed the levels prescribed by the city’s noise regulations as set forth in Chapter 8.20 of this Code.
  2. The property shall be maintained in a safe and clean condition and the owner shall ensure that no trash or litter originating from the site is deposited on neighboring properties or the public right-of-way.

3. Hours of operation, including deliveries to the site, shall be compatible with the needs and character of the surrounding neighborhood. For the purpose of this section, the usual hours of operation shall be as permitted by the establishment's ABC license unless the city imposes shorter hours of operation as a condition to the conditional use permit to protect the public health, safety and welfare.
  4. The owner and operator shall each take all necessary steps to assure the orderly conduct of employees, patrons and visitors when they are present on the property.
  5. There shall be no loitering on the property. Signs shall be posted on the exterior wall of the premises and in the parking lot stating that loitering and consumption of alcohol are each prohibited.
  6. Video or other coin-operated games may only be permitted subject to the provisions of Section 7.90.430 of the county business license ordinance.
  7. There shall be no outside vending machines other than newspaper racks or public telephones.
  8. There shall be no adult merchandise, as that term is defined in Section 5.25.020 of this Code, visible anywhere on the property and no such merchandise shall be sold to minors.
  9. The permittee shall maintain all required permits and licenses in good standing.
  10. There shall be no sale or service of any alcoholic beverages in the event there is any lapse or breach in the good standing of any one of the permits or licenses issued for such use, or noncompliance with any conditions imposed thereon. (Ord. 1084 §1, 2006; Ord. 1009 §11, 1999)
- E. Conditional use permit – one sale beer and wine – expiration: The regulations set forth in Section 17.03.060 regarding expiration apply to any conditional use permit for on-sale of beer and wine.
1. Notwithstanding Section 17.03.060, a permittee may request an extension of any time limit provided in Section 17.03.060 by filing a written request with the city's community development department before the conditional use permit expires.
  2. A request for an extension of time shall state the reasons why an extension is needed. The planning commission will consider the request at a duly noticed public hearing. Based upon the evidence presented at the public hearing, the planning commission may deny, approve, or conditionally approve the extension for up to one hundred eighty days. (Ord. 1084 §1, 2006; Ord. 1009 §11, 1999)
- F. Modification or revocation: A conditional use permit for the on-sale of beer and wine shall be subject to modification and/or revocation. If, in the opinion of the director of community development, the establishment is operated in a manner as to interfere with the normal use and enjoyment of the surrounding properties, the body taking final action on the application shall conduct a public hearing pursuant to Section 17.03.060. (Ord. 1084 §1, 2006; Ord. 1009 §11, 1999)
- G. Design standards: The design and appearance of any on-sale establishments, if newly constructed or remodeled on the exterior, shall conform to the city architectural design guidelines and all other applicable development standards. When completed, the establishment shall be compatible with

surrounding land uses and zone districts and shall enhance the appearance of the neighborhood in which it is located and the city in general. (Ord. 1084 §1, 2006; Ord. 1009 §11, 1999)

17.11.110 Public utility facilities.

- A. Purpose: the purpose of this section is to provide standards of development designed to lessen the negative impacts caused by public utility facilities and to ensure their compatibility with neighboring uses. (Ord. 822 §1, 1989)
- B. Location criteria:
  - 1. Such uses shall be located on arterial or larger streets unless another location shall be approved by the planning commission.
  - 2. Such uses shall not be located on any side of, or across from any residential use, park, school or church unless such use is a water well, pump station, enclosed water storage facility or cellular telephone antenna.
  - 3. The site shall be of sufficient size to accommodate all structures and required parking for the site. (Ord. 963 §§26, 27, 1995; Ord. 822 §1, 1989)
- C. Design standards: the design and appearance of public utility facilities shall be compatible with surrounding uses and shall not detract from the neighborhood in which the use is located. The design of such facilities shall include, but not be limited to:

Table 17.11.110-A Design, Development, and Site Standards and Requirements for Public Facilities

Standard	Requirements
Height of Structures	Structures located on the site shall not exceed the maximum allowable height within the zone district unless approved by the planning commission.
Materials of Structures	Offices, maintenance buildings and, where possible, the facility itself shall incorporate building materials which are compatible with materials used in surrounding development.
Loading Docks/Doors	Any loading dock or door facing a public or private street shall be located in such a way that all truck maneuvering shall take place on site whenever possible.
Lighting	Control of lighting and light fixtures.
Minimum Site Area	None
Minimum Setbacks – Front	20 ft
Minimum Setbacks – Side/Rear	10 ft
Landscaping	Landscaped areas shall consist of trees, planted groundcover, shrubs, or a combination thereof. All landscaped areas shall contain an accepted irrigation system (sprinklers, bubblers or diffuser heads) with an automatic timer-clock mechanism. All landscaped areas shall be contained within six-inch concrete or eight-inch masonry planter curbing. All landscaped areas shall be maintained by the owner or operator in a reasonably litter-free, weed-free condition and all plant materials shall be kept in a healthy, growing condition.

Refuse Enclosures – Screening	Refuse disposal areas shall be adequately screened from view utilizing a decorative wood or masonry enclosure or a combination thereof, which is compatible with the design of the principal structure on the site.
Refuse Enclosures – Dimensions	5 ft x 7 ft
Fencing and Screening	Except for areas used for driveways, a solid masonry wall or chain link fence containing sight-obscuring slats shall be maintained along all lot lines. The maximum height of the fence cannot exceed eight feet. The fence constructed along any street side of the site shall be located to the rear of any required setback.
Required Parking	See Chapter 17.16

D. Performance standards: public utility facilities shall be operated in a manner which does not interfere with the normal use of the adjoining properties. Accordingly, the following performance standards shall be applicable to all such establishments:

1. Noise levels measured at property lines shall not exceed the levels prescribed in the noise regulations of the city.
2. The premises shall be kept clean and the operator shall ensure that no trash or litter originating from the site is deposited on neighboring properties or on the public right-of-way.
3. No undesirable odors shall be generated from the site. (Ord. 963 §28, 1995; Ord. 822 §1, 1989)

17.11.120 Radio and television antennas and wireless telecommunications antenna facilities.

A. Purpose and Intent: The city council finds, determines and declares as follows:

1. 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 antenna facilities within specified areas of the city. 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 city's residents, and to enhance the aesthetic quality and appearance of the city by maintaining architectural and structural integrity and by protecting views and vistas from obtrusive and unsightly accessory uses and facilities.
2. In adopting and implementing the regulatory provisions of this section, it is the intent of the city council to further the objectives specified above in subsection A without unnecessarily burdening the federal interests 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, prevent, or increase the cost of installation, maintenance, or use of those antennas.
3. With regard to the regulatory requirements set forth below in Section 17.11.120(B) that relate to site plan review and to a building permit, the city council expressly finds and determines that they

are necessary, desirable, and in the best interests of the community in order to protect public safety. The city council further finds and determines that these regulatory requirements are applicable to the proposed installation of satellite earth station antennas that are not permitted accessory uses and that, because of legitimate safety-related concerns, do not meet the criteria for exemption from local regulation established by the Federal Communications Commission (“FCC”) under the Telecommunications Act of 1996.

4. The regulatory provisions set forth in this section are not applicable to any of the following:
  - a. City-owned antennas or antenna facilities, including those used for emergency communications and public safety purposes, that are located or proposed to be located on either publicly-owned or privately-owned property.
  - b. Privately-owned over-the-air reception devices that are located or proposed to be located on city-owned property or within the public rights-of-way; provided that owners of such devices must obtain encroachment permits and comply with all applicable requirements that relate to the use of the public rights-of-way. (Ord. 1044 §3, 2003)

B. Regulation of over-the-air reception devices:

1. **Mandatory Compliance with Code Requirements.** In addition to compliance with all safety-related development standards set forth in this section, the installation of over-the-air reception devices must be in compliance with all applicable building codes, fire codes and electrical codes. In particular, electrical service must be properly grounded, and rated fire walls may not be penetrated.
2. **Permitted Accessory Uses.** Over-the-air reception devices described below in this subsection may be installed as permitted accessory uses in zoning districts where residential and nonresidential uses are authorized without site plan review and without obtaining a building permit, provided that they comply with all applicable development standards set forth in subsection C of this section.

Table 17.11.120-A Permitted Accessory Uses – Over-the-Air Reception Devices

Use Type	Approval and Permit Requirements
<p>An antenna located in any zoning district that is designed for the following purposes and that meets the specified dimensions and height limitations:</p> <p>A. An antenna that is designed to receive direct broadcast satellite service, including direct-to-home satellite services, provided that such antenna is one meter (39.37”) or less in diameter or diagonal measurement and is either building-mounted or ground-mounted and elevated by a mast</p> <p>B. An antenna that is designed to receive video programming services by means of multipoint distribution services, including multichannel multipoint distribution services, and such antenna is one meter (39.37”) or less in diameter or diagonal measurement and is either building-mounted or ground-mounted and elevated by a mast</p>	<p>P</p>



C. Antennas referenced above in subsections (A) and (B) of this section, whether building-mounted or ground-mounted, may not exceed the height limitation that is applicable to the zoning district involved.	
An antenna that is designed to receive video programming services that is located in any zoning district where commercial or industrial uses are generally permitted, which antenna is two meters (78.74") or less in diameter or diagonal measurement and is either building-mounted or ground-mounted and elevated by a mast. In no event may such antenna exceed the height limitation that is applicable to the zoning district involved.	P
An antenna located in any zoning district, which antenna is designed solely to receive television broadcast signals, and such antenna, whether building-mounted or ground-mounted, is limited to that height which is reasonably necessary to ensure the reception of television broadcast signals of an acceptable quality.	P

C. Development Standards.

1. The following development standards apply in all zoning districts to the siting, construction and operation of over-the-air reception devices consisting of satellite earth station antennas that are referenced above in Table 17.11.120-A subsections (A) and (B) of this section, and to all over-the-air reception devices consisting of satellite earth station antennas that are subject to site plan review and to the issuance of a building permit.

Table 17.11.120-B Design and Development Standards for Over-the-Air Reception Devices

Device/Facility	Requirements
Satellite Earth Stations	<ul style="list-style-type: none"> <li>• No satellite earth station antenna may be installed in any zoning district if it will impede normal vehicular or pedestrian circulation, ingress to, or egress from any building, structure, or parking facility.</li> <li>• Satellite earth station antennas, whether ground-mounted or building-mounted, including any guywires, masts and accessory equipment, must be located and designed to mitigate adverse visual impacts from adjacent properties and from public streets, which mitigation may involve screening by means of landscaping, fencing 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.</li> <li>• No ground-mounted satellite earth station antenna may be located in the area between the front property line and the main building or structure, or between the main building or structure and the side property line on the street side of a corner lot.</li> <li>• Satellite earth station antennas must be finished in a non-metallic finish or painted in a color that is compatible with the surrounding environment</li> <li>• All satellite earth station antennas must be installed with adequate ground wire to protect against a direct strike of lightning. The ground wire must be of a type approved by the electrical code for grounding masts and lightning arrestors</li> </ul>

	<ul style="list-style-type: none"> <li>• All satellite earth station antennas must be separated from adjacent power lines by such vertical and horizontal distance that is required by the electrical code and by other statutes and regulations</li> <li>• 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 as provided for in this Code;</li> <li>• All satellite earth station antennas must be maintained in good repair, in a neat and clean condition, and in compliance with all applicable building, fire and electrical codes.</li> </ul>
Guywires	Guywires may not be anchored within the front yard of any lot or within the side yard on the street side of a corner lot
Masts	<ul style="list-style-type: none"> <li>• Any mast that will be used to elevate a satellite earth station antenna must be constructed of noncombustible and corrosive-resistant materials</li> <li>• 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</li> </ul>
Cables, Wires or Similar Electrical Transmission Devices	To the extent feasible, all cables, wires, or similar electrical transmission devices that connect with a satellite earth station antenna must be placed underground
Footings	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
Connectors	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 the magnitude specified in the Building Code
Additional Standards – Satellite Earth Stations in Nonresidential Zones	<ul style="list-style-type: none"> <li>• All ground-mounted satellite earth station antennas must be located at least five feet from any property line</li> <li>• 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.</li> </ul>

D. Site Plan Review Required.

1. If a proposed satellite earth station antenna will exceed the permissible height limitations referenced above in Table 17.11.120-A subsections (A) and (B) of this section, or if the diameter or diagonal measurement of the proposed satellite earth station antenna exceeds the limitations specified in Table 17.11.120-A subsections (A) and (B) of this section, then an application for site plan review must be submitted to the director of community development and approved by the architectural board of review. 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 ("FCC") under the Telecommunications Act of 1996;

3. In addition to any other requirements set forth in this title, the application for site plan review must include the following:
  - a. Construction drawings that show the proposed method of installation and the manufacturer's specifications, including equipment specifications that are mandated by the FCC,
  - b. A plot plan showing the proposed location on the site of the satellite earth station antenna on the site, its distance from other structures on the site, and its distance from the closest structures on adjacent properties,
  - c. Engineering data evidencing that the satellite earth station antenna will be in compliance with all structural requirements of the Building Code. (Ord. 1044 §3, 2003)

E. Guidelines for optimum placement and installation:

1. The city manager may cause to be prepared and disseminated information concerning the placement and installation of satellite earth station antennas in accordance with voluntary guidelines that will help to achieve the city's safety-related objectives and to promote reasonable aesthetic objectives in order to maintain property values.
2. The information referenced above in Section 17.11.120 A. of this section may include, without limitation, the following:
  - a. Installers of satellite earth station antennas who are licensed to conduct business within the city;
  - b. Federal regulations promulgated by the FCC that preempt governmental and nongovernmental restrictions on antenna users who occupy residential units, including residential units subject to homeowner association CC&Rs and residential units within multiple-dwelling complexes, whether owner-occupied or tenant-occupied;
  - c. The availability to existing or prospective antenna users of "no fee" safety-related inspections by the city;
  - d. Guidelines relating to the preferred placement of satellite earth station antennas in order to reduce or eliminate their visibility from adjacent public streets, including the use of screening materials, such as walls, fences, earth berms or landscaping, or the addition of new architectural elements that are compatible with the design of adjacent buildings;
  - e. Guidelines relating to preferred neutral finished colors of satellite earth station antennas, which colors are determined to blend with surrounding dominant colors, or to camouflage an antenna, and are neither bright, reflective nor metallic. (Ord. 1044 §3, 2003)

F. Regulation of wireless telecommunications antenna facilities:

1. Facilities within Public Rights-of-Way. Wireless telecommunications antenna facilities that are proposed to be installed in any zoning district where those facilities are authorized, which facilities have above-ground components that will be placed within any public rights-of-way, must comply with all applicable provisions of the city's highway permit ordinance.
2. City-Owned Land, Buildings, and Rights-of-Way.
  - a. Except for Section 17.11.120 F.1. of this section, the regulatory provisions of this section do not apply to the siting of wireless telecommunications antenna facilities on or within city-owned land or buildings. The proposed siting of these facilities on all city-owned property will require a license or lease agreement with the city, which license or lease agreement must be approved by the city council.
  - b. Except for Section 17.11.120 F.1. of this section, the regulatory provisions of this section do not apply to the siting of wireless telecommunications antenna facilities, or to the siting of radio equipment used by a telecommunications service provider in operating a wireless, microcellular digital radio communications network, upon existing above-ground poles or similar appurtenances located within the public rights-of-way. Applications for the placement of these antenna facilities or radio equipment upon existing above-ground poles or similar structures located within the public rights-of-way will be submitted to the director of community development on a form provided by the city, along with an application fee in an amount established by resolution of the city council. Any authorized use of existing poles or similar structures located within the public rights-of-way will be subject to a permit to be issued by the city.
  - c. Except for Section 17.11.120 F.1. of this section, the regulatory provisions of this section do not apply to the siting of wireless telecommunications antenna facilities, or to the siting of radio equipment used by a telecommunications service provider in operating a wireless, microcellular digital radio communications network, upon new above-ground poles or similar structures that are proposed to be installed within the public rights-of-way. Applications for the placement of these antenna facilities or radio equipment upon new above-ground poles or similar structures that are proposed to be installed within the public rights-of-way will be submitted to the director of community development on a form provided by the city, along with an application fee in an amount established by resolution of the city council. Authorization for the installation of any new above-ground pole or similar structure for the operation of an antenna facility or radio equipment will be subject to a license, lease or franchise agreement with the city, as may be applicable and authorized by law, which license, lease or franchise agreement must be approved by the city council.
  - d. Every permit, license, lease, or franchise agreement that is authorized by the city under the provisions of Section 17.11.120 F.2. of this section may contain a requirement that the telecommunications service provider, or the property owner, submit documentation that the electromagnetic fields (EMFs) from the proposed antenna facilities or radio equipment will be within the limits approved by the FCC, and that a report be submitted annually evidencing the fact that the EMFs continue to be within approved FCC limits.

3. **Applicability of Regulations.** Subject to the exceptions set forth in Section 17.11.120 F.1. of this section, the regulatory provisions of this section are applicable to the siting of wireless telecommunications antenna facilities on land and buildings located within the following zoning districts: the commercial zone (C), the commercial-manufacturing zone (C-M), the manufacturing zone (M) and the public-facilities zone (P-F). The siting and construction of wireless telecommunications antenna facilities in these nonresidential zoning districts where those facilities are authorized is subject to site plan review and to a building permit.
4. **Application for Site Plan Review.** The application for site plan review must include the following:
  - a. A site plan, drawn to scale, showing all existing improvements on the site, 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;
  - b. A description of the maximum potential of the site for the proposed wireless telecommunications antenna to accommodate the installation of additional antennas;
  - c. 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;
  - d. Documentation that the electromagnetic fields (EMFs) from the proposed wireless telecommunications facility, both individually and cumulatively, will be within the limits approved by the FCC. As a condition of approval of any site plan or building permit, the reviewing authority may require the annual submission of a report prepared by a qualified person evidencing the fact that EMFs continue to be within approved FCC limits;
  - e. A statement concerning the minimum distance from the proposed wireless telecommunications antenna facility that is required to ensure that no person will be exposed to any harmful effects attributable to EMFs;
  - f. Evidence of any required licenses and approvals to provide wireless telecommunications services in the city;
  - g. The property owner's written consent to the proposed siting of the wireless telecommunications antenna facility and acknowledgment of its obligations under this section.
5. **Factors Considered in Approving Site Plans.** The reviewing authority must consider the following factors in determining whether to approve the site plan for a wireless telecommunications antenna facility:
  - a. Height of the proposed facility;
  - b. The nature and proximity of existing uses on adjacent properties;
  - c. Surrounding topography;

- d. Surrounding tree coverage and foliage;
- e. 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;
- f. Proposed ingress and egress;
- g. Availability of suitable existing buildings or support structures, as set forth in subsection F of this section.

Table 17.11.120-C Design and Development Standards for Wireless Telecommunications Antenna Facilities

Device/Facility	Requirements
Antenna arrays	Antenna arrays on wireless telecommunications antenna facilities that are proposed to be sited on an existing building or support structure must be integrated with the architectural design and coloring of that existing building or support structure.
Telecommunications Support Structures	<ul style="list-style-type: none"> <li>• The siting of new support structures is subject to the following additional requirement: no new support structure in the manufacturing or public facilities zoning districts will be authorized unless the reviewing authority makes the additional finding that, based upon evidence submitted by the applicant, no existing nonresidential building or support structure can reasonably accommodate the proposed wireless telecommunications antenna facility. Evidence supporting this finding will be re-viewed by the reviewing authority and may consist of any of the following: <ul style="list-style-type: none"> <li>• (indent) No existing nonresidential buildings or support structures are located with-in the geographic area proposed to be served by the applicant's facility</li> <li>• (indent) Existing nonresidential buildings or support structures are not of sufficient height or structural strength to meet the applicant's operational or engineering requirements</li> <li>• (indent) The applicant's proposed facility in the zoning district 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</li> <li>• (indent) The costs, fees or contractual provisions required by a property owner, or by an incumbent wireless telecommunications service provider, in order to co-locate a new antenna array on an existing nonresidential building or support structure, or to adapt an existing nonresidential building or support structure for the location of the new antenna array, are unreasonable</li> <li>• (indent) There are other limiting factors that render existing nonresidential buildings and support structures unsuitable for use by the applicant.</li> </ul> </li> <li>• If a new support structure for a facility will be visible from adjacent residential properties or from major arterial streets, the reviewing authority may</li> </ul>

	<p>require that the support structure be screened or camouflaged to mitigate adverse visual impacts.</p> <ul style="list-style-type: none"> <li>• 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.</li> <li>• Buildings and support structures may not be illuminated unless specifically required by the Federal Aviation Administration or other governmental agencies.</li> </ul>
Protective Structures Housing	Protective structures housing accessory equipment must comply with all applicable requirements of the Zoning Code that relate to accessory structures.
Fencing	If a proposed facility will be visible from a residential area or an arterial street, any required fencing must be of wrought iron or similar decorative materials.
Signs	No off-premises or on-premises signs may be placed by a wireless telecommunications service provider on a building or support structure to which a wireless telecommunications antenna facility is attached.

G. Maintenance and Cessation of Use. The following requirements apply to all authorized wireless telecommunications antenna facilities that are 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, and all graffiti and posters must be promptly removed.
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 or the property owner must give written notice of such inoperability or nonuse to the director of community development. The antenna array and, if applicable, the support structure, must be removed within a ninety-day period. If that removal does not occur, the city may remove the antenna array and, if applicable, the support structure, at the expense of the permittee or the property owner; provided that if other antenna arrays owned or operated by other service providers are affixed to the same support structure, then only the antenna array 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.

H. Local Emergency or Disaster Situations—Temporary Installations. The city manager, as the director of the office of emergency services designated in Section 2.60.050, is authorized in the event of a local emergency or disaster to accommodate all providers of wireless telecommunications services whose antenna facilities can be deployed immediately within the city for the purpose of implementing the emergency services plan, coordinating the emergency and disaster functions of the city, and protecting life and property. The temporary deployment of such wireless telecommunications antenna facilities may be authorized at such locations, and for such period of time, as will afford maximum protection for the public health, welfare and safety. (Ord. 1095 §2, 2007; Ord. 1044 §3, 2003)

I. Variances:

1. In accordance with the provisions of Section 17.03.160, 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.
2. A variance may be issued if, in addition to the general variance standards, the following requirements are met:
  - a. The applicant submits evidence satisfactory to the reviewing authority 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.
  - b. 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.
3. A variance may be revoked if the applicant or property owner fails to comply with any conditions that are imposed upon the issuance of that variance. (Ord. 1044 §3, 2003)

J. Regulation of amateur radio station antennas:

1. Building Permit Required. Nothing contained in this section may be deemed to exempt from the requirement of a building permit the installation of an amateur radio station antenna that, because of its limited height, is not required to obtain site plan review approval under the provisions of subsection B of this section.
2. Site Plan Review Required. The proposed installation in any zoning district of an amateur radio station antenna, whether ground-mounted or building-mounted, which antenna will extend more than fifteen feet above the highest point of the roofline of a building or structure on the proposed site, must be preceded by an application for site plan review, and, if the application is approved, a building permit must be obtained.
3. Application for Site Plan Review. The application for site plan 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 and dimensions of the amateur radio station antenna,
  - c. Engineering data evidencing that the amateur radio station antenna will be in compliance with all structural requirements of the building code,
  - d. 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.
4. Factors Considered in Approving a Site Plan.



- a. In considering the approval of a site plan for a proposed amateur radio station antenna, the reviewing authority must consider the following factors:
  - i. Whether the proposed height of the amateur radio station antenna is the minimum height that is technically required to enable the applicant to engage in amateur radio service operations of the nature contemplated,
  - ii. Proximity of the proposed amateur radio station antenna to inhabited buildings and structures,
  - iii. The nature of existing uses on adjacent and nearby properties,
  - iv. Surrounding topography, tree coverage, and foliage, and their effect on the proposed height of the amateur radio station antenna,
  - v. 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 zoning districts.
- b. In making any determination during the site plan review process to deny or to condition the application for an amateur radio station antenna, the reviewing authority must adhere to the following guidelines:
  - i. 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 Section 17.11.120 J.4.a. of this section, and the reasonable accommodation required under Section 17.11.120 J.4.a. of this section.
  - ii. The site plan review process must be conducted 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. (Ord. 1044 §3, 2003)
- K. Nonconforming antennas: Any antenna constructed in violation of this section, or in violation of any prior ordinance or regulation, is subject to immediate abatement. (Ord. 1044 §3, 2003)
- L. Enforcement:
  - 1. 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.

2. 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 the period of time specified in that notice.
3. Failure to comply with any applicable provision of this section, or with conditions that may be imposed in connection with site plan review approval or issuance of a building permit, will constitute a public nuisance. (Ord. 1044 §3, 2003)

17.11.130 Residential condominiums.

A. Intent and purpose: Residential condominium projects may require that numbers of householders live in close proximity to one another. Condominium projects also require that such owners be bound together in an association which is responsible for the maintenance, management and possible reconstruction of improvements within the common area of the project. This mix of individual and common ownership is different from conventional and familiar patterns of housing in the city. The unique status of residential condominium projects tends to magnify the effects associated with higher urban densities to the point where they may lead to conditions of mismanagement, neglect and blight that impact upon the public health, safety, welfare and economic prosperity of the larger community. To ensure that such problems are avoided in both the short- and long-term, it is the express intent of the city to treat residential condominiums differently from apartments and other like structures. Pursuant to such intent and in order to provide guidance in the consideration of proposed condominium projects, the purposes of these regulations are:

1. To ensure that the significance of the fragmented pattern of condominium ownership with respect to long-range planning, unforeseen change and maintenance of the city's housing stock is not superficially discounted in favor of short-term and expedient financial consideration;
2. To establish reasonable procedures for the dissolution of the condominium and demolition of the structure at the end of their economic, functional or physical life and thus obviate conditions of residential obsolescence and blight and their pernicious effects upon both immediate occupants and the larger community;
3. To ensure that the potentially deleterious effects resulting from a lack of continuous and centralized management do not impact upon the public health, safety and welfare and, at the same time, ensure that there is democratic and effective management of the project that does not allow, over time, a majority of the unit owners to effectively contravene the initial commitments made to the project at the time of its inception and thus undercut the good faith of any minority of unit owners;
4. To ensure that the project developer provides adequate private outdoor living space, storage space and parking space to meet the expectations and changing needs of property owners over long periods of time;
5. To ensure that the project developer is attentive to the performance characteristics of the structure and mitigates such problems as vibration and noise transmission which may not be apparent to the

buyer without living in the unit but which, if not adequately attenuated, may nevertheless render the living environment undesirable and the transfer of unit ownership difficult;

6. To ensure that the project developer uses contemporary and environmentally sensitive concepts of site planning and architectural design in the creation of the project and to ensure that the project, once completed, maintains its integrity over time not only to preserve the long-term financial commitment of the unit owner, but also to optimize the utilization and aesthetic qualities that make the project a viable home in the future;
7. To ensure that, when appropriate, governmental entities have the right to enter into specified areas of the project to protect the public health, safety and welfare and preserve the public peace. (Ord. 822 §1, 1989)

B. Conditional use permit – required:

1. No residential condominium shall be permitted in any zone unless such zone permits such usage and unless and until a conditional use permit is obtained thereof.
2. Except for strictly interior modifications to individual condominium units, no structural or architectural alterations, except incidental maintenance, shall be made to any existing residential condominium or its common areas within the city, unless and until a conditional use permit is obtained therefor. An applicant seeking a conditional use permit in order to make structural or architectural alterations to an existing condominium shall not arbitrarily or unreasonably be denied a conditional use permit where compliance with the provisions of Chapter 17.05 through 17.09, would impose a cost or other hardship disproportionate to the proposed structural or architectural alteration; provided, that the applicant is making reasonable efforts to conform to those provisions and the purposes delineated in Section 17.11.130 F. through J. and would impose a cost or other hardship disproportionate to the proposed structural or architectural alteration, provided that the applicant is making reasonable efforts to conform to those provisions and the purposes delineated in Section 17.11.130 A.1. (Ord. 822 §1, 1989)

C. Conditional use permit – application: The application for a conditional use permit for a proposed residential project shall include the following information, in the number of copies and degree of detail which the planning department determines to be sufficient for its staff and the planning department to evaluate the project:

1. A complete legal description and address of the property and boundary map showing the existing topography of the site and the location of all existing easements, structures and other improvements, and trees over six inches in diameter.
2. Dimensioned schematic development plans consisting of at least a site plan, garage plan, typical floor plan, building elevations showing natural grades, transverse and longitudinal sections showing natural grades and a conceptual landscaping plan for the project as a whole. In instances where the project involves the conversion of an existing structure to condominium usage, complete as built drawings shall be provided.

3. A tabular analysis showing how the project compares to the minimum standards for four projects in the zone in which it would be located.
  4. Typical detailed sections of the types of wall and floor/ceiling construction that would be used in both common and interior partition walls within the condominium project, including either published data from a recognized testing laboratory or a statement from a licensed acoustical engineer or the city building official as to the STC (Sound Transmission Class) and IIC (Impact Insulation Class) of the proposed type of construction.
  5. The proposed condominium documents including declaration of covenants, conditions and restrictions, description of project elements and tentative condominium plan that would apply to the conveyance of units, the assignment of parking and the management of common areas within the project.
  6. Such other information which the planning commission or planning department determines is necessary to evaluate the proposed project. (Ord. 822 §1, 1989)
- D. Fees: The fee for the processing of an application for a conditional use permit for condominium usage shall be in an amount set by resolution of the city council. (Ord. 822 §1, 1989)
- E. Condominium development – compliance with criteria and standards: The commission shall review all proposals for residential condominium usage in order to determine their degree of compliance with both the development standards and development criteria delineated in Section 17.11.130 I. and Section 17.11.130 J. A condominium proposal which does not comply with all of the precise standards in these sections may be approved where the commission finds that there are unusual circumstances regarding the development’s location, site or configuration; that the project is in substantial compliance with both the development standards and development criteria and that there are mitigating features incorporated in the project which tend to further the expressed intent and purpose of this section. (Ord. 822 §1, 1989)
- F. Condominium development – standards: The commission shall require, except as noted in Section 17.11.130 E., that all residential condominium projects conform to all ordinances of the city and all of the following condominium development standards:

Table 17.11.130-A Condominium Development Standards

Standard	Requirements
Minimum Lot Area	Net area greater than 1 acre
Density (minimum)	1 du per 2500 sqft
Common Open Space <sup>2</sup>	Must be at least 15% of gross area. Common open space shall be that portion of the total land area developed for recreational purposes and designated for the use and enjoyment of all of the occupants of the condominium project but shall not include streets, highways or utility easements where the ground surface is not available or other areas primarily designed to serve other functions.
Private Open Space – 0-1 Bedrooms <sup>3</sup>	Minimum of 130 sqft <sup>1</sup>
Private Open Space – 2+ Bedrooms <sup>3</sup>	Minimum of 150 sqft <sup>1</sup>

Private Open Space – Dimensions <sup>3</sup>	Such space shall have a configuration that would allow a horizontal rectangle or square of 100 sqft and a minimum dimension of 7 ft to be placed in the space.
Private Open Space – Intended Use and Location <sup>3</sup>	The space shall be designed for the sole enjoyment of the unit owner and guests and shall have at least one weather-proofed duplex receptacle electrical convenience outlet. Additionally, such space shall be at the same level as, and immediately accessible from either a kitchen, dining room, family room or living room within the unit.
Outdoor Living Space	400+ sqft per unit
Private Storage Space – Size and Dimensions	Each unit shall have at least 400 cubic feet of enclosed, weather-proofed and lockable storage space for the sole use of the unit owner. Such space shall have a minimum horizontal surface area of 50 sqft, a minimum interior dimension of 5 ft, and an opening not less than 3.5 ft by 6 ft.
Private Storage Space – Provision <sup>4</sup>	Storage space may be provided within individual storage lockers, cabinets or closets in any location approved by the planning commission, but shall not be split among two or more locations. Moreover, since it is the intent of this standard to require space over and above that normally associated with the day-to-day functioning of the unit, the planning commission shall exercise reasonable discretion in differentiating between such required private storage space and guest, linen or clothes closets or food pantries that are customarily within the unit. Thus, while providing such private storage space within the limits of the unit is not precluded, it shall be over and above that which would otherwise be provided within the unit.
Private Storage located in Common Areas <sup>4</sup>	If such private storage space is located within a common area within the project, the association shall be responsible for the care and maintenance of the exterior surface of the space in order to assure that the surface is maintained in a manner compatible with the architectural treatment of the project.
Off-Street Parking – Spaces Assigned to Units	2+ garage parking spaces assigned to each condominium unit within the project
Off-Street Parking – Spaces Designated for Visitors	1+ visitor parking space for each 2 condominium units within the project. A fractional requirement equal to, or greater than, one-half of a visitor parking space shall be interpreted as a requirement for one visitor parking space.
Treatment of Utilities – Plumbing Shut-Off Valves	Water supply lines to each unit within the project shall be fitted with shut-off valves of either a hand valve or screw-stop type. If there are extenuating circumstances which make the installation of such valves impractical, the commission may approve a system which provides individual shut-off valves ahead of each fixture within the unit. A shut-off valve shall also be provided ahead of each water supplied appliance not contained within a unit.
Treatment of Utilities – Drip Pans	Hot water heaters and any other appliances which the building official determines to be a potential source of water leakage or flooding shall be installed with built-in drip pans and a one and one-quarter inch minimum diameter drain line leading to a safe point of disposal outside the building. The end of the drain shall be provided with a removable screen to prevent insect entrance to the unit. Drip pans may be omitted where appliances are located in garages that are

	constructed such that any water leakage cannot damage the common wall between units or find its way into an adjoining unit.
Treatment of Utilities – Utility Meters	With the exception of water supply and central heating and/or air conditioning, each utility that is controlled and consumed within the individual unit shall be separately metered in such a way that the unit owner can be separately billed for its use.
Treatment of Utilities – Hot Water	Each unit shall have a separate hot water heater.
Treatment of Utilities – Circuit Breaker	Each unit shall have its own circuit breaker panel for all electrical circuits and outlets which serve the unit. Such panel shall be accessible without leaving the unit.
Perimeter Fences	Any development shall be surrounded by a fence or wall or combination thereof not to exceed 6 ft in height. However, nothing herein shall require the construction of the aforementioned fence along any property line abutting a street, alley or at driveway entrances and exits. Ivy or other vining plant material shall be planted adjacent to any wall or fence and trained to grow up the fence or wall to protect the fence or wall shall not be permitted to grow over three and one-half feet in height in the front yard. An automatic drip irrigation system shall be provided to adequately water the plant material.
Trash Areas	All trash collection and garbage collection areas shall be surrounded by a five-foot high fence or block wall and gate, with adequate access to and from these areas for trash and garbage collection vehicles.
Height Limitation	Condominium structures shall be limited to one story in height, excluding subterranean levels devoted to automobile parking. There shall be no more than one unit in any vertical configuration. In use herein "subterranean level" means a level the ceiling of which shall be no higher than the highest point of the finished grade adjacent to the structure, and which shall be either wholly enclosed or not visible from either adjoining properties or from a public street outside of the project.

1. Notwithstanding the minimum total amount of usable open space required for a project and the required minimum dwelling unit size in projects which include 5+ units
2. The applicant shall submit to the commission and the council, and it shall be made a condition of approval, satisfactory evidence to assure continued retention of open space and for perpetual maintenance of common areas.
3. The planning commission may evaluate each project on its own merit in regard to the type, configuration and characteristics of the development, including condominium unit mix pertaining to the number of bedrooms per unit and percentage thereof, and may allow variations from the above dimensional standards where it can be shown that the required private open space meets the intent and purpose of this subsection.
4. Regardless of the location, the precise architectural treatment of such space shall be approved by the planning commission to ensure that such areas are safe, convenient and unobtrusive to the functional and aesthetic qualities of the project.

G. Isolation of Vibration and Sources of Structure-Borne Noise in Condominium Projects Where Units Have Common Walls and/or Floor and Ceiling.

1. Shock Mounting of Mechanical Equipment. All permanent mechanical equipment such as motors, compressors, pumps and compactors which, because of their rotation, reciprocation, expansion and/or contraction, turbulence, oscillation, pulsation, impaction or detonation, are determined by

the building official to be a source of structural vibration or structure-borne noise shall be shock mounted with inertia blocks or bases and/or vibration isolators in a manner approved by the building official. Domestic appliances which are cabinet installed or built into the individual units, such as clothes washers and dryers, or other appliances which are determined by the building official to be a source of structural vibration or structure-borne noise, shall be isolated from cabinets and the floor or ceiling by resilient gaskets and vibration mounts approved by the building official. The cabinets in which they are installed should be offset from the back wall with strip gasketing of felt, cork or similar material approved by the building official. Where such appliances utilize water, flexible connectors shall be installed on all water lines. If provision is made within the units for the installation of nonpermanent appliances such as clothes washers and dryers, then permanent rubber mounting bases and surface plates shall be installed in a manner approved by the building official.

2. Location of Plumbing Fixtures. No building fixture, except Pullman mounted lavatories, shall be located on a common wall between two separate units where it would back up to a living room, family room, dining room, den or bedroom of an adjoining unit.
3. Separation of Vents and Lines. No common water supply lines, vents, or drain lines shall be permitted for contiguous units unless there is at least eight and one-half feet of pipe between the closest plumbing fixtures within the separate units. The building official may approve other methods of isolating sound transmission through plumbing lines where their effectiveness can be demonstrated.
4. Isolation and Insulation of Lines. All water supply lines within the project shall be isolated from wood or metal framing with pipe isolators specifically manufactured for that purpose and approved by the building official. In multistory condominium projects all vertical drainage pipe except piping serving only one condominium unit that is located in a wall that is not common to any other unit, shall be surrounded by three-quarter inch thick dense insulation board or full thick fiberglass or wool blanket insulation for its entire length except the sections that pass through wood or metal framing.

#### H. Attenuation of Noise.

1. General. Wall and floor/ceiling assemblies separating units from each other or from public or quasi-public space such as interior corridors, laundry rooms, recreation rooms and garages shall provide airborne sound insulation for walls, and both airborne and impact sound insulation for floor/ceiling assemblies.
2. Airborne Sound Insulation. All wall assemblies enumerated or alluded to in the previous subparagraph shall be of a type of construction that has a minimum rating of 58 STC (Sound Transmission Class). All floor/ceiling assemblies enumerated or alluded to in subsection (J)(1) shall be of a type of construction that has a minimum rating of 50 STC. Wood floor joists and subflooring shall not be continuous between separate condominium units. Penetrations or openings in the construction for piping, electrical outlets and devices, recess cabinets, bathtubs, soffits and heating, ventilating and/or air conditioning intake and exhaust ducts, and the like, shall be sealed, lined, insulated or otherwise treated to maintain the required rating and such treatment shall be

approved by the building official. Entrance doors to the unit shall be of solid construction and, together with perimeter seals, shall have a minimum rating of 30 STC. Such perimeter seals shall be maintained in effective operating condition.

3. Impact Sound Insulation. All separating floor/ceiling assemblies enumerated or alluded to above shall be of a type of construction that has a minimum rating of 69 IIC (Impact Insulation Class). Floor coverings may be in the assembly to obtain the required ratings, but must be retained as a permanent part of the assembly and may only be replaced by another floor covering that provides the same or greater impact insulation.
  4. Verification of Sound Class. STC and IIC ratings shall be based on the results of laboratory measurements and will not be subjected to field testing. The STC rating shall be based on the American Society for Testing and Materials system specified in ASTM 890-66t or equivalent. The IIC rating shall be based on the system in use at the National Bureau of Standards or equivalent. Ratings obtained from other testing procedures will require adjustment to the above rating systems.
- I. Development criteria: There are important considerations relative to each proposal for residential condominium usage and to each proposed site that do not lend themselves to specific development standards. The following criteria shall apply to proposals for condominium usage made pursuant to the provisions of this section and shall serve as a basis for the evaluation of accepted and appropriate planning and architectural techniques necessary for the orderly development of the city, and concurrently shall give substance to the policies necessary to achieve the purpose of these sections:
1. The project should be a comprehensive and integrated design, providing for its own open space, off-street parking and amenities for contemporary living. Insofar as the scale of the project allows, open space, walkways and other areas for people should be separated from parking areas, driveways, and other areas for automobiles.
  2. Architectural unity and harmony should be achieved both within the project and between the project and the surrounding community so that the project does not constitute a disruption to the established fabric of the community.
  3. The layout of structures and other facilities should effect a conservation in street, driveway, curb cut, utility and other public or quasi-public improvements. Structures should be designed to minimize, within the context of accepted architectural practice, the consumption of natural resources either directly or indirectly (e.g., gas, water, electricity).
  4. The project should be designed to maintain as much of the natural topography, large trees and environment as practical.
  5. The configuration and orientation of the project should respect reasonable design limits imposed by the natural and manmade environment. Structures should be situated to take advantage of view, topography, sun and wind, while at the same time not destroying these advantages for adjacent properties. Structures should also be situated to minimize or buffer any undesirable characteristics of the site such as street noise and nearby obnoxious commercial or industrial uses.



6. The layout of units and open space within the project should establish, through the use of structure and landscape materials, a perceptible spatial transition from the public street, through the semi-privacy of the common areas, to the privacy of the unit. Most importantly, the environment of each condominium unit should be private and free from visual, audible and other intrusions.
  7. The project shall comply with state standards facilitating access for the handicapped. (Ord. 822 §1, 1989)
- J. Declaration of covenants, conditions and restrictions: To achieve the purposes of Section 17.11.130 A., the declaration of covenants, conditions and restrictions relating to the management of the common area and facilities shall accompany all proposals for residential condominium usage made pursuant to the provisions of Section 17.11.130 A. through 17.11.130 I. In addition to such covenants, conditions, and restrictions that may be required by the Department of Real Estate of the state of California or pursuant to Title 6 of Part 4 of Division 2 of the California Civil Code or other state laws or policies, such declaration shall provide for the following, none of which, after acceptance in final form by the city, shall be amended, modified or changed without first obtaining the written consent of the city:
1. Assignment or Conveyance of Private Open Space. The surface area and appurtenant airspace of private open space areas, including, but not limited to, the private patio, deck, balcony, solarium or atrium required by Section 17.11.130 F., and any integral portion of that space that may exceed the minimum area requirements, shall be described and irrevocably assigned to its respective unit, except that where the private open space is totally within the boundary described by the interior surfaces of the unit, it shall be conveyed as an integral part of the unit.
  2. Assignment or Conveyance of Private Storage Areas. The surfaces and appurtenant airspace of private storage areas, including, but not limited to, the private storage space required by Section 17.11.130 F., shall be described and irrevocably assigned by the declaration or condominium plan to its respective unit, except that where the private storage space is totally within the boundary described by the interior surfaces of the units, as it would be in a closet opening upon a unit's room or hallway, it shall be conveyed as an integral part of the unit.
  3. Assignment or Conveyance and Use of Required Off-Street Parking Spaces. Required off-street, enclosed parking spaces, except guest parking spaces, shall be permanently and irrevocably assigned to particular units within the project on the basis of two spaces per unit, except that where two parking spaces are totally within the boundary described by the interior surfaces of the unit, as they would be in a townhouse development with a private entrance from the parking garage to the unit, they shall be conveyed as an integral part of the unit. To the maximum practical extent, the two spaces assigned to each unit shall be contiguous.
  4. In no case shall the private storage of one unit overhang or take its access from the required off-street parking space of another unit. All parking spaces shall be used solely by unit owners, members of their families, their guests or lessees of the owner's unit, except that a unit occupant within the project may rent one space to another unit occupant or to the association. All parking spaces shall be solely for the purpose of parking motor vehicles as defined by the California Vehicle Code.

5. Maintenance of Impact Insulation Class. The impact Insulation Class (IIC) rating of all separating floor/ ceiling assemblies, as required by Section 17.11.130 F. shall be described in the declaration. Where the minimum IIC rating is obtained through the use of floor covering(s), the declaration should provide that the covering(s) shall not be removed for any purpose except cleaning or replacement, and shall further provide that any replacement covering(s) shall furnish not less than the degree of impact insulation afforded by covering(s) originally installed.
6. Right of Public Entry to Common Area. The city, the county of Los Angeles, the state of California, and the government of the United States, and any department, bureau or agency thereof, shall have the right of immediate access to all portions of common area of the project not assigned for the exclusive use of the owner of a particular unit at all times.
7. Television and Radio Antenna. Individual television and radio antennas shall be prohibited outside of any owner's unit. The declaration shall provide either for a central antenna with connections to each unit via underground or internal wall wiring, or each unit shall be served by a cable antenna service provided by a company licensed to provide such service within the city.
8. Voting. For the purpose of voting, including without limitation voting to set the amount of regular or special assessments and for the purpose of amending the covenants, conditions and restrictions, one vote shall be allocated for each unit within the project. The amount of regular and special assessments may be made proportional to the gross square footage of each unit within the property.
9. Partition and Sale of the Project. An action may be brought by one or more owners of units within the project for partition thereon by sale of the entire project as if the owners of all the condominiums in such project were tenants-in-common in the entire project in the same proportion as their interests in the common areas; provided, however, that a partition shall be made only upon a showing of the existence of one or more of the conditions set forth in Section 1354 of the California Civil Code or that:
  - a. Two years after damage or destruction to the project which renders a material part thereof unfit for its use, the project has not been rebuilt or repaired substantially to its state prior to its damage or destruction;
  - b. One-half or more of the project has been destroyed or substantially damaged and condominium owners holding in aggregate more than fifty percent interest in the common areas as opposed to repair or restoration of the project;
  - c. The most recently constructed dwelling structure has been in existence in excess of the number of years shown in the following table, the project is obsolete and uneconomic, and the percentage of condominium owners holding in aggregate a percentage interest in the common areas as set forth in the following table are opposed to repair or restoration of the project.

Table 17.11.130-A Percent of Interest in Common Areas Held by Condominium Owners by Age of Structure

Age of Structure	% of Interest in Common Areas Held by Condominium Owners
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30 years	70%
40 years	60%
50 years	50%
60 years	40%
70 years	30%

10. For the purpose of this subsection, multiple owners of a single unit shall not be deemed as possessing, in the aggregate, any greater interest in the common areas than that possessed by a single owner of a unit.
11. Maintenance. The declaration shall contain a provision establishing the obligation and duty of the governing body of the condominium to maintain the common areas in good condition.
12. Enforcement. The declaration shall contain a provision ensuring the right of any owner to enforce the terms of the declaration.
13. Maintenance of Common Areas and Facilities.
  - a. Obligation. No conditional use permit shall be granted for a residential condominium development unless the obligation for care, upkeep and management of the common element is imposed on a nonprofit corporation (the association).
  - b. Assessments. In order to protect the public health, safety and welfare, provision shall be made both for annual assessments for maintenance and special assessments for capital improvements. The amount of the regular annual assessment, and the procedure for its change, shall be specified. The manner in which special assessments may be levied for the purpose of defraying, in whole or in part, the cost of any construction, reconstruction, repair or replacement of a capital improvement upon the common area shall be specified. The amount of regular and special assessments may be made proportional to the gross square footage of each unit within the project. Both annual and special assessments may be collected on a monthly basis. The remedies which the association may bring for the nonpayment of assessments shall be specified and may include penalties for late payment.
  - c. Veto Right and Authority of the City. In consideration for the city's approval of a condominium project, including, without limitation, any approval of a conversion to condominium usage, the declaration shall provide that the city, at its option, has the right and authority to veto any action of the association which would tend to decrease the amount of the regular assessment upon a finding by the city that such a decrease could or would adversely affect the long-term maintenance of the condominium structures or the common areas. To enable the city to exercise this optional veto the declaration shall provide that the association actions to decrease the annual assessment do not become effective until sixty days after written notice of such action is given to the city to enable the city to exercise this.
14. Utility Easements Over Private Streets and Other Areas. If the condominium project contains private streets, provision shall be made for public utility easements in or adjacent to such private streets, adjacent to public streets or over other portions of the project to accommodate fire

hydrants, water meters, street furniture, storm drainage, sanitary sewers, water and gas mains, electrical lines and similar urban infrastructure. The commission may also require access routes necessary to assure that fire fighting equipment can reach and operate efficiently in all areas of the project.

15. Amendment of the Declaration. Any amendment to the declaration which would amend, modify, delete or otherwise affect any provision required by this section shall require the prior written approval of the city. To that end, no such amendment of the declaration shall be effective unless:
  - a. The text thereof shall have been submitted to the city thirty days prior to its adoption by the owners;
  - b. Either the city has approved the amendment or failed to disapprove it within the thirty-day period; and
  - c. The recorded instrument effecting such amendment shall recite that it was so submitted and approved or not disapproved. (Ord. 822 §1, 1989)

17.11.140 Retail sales of alcoholic beverages.

- A. Purpose and applicability: The purpose of this section is to protect the public health, safety and welfare by providing reasonable, uniform operational and performance standards for establishments selling alcoholic beverages other than, or in addition to, the alcoholic beverages that are the subject of Sections 17.11.090 and 17.11.100. For the purposes of this section, the beverages that are the subject of this section are referred to as "alcoholic beverages."
  1. The provisions of this section shall not apply to establishments lawfully existing on the effective date of these regulations provided the establishment retains the same type of ABC license within a license classification; continues to legally operate without substantial change in mode or character of operation; and does not expand the square footage of area used for sales or services.
  2. Nothing in this section shall prohibit or limit the transfer of a valid, existing permit to a new owner at the same location. (Ord. 1084 §2, 2006)
- B. Conditional use permit – required (on-sale and off-sale): A conditional use permit shall be required for any establishments proposing to sell or serve alcoholic beverages for on-site consumption ("on-sale uses") and for retail establishments proposing to sell alcoholic beverages for off-site consumption ("off-sale uses"). This requirement shall be in addition to any other entitlements required. The application for a conditional use permit shall be filed and processed according to the applicable provisions of Section 17.03.060 and 17.03.130. (Ord. 1084 §2, 2006)
- C. Off-sale permits – restrictions: A conditional use permit for off-sale alcoholic beverages shall not be issued if the proposed property is located in any area of undue concentration as defined in Section 23958.4 of the Business and Professions Code, unless it is determined by the planning commission that the public convenience and necessity as defined in Chapter 17.02 would be served by the issuance of the conditional use permit. (Ord. 1084 §2, 2006)
- D. On-sale permits – distance requirements: No conditional use permit for on-sale alcoholic beverages shall be issued for adult businesses, full service bars, taverns, beverage lounges, nightclubs or any use

where the sale or service of alcoholic beverages is the primary use, where the property upon which such use is proposed is located within five hundred feet of any establishment with an ABC license for on-sale of alcoholic beverages of any type, religious institution, school, park, or area zoned for residential uses. The distance specified in this section shall be measured in a straight line, without regard for intervening structures and the boundaries of the city, from the nearest property line of the property upon which the use is proposed to the nearest property line of the existing on-sale use, religious institution, school, park or property zoned for residential uses. (Ord. 1084 §2, 2006)

- E. Operational and performance standards: Establishments selling or serving alcoholic beverages shall be operated in a manner that does not interfere with the normal use and enjoyment of adjoining properties. In addition to any conditions imposed by the city, all conditional use permits for the sale or service of alcoholic beverages shall be subject to the following operational and performance standards:
1. Noise levels measured at the property line shall not exceed the levels prescribed by the city's noise regulations as set forth in Chapter 8.20 of this Code.
  2. The property shall be maintained in a safe and clean condition and the owner shall ensure that no trash or litter originating from the site is deposited on neighboring properties or the public right-of-way.
  3. Hours of operation, including deliveries to the site, shall be compatible with the needs and character of the surrounding neighborhood. For the purpose of this section, the usual hours of operation shall be as permitted by the establishment's ABC license unless the city imposes shorter hours of operation as a condition to the permit to protect the public health, safety and welfare.
  4. The owner and operator shall each take all necessary steps to ensure the orderly conduct of employees, patrons and visitors when they are present on the property.
  5. There shall be no loitering on the property. Signs shall be posted on the exterior wall of the premises and in the parking lot stating that loitering and consumption of alcohol are each prohibited.
  6. Video or other coin-operated games may only be permitted subject to the provisions of Section 7.90.430 of the county business license ordinance.
  7. There shall be no outside vending machines other than newspaper racks or public telephones.
  8. There shall be no adult merchandise as that term is defined in Section 5.25.020 of this Code visible anywhere on the property and no such merchandise shall be sold to minors.
  9. The permittee shall maintain all required permits and licenses in good standing.
  10. There shall be no sale or service of any alcoholic beverages in the event there is any lapse or breach in the good standing of any one of the permits or licenses issued for such use, or noncompliance with any conditions imposed thereon. (Ord. 1084 §2, 2006)
- F. Conditional use permit – expiration: The regulations set forth in Section 17.03.060 of this title regarding expiration apply to any conditional use permit for alcoholic beverages.

1. Notwithstanding Section 17.03.060, a permittee may request an extension of any time limit provided in Section 17.03.060 by filing a written request with the city's community development department before the conditional use permit expires.
  2. A request for an extension of time shall state the reasons why an extension is needed. The planning commission will consider the request at a duly noticed public hearing. Based upon the evidence presented at the public hearing, the planning commission may deny, approve, or conditionally approve the extension for up to one hundred eighty days. (Ord. 1084 §2, 2006)
- G. Modification or revocation: A conditional use permit granted pursuant to Section 17.11.140 B. of this section shall be subject to modification and/or revocation. If, in the opinion of the director of community development, the establishment is operated in a manner as to interfere with the normal use and enjoyment of the surrounding properties, the body taking final action on the permit may modify and/or revoke the conditional use permit pursuant to the provisions in the manner provided by Section 17.03.060 of this title. (Ord. 1084 §2, 2006)
- H. Design standards: The design and appearance of any establishment, if newly constructed or remodeled on the exterior, shall conform to the city architectural design guidelines and all other applicable development standards. When completed, the establishment shall be compatible with surrounding land uses and zone districts and shall enhance the appearance of the neighborhood in which it is located and the city in general. (Ord. 1084 §2, 2006)

17.11.150 Senior housing.

- A. Purpose and intent: the purposes of this section are to:
1. Facilitate the development of quality affordable and market rate housing for seniors;
  2. Enhance the appearance and value of property in the city;
  3. Provide various incentives to developers consistent with the State Density Bonus;
  4. Ensure that affordable housing is provided to very low, low and moderate income seniors consistent with the State Regional Housing Needs Assessment (RHNA);
  5. Ensure that senior housing developments are compatible with the surrounding community and complementary to the surrounding land uses. (Ord. 1096 §1, 2007)
- B. Target population: All residents of senior housing shall be fifty-five years or older except that one member of a married couple or registered domestic partnership may be younger than fifty-five years old. (Ord. 1096 §1, 2007)
- C. Permitted zones: subject to the terms of this section, senior housing may be permitted with a conditional use permit in the residential, commercial and commercial industrial zones. In addition, site plan review is required for any property located in the improvement district. (Ord. 1096 §1, 2007)
- D. Site character: the developer for senior housing shall:
1. Preserve and incorporate in the project's design unique existing amenities (e.g., views, mature trees, etc.) if feasible;

2. Preserve and incorporate in the project's design historic or distinctive structures or features as determined by the planning commission or the city council due to age, cultural significance, or unique architectural style;
3. Provide appropriate connective elements (e.g., walkways) to adjoining residential and commercial uses. (Ord. 1096 §1, 2007)

Table 17.11.150-A Development Standards for Senior Housing

Standard	Requirements
Building Setbacks – Property Line Adjacent to the Frontage	20 ft from the property line adjacent to the frontage
Building Setbacks – All Other Property Lines	½ the height of the building wall adjacent to that property line
Unit Size (Minimum)	Studio: 475 sqft 1 Bedroom: 525 sqft 2 Bedroom: 700 sqft
Minimum Dwelling Amenities	At a minimum each unit shall have central heating and air conditioning and washer and dryer electrical and gas hook ups for standard washer and dryer appliances. A bachelor/studio unit may provide facilities for stackable washer/dryer appliances.
Laundry Facilities	Laundry facilities shall be provided on each building floor if washer and dryers are not provided in each of the proposed units. One washer and dryer shall be provided for every twenty units.
Trash Enclosure	Trash enclosure should be fully enclosed with a masonry wall with, wood or metal gate and trellis roof. The enclosures shall be finished with colors and materials that are consistent with the rest of the structures. Enclosures should be screened with landscaping on their most visible sides.
Parking Requirements <sup>1</sup>	Consistent with the most recently adopted percentage of the RHNA for low income persons (40 du): 0.7 parking space per dwelling unit +1 guest parking for every 10 units In compliance with the State Density Bonus project requirements (50 du): 0.5 parking spaces per dwelling unit +1 guest space for every 10 units
Landscaping	Landscaping should serve to frame, soften and embellish the quality of the environment; buffer units from noise or undesirable view; visually reduce or break up building mass, break up large expanses of parking and hardscape and provide shading and climate cooling of adjacent units. All areas not covered by structures, drive aisles, parking or hardscape should be landscaped to the satisfaction of the director
Landscape Planters	Minimum 15 ft in width shall be provided between the parking lot area or building and the public right-of-way. Said planter shall consist of the following: <ul style="list-style-type: none"> <li>• Turf, shrubs and mature trees (36 in box or larger) planted 20 ft on center</li> <li>• Accent landscaping at the driveway entries</li> <li>• Corner lots shall include accent landscaping and focal point such as waterfalls or other hardscape and perennials within the subject landscape area</li> </ul>

<p>Utility and mechanical equipment</p>	<ul style="list-style-type: none"> <li>• All mechanical equipment (e.g., compressors, air conditioner, heating and ventilating equipment, chillers, standpipes, solar collectors, etc.) shall be concealed from view. Screening devices shall be compatible with the architecture and structure of the adjacent buildings.</li> <li>• Mechanical equipment shall not be located on the roof unless screened by building elements designed for screening that are an integral part of the building design.</li> <li>• Utility equipment (e.g., electric and gas meters, electrical panels, and junction boxes) shall be located in utility rooms within the structure or utility cabinets with exterior access.</li> </ul>
<p>Recreational Facilities</p>	<p>Recreational facilities shall be provided throughout the facility. The recreational facilities shall consist of open and enclosed areas for residents of the facilities to congregate, for recreation and leisure. The following standards shall be utilized for recreational facilities:</p> <ul style="list-style-type: none"> <li>• The design and orientation of these areas should take advantage of available sunlight and should be sheltered from the noise and traffic of adjacent street or other incompatible uses.</li> <li>• Each recreational facility shall have a focal point. The focal point may consist of, but not limited to, water fountains, landscape planters, monuments, waterways, ponds, artwork, trellises or gazebos. Each focal point shall compliment other focal points by maintaining a common theme, consistent furnishing and signage.</li> <li>• Recreational facilities shall be categorized as either “major recreational facilities” or “minor recreational facilities.” Major and minor recreational facilities shall be designed to complement one another and be physically linked to one another by pedestrian walkways and directional signage.</li> </ul>
<p>Provision of Major Recreational Facilities</p>	<p>Intended to be a significant recreational node or focal point for resident, and may include recreational buildings, swimming pools, tennis courts, spas, saunas and other amenities requiring significant investment and appropriate to serve residents, as determined by the city. The total minimum area shall be 2,000 square feet.</p> <ul style="list-style-type: none"> <li>• 80-150 Units: 1 Facility</li> <li>• 150-200 Units: 2 Facilities</li> <li>• 200-250 Units: 2 Facilities</li> <li>• 250+ Units: 3 Facilities</li> <li>• Additional Units: 4+1 Facilities for every 100 units</li> </ul>
<p>Provision of Minor Recreational Facilities</p>	<p>Intended to augment major recreational facilities, and may include rest areas, picnic and barbecue areas, gazebos and other such amenities requiring a less significant investment than a major facility and appropriate to serve residents. The total minimum area shall be 625 square feet.</p> <ul style="list-style-type: none"> <li>• 80-150 Units: 1 Facility</li> <li>• 150-200 Units: 2 Facilities</li> <li>• 200-250 Units: 2 Facilities</li> <li>• 250+ Units: 2 Facilities</li> <li>• Additional Units: 3+1 Facilities for every 100 units</li> </ul>



Exterior Lighting	<p>Lighting should provide illumination for the security and safety of on-site areas, such as parking, recreational facilities, building entries, and pathways. The following standards shall be utilized:</p> <ul style="list-style-type: none"> <li>• The design of light fixtures and their structural support should be architecturally compatible with the main structures on the site. Light fixtures should be architecturally integrated into the design of a structure.</li> <li>• The location of the light fixtures should correspond to anticipated use. Lighting of pedestrian ways illuminates changes in grade, path intersections, staging areas, and any other uses along the movement path that, if left unlighted would create an unsafe situation.</li> <li>• All lighting fixtures must be shielded to confine light spread on site.</li> <li>• Night lighting of building is encouraged, but should be accomplished in a selective manner, avoiding overall building illumination that produces an undesirable look. Night lighting of building features, emphasize repeated or decorative features, and use the juxtaposition light and shadow to articulate the building façade.</li> </ul>
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1. Parking requirements: The developer shall comply with the city's standard parking requirements.

E. Architectural design: The developer shall consider a variety of different architectural features to add to the city's overall image, provided the architecture is consistent with surrounding structures and uses. No specific architectural style or design is required. The developer should consider the following design issues:

1. Design Consistency.

a. Building design should demonstrate a consistent use of colors, materials, and detailing throughout all elevations of the building. Piecemeal embellishment should be avoided.

i. Elevations that do not directly face a street should be appropriately landscaped.

2. Form and Mass. Designs should be provided a sense of human scale and proportion. Structures should be designed to avoid a "box-like," impersonal appearance by use of the following techniques:

a. Façade and Roof Articulation. Separations, changes in plane and height, and the inclusion of elements like balconies, porches, arcades, dormers and cross gables mitigate the barracks-like quality of flat wall and roof of excessive length. Secondary hipped or gabled roofs covering the entire mass of a building are preferable to flat roofs, or pitched roof segments applied on only some portions of the building.

b. Balconies, porches and recess patios for both practical and aesthetic values. The elements should be integrated into the structures to break up large wall masses by offset building setbacks, using awnings/canopies.

c. Architectural detail through the use of columns, three-dimensional decorative cornice bands, recess entries and windows and awnings and canopies.

d. Full roofs with substantial overhangs.

- e. Decorative parapets where roof overhangs are not provided.
- 3. Materials. Exterior materials should be very durable and require low maintenance. Piecemeal embellishment and frequent changes in materials should be avoided.
- 4. Building Colors. Exterior wall colors should harmonize with the site and surrounding buildings.
  - a. Façade colors should be neutral or earth tone colors. The use of high intensity colors, metallic colors, black or fluorescent colors is prohibited.
  - b. Building trim and accent areas may feature brighter colors, including primary colors.
  - c. The transition between base and accent colors should relate to changes in building materials or the changes in building surface planes. Colors should not meet or change without some physical change or definition of the surface plane.
  - d. The blending of compatible colors in a single façade or composition is a good way to add character and variety, while reducing, or breaking up lines of a building. (Ord. 1096 §1, 2007)
- F. Security consideration: The developer shall:
  - 1. Provide clear, unobstructed sightlines from entries to the street or parking lots.
  - 2. Provide clear sightlines to outdoor open areas from doorways and windows.
  - 3. Illuminate exterior spaces and internal common spaces with energy-efficient, vandal-proof lamps and fixtures. Warm light shall be used to provide visibility, a noninstitutional feel and increase the feeling of ownership.
  - 4. Locate laundry facilities where they can be observed and where access can be effectively restricted.
  - 5. Create privacy for the ground level units by using landscaping and fencing to buffer the units from the street or parking. Do not place landscaping too close to windows.
  - 6. Make paths to the entry, parking and the trash deposit area well-defined, well-lit, and free from dense shrubs.
  - 7. Eliminate hidden recess in hallways, entryways, and stairways. Ensure that there are not entrapment areas between buildings.
  - 8. Design common spaces to encourage a sense of belonging. Design common open space to relate to a discrete number of units so that the spaces become "their" recreational area.
  - 9. Define the transition from the public street to the building so that the yard next to the building appears to belong to the building. Landscaped gardens and see-through fences create the sense of ownership and boundaries without compromising visibility.
  - 10. Provide peepholes, strike plates and deadbolts in unit doors. (Ord. 1096 §1, 2007)
- G. Maintenance:

1. Continued good appearance depends on the extent and quality of maintenance. Materials and finishes shall be selected for their durability and wear, as well as for their beauty. Proper measures shall be taken for protection against weather, neglect, damage and abuse.
2. Provision for washing and cleaning buildings and structures, and control of dirt and refuse, shall be included in the design. Configurations that tend to catch and accumulate leaves, dirt and trash shall be avoided. (Ord. 1096 §1, 2007)

H. Affordability:

1. At least twenty-five percent of the dwelling units developed shall be available at affordable housing cost to persons and families of very-low and low income.
2. At least forty percent of the twenty-five percent described above shall be available at affordable housing cost to very low-income households.
3. The restriction must remain available for the longer of fifty-five years of the period of land use controls established in the redevelopment plan for the project area. The city or the South El Monte Improvement District shall be identified in the covenants, conditions, and restrictions (CC&Rs) as having the right to enforce affordability restrictions.
4. The city reserves the right to require more stringent low-moderate income requirements where the city or the improvement district has participated in financially assisting the development. (Ord. 1096 §1, 2007)

17.11.160 Water efficient landscaping.

A. Purpose and intent: the purposes of this section are to:

1. Establish landscape standards that will provide for an aesthetically pleasing setting by creating standards of design, installation, and maintenance of water efficient landscaping.
2. Create flexible landscape design for residential and nonresidential developments that will promote aesthetic enhancements.
3. Promote the values of water efficient landscaping. (Ord. 1163 §1, 2012)

B. Criteria:

1. All residential properties consisting of three or more units must adhere to the regulations listed.
2. All nonresidential properties must adhere to the following regulations listed. (Ord. 1163 §1, 2012)

C. City right to waive requirements:

1. The requirements of this chapter may be wholly or partially waived, at the discretion of the city, for landscape rehabilitation projects that are limited to replacement of plantings with equal or lower water needs and where any modifications to the irrigation system do not require ministerial permits and the irrigation system is found to be designed, operable, and programmed consistent with minimizing water waste in accordance with the city regulations. (Ord. 1163 §1, 2012)

- D. Water efficient landscaping criteria: The requirements of this chapter may be wholly or partially waived, at the discretion of the city, for landscape rehabilitation projects that are limited to replacement of plantings with equal or lower water needs and where any modifications to the irrigation system do not require ministerial permits and the irrigation system is found to be designed, operable, and programmed consistent with minimizing water waste in accordance with the city regulations. (Ord. 1163 §1, 2012)
- E. Landscape Documentation Package.
1. A copy of the landscape documentation package conforming to this criteria and plan check fee shall be submitted to the city for review and approval prior to the issuance of building or construction permits. No building or construction permit shall be issued until the city reviews and approves the landscape documentation package.
  2. A copy of the approved landscape documentation package shall be provided to the property owner or site manager along with the record drawings and any other information normally forwarded to the property owner or site manager.
  3. Each landscape documentation package shall include the following elements:
    - a. Landscape design plan.
    - b. Irrigation design plan.
    - c. Certificate of substantial completion (to be submitted after installation of the project).
    - d. Such other information as deemed necessary by the planning director, including, but not limited to, a grading design plan and/or soil analysis.
- F. Elements of the Landscape Documentation Package.
1. Landscape Design Plan. A landscape design plan, prepared by a licensed landscape architect, meeting the following requirements shall be submitted as part of the landscape documentation package.
    - a. Plant Selection and Grouping.
      - i. Plants having similar water use shall be grouped together in distinct hydrozones (a list of acceptable plant materials has been included in Appendices A through D attached to the ordinance codified in this chapter and incorporated by reference).
      - ii. Plants shall be selected appropriately based upon their adaptability to the climatic, geological and topographical conditions of the site. Protection and preservation of native species and natural areas is encouraged. The planting of trees is encouraged wherever it is consistent with the other provisions of this chapter.
      - iii. The list of recommended planting materials is contained in Appendices A through D. Alternative materials may be used when the overall landscape plan conforms with the intent of this division as determined by the planning director.
      - iv. Fire prevention needs shall be addressed in areas that are fire prone.
      - v. Overall, the landscape design plan shall provide for a water efficient landscape concept.
    - b. Water Features.
      - i. Recirculating water shall be used for decorative water features.
      - ii. Pool and spa covers are encouraged.
    - c. Landscape Design Plan Specifications. The landscape design plan shall be drawn on project base sheets at a scale no less than 1" = 30' - 0" and that accurately and clearly identifies:

- i. Designation of hydrozones and a description of water usage within said hydrozones (low, moderate and high irrigation water requirements).
  - ii. Landscape materials, trees, shrubs, ground-cover, turf and other vegetation. Planting symbols shall be clearly drawn and plants labeled by botanical name, common name, container size, spacing, and quantities of each group of plants indicated.
  - iii. Property lines and street names.
  - iv. Streets, driveways, walkways and other paved areas.
  - v. Pools, ponds, water features, fences and retaining walls.
  - vi. Existing and proposed buildings and structures including elevation if applicable.
  - vii. Tree staking, plant installation, soil preparation details and any other applicable planting and installation details.
  - viii. Natural features including but not limited to rock outcroppings, existing trees and shrubs that will remain.
  - ix. A calculation of the total landscaped area and percentage of turf area.
  - x. Designation of recreational areas.
2. Irrigation Design Plan. An irrigation design plan, prepared by a licensed landscape architect or certified irrigation designer, meeting the following conditions shall be submitted as part of the landscape documentation package.
  - a. Water Efficiency. The irrigation design plan shall provide for a water efficient irrigation system.
  - b. Runoff and Overspray. Soil types and infiltration rate shall be considered when designing irrigation systems. All irrigation systems shall be designed to avoid excessive runoff, low head drainage, excessive overspray, or other similar conditions where water flows onto adjacent property, nonirrigated areas, walks, roadways or structures. Proper irrigation equipment and schedules, including features such as repeat cycles, shall be used to closely match application rates to infiltration rates therefore minimizing runoff.
- G. Special attention shall be given to avoid runoff on slopes and, to avoid overspray in planting areas with a width less than ten feet, and in median strips.
  - a. Water Meters. Separate landscape water meter(s) shall be installed for all projects except for single-family homes or any project with a landscaped area of less than five thousand square feet.
  - b. Controllers. Automatic control systems shall be required for all irrigation systems and must be able to accommodate all aspects of the design.
  - c. Valves. Plants which require different amounts of water shall be irrigated by separate valves. If one valve is used for a given area, only plants with similar water use shall be used in the area. Anti-drain (check) valves shall be installed in strategic points to minimize or prevent low-head drainage.
  - d. Sprinkler Head. Heads and emitters shall have consistent application rates within each control valve circuit. Sprinkler heads shall be selected for proper area coverage, application rate, operating pressure, adjustment capability and ease of maintenance.
  - e. Rain Sensing Override Devices. Rain sensing override devices shall be required on all irrigation systems with landscaped areas of two thousand five hundred square feet or more.
  - f. Soil Moisture Sensing Devices. It is recommended that soil moisture sensing devices be considered where appropriate.

- g. Irrigation Design Plan Specifications.
- h. Irrigation systems shall be designed to be consistent with hydrozones.
- H. The irrigation design plan shall be drawn on project base sheets. It should be separate from, but use the same format as, the landscape design plan.
- I. The irrigation design plan shall accurately and clearly identify:
  1. Location and size of separate water meters for the landscape.
  2. Location, type and size of all components of the irrigation system, including automatic controllers, main and lateral lines, valves, sprinkler heads, moisture sensing devices, rain switches, quick couplers and backflow prevention devices.
  3. Static water pressure at the point of connection to the public water supply.
  4. Flow rate (gallons per minute), application rate (inches per hour), and design operating pressure (psi) for each station.
  5. Where available, the irrigation plan shall include reclaimed water.
  6. Estimated annual water use expressed in inches per square foot of landscape area per year.
  7. Certificate of Substantial Completion. Prior to the final of building permits, the developer shall submit a certificate of substantial completion to the city completed by the licensed landscape architect or certified irrigation designer that designed the plans, utilizing forms designated for this purpose.
- J. Landscape and irrigation plans shall be reviewed for compliance with the water efficient landscape criteria. These comprise a point system with points awarded for both landscape and irrigation techniques. A minimum of one hundred points shall be achieved in each technique category in order for the planning department to approve said plans. (Ord. 1163 §1, 2012)

Table 17.11.160-A Point Scale

(1) Landscape Techniques	Max. Points	
Water conserving plants, and/or plants native to hot dry summers, utilized in 75% of the total plant area of the landscape.	40	
Turf limited to 20% of the total landscape in all projects. In no case shall turf make up more than 50% of the total landscape.	30	
Use of creative, thoughtful and diverse hydrozones to enhance the overall landscape design, with plants grouped based on the amount of water needed to sustain them.	30	
Mulch utilized in the landscape (3 inches minimum, 4 inches preferred).	10	
Hardscape or non-irrigated surfaces used in at least 10% of the total landscape.	10	
Where turf is utilized, the use of a proven water-conserving turf.	10	
Soil amendments to improve water holding a capacity of soil incorporated into soil preparation details.	10	

Total	140	Min. 100
(2) Irrigation Techniques	Max. Points	
The total amount of irrigation applied to all landscape areas does not exceed 42 inches per square foot of landscape area per year.	40	
Automatic irrigation system adjusted seasonally and with watering hours between seven p.m. and ten a.m.	30	
Irrigation system designated to water different areas of the landscape based on watering need (drip/trickle for shrubs, separate valves, etc.).	30	
Sensitive to slope factors.	10	
Soil moisture sensors used in conjunction with the automatic irrigation system.	10	
Rain sensors used in conjunction with the automatic irrigation system.	10	
Wind sensors used in conjunction with the automatic irrigation system.	10	
Recommended annual irrigation schedule for information purposes.	5	
Use of reclaimed or recycled water in accordance with health and safety codes.	5	
Total	160	Min. 110
Additional comparable points (not to exceed 30) may be awarded for the use of any water-conserving method not listed above which the planning director finds to be in accord with the purpose of this chapter.		

(Ord. 1163 §1, 2012)

K. Maintenance of existing landscapes.

1. Water waste resulting from inefficient landscape irrigation leading to excessive runoff, low-head drainage, overspray or other similar conditions where water flows onto adjacent property, nonirrigated areas, walks, roadways or structures is prohibited.
2. Landscapes shall be maintained to ensure water efficiency. All landscaped areas, regardless whether installed pursuant to this chapter, shall be maintained in a healthful and sound condition. Irrigation systems and their components shall be maintained in a fully functional manner consistent with the originally approved design. A regular maintenance schedule shall be followed, including, but not limited to: checking, adjusting and repairing irrigation equipment, resetting the automatic controller, aerating and dethatching turf areas, replenishing mulch, fertilizing, pruning, and weeding in all landscaped areas. (Ord. 1163 §1, 2012)

## Title 17

### ZONING

#### Chapters:

- 17.01 GENERAL PROVISIONS
- 17.02 DEFINITIONS
- 17.03 PERMIT APPROVAL PROCEDURES
- 17.04 ZONING MAP
- 17.05 RESIDENTIAL ZONES – STANDARDS AND USES
- 17.06 COMMERCIAL ZONES – STANDARDS AND USES
- 17.07 MIXED-USE ZONES – STANDARDS AND USES
- 17.08 PUBLIC FACILITIES ZONES – STANDARDS AND USES
- 17.09 INDUSTRIAL ZONES – STANDARDS AND USES
- 17.10 OVERLAY ZONES – STANDARDS AND USES
- 17.11 SPECIAL USES – STANDARDS AND USES
- 17.12 ACCESSORY DWELLING UNITS
- 17.13 DENSITY BONUS
- 17.14 OBJECTIVE DESIGN STANDARDS
- 17.15 ADVERTISING SIGNS
- 17.16 OFF-STREET PARKING AND LOADING



Chapter 17.12  
ACCESSORY DWELLING UNITS

Sections

- 17.12.010 Intent and purpose.
- 17.12.020 Applicability.
- 17.12.030 Common interest development.
- 17.12.040 Location and operational standards.
- 17.12.050 Development standards.
- 17.12.060 Parking requirements.
- 17.12.070 Impact fees.
- 17.12.080 Enforcement.
- 17.12.090 Exceptions.
- 17.12.100 Accessory buildings.

17.12.010 Intent and purpose.

The purpose of the accessory dwelling unit chapter is to comply with state law. The chapter provides for accessory dwelling units in certain areas and on lots developed or proposed to be developed with single-family or multifamily dwellings. These structures are accessory and incidental to a dwelling on the same lot. (Gov. Code, § 65852.2, subd. (j)(2).) Such accessory dwellings are allowed because they can contribute needed housing to the community's housing stock. Accessory dwelling units provide housing for family members, students, the elderly, in-home health care providers, the disabled, renters, and homeowners who create accessory dwelling units. In addition, the chapter provides a mechanism to grant legal status to existing illegally constructed accessory units in single family neighborhoods. By encouraging legalization, safe dwellings may be added to the city's existing housing supply. (Ord. 1242 §5, 2020)

17.12.020 Applicability.

- A. Any construction, establishment, alteration, enlargement, or modification of an accessory dwelling unit shall comply with the requirements of this chapter.
- B. The director or his or her designee shall review and approve, conditionally approve, or deny ministerial permits for accessory dwelling units conforming to the provisions of this chapter within the time limits specified by Government Code Sections 65852.2 and 65852.22 or successor provisions. (Ord. 1242 §5, 2020)
- C. The application for the creation of an ADU or JADU shall be deemed approved (not just subject to ministerial approval) if the local agency has not acted on the completed application within 60 days. (Gov. Code, § 65852.2, subd. (a)(3).)
- D. A local agency may identify an ADU or JADU as an adequate site to satisfy its Regional Housing Needs Allocation (RHNA). (Gov. Code, §§ 65583.1, subd. (a), and 65852.2, subd. (m).)

17.12.030 Common interest development.

- A. Allows for the rental or leasing of a separate interest ADU or JADU in a common interest development, notwithstanding governing documents that otherwise appear to prohibit renting or leasing of a unit, and without regard to the date of the governing documents. (Civ. Code, § 4740, subd. (a), and Civ. Code, § 4741, subd. (a).)
- B. Provides that not less than 25 percent of the separate interest units within a common interest development be allowed as rental or leasable units. (Civ. Code, § 4740, subd. (b).)

17.12.040 Location and operational standards.

- A. One accessory dwelling unit (ADU) and one junior accessory dwelling unit (JADU) may be constructed on any legal parcel in areas zoned to allow single-family or multifamily dwellings.
- B. Accessory dwelling units shall only be built when there is an existing or proposed single-family or multifamily residence (e.g., primary residence) on the site. Junior accessory dwelling units shall only be built when there is an existing or proposed single-family residence on the site. If a site is vacant, an ADU or JADU may be constructed at the same time as a primary residence.
- C. The accessory dwelling unit may be attached to the primary residence, located within the living area of the primary residence, or detached from the primary residence and located on the same lot as the existing dwelling.
- D. Any rental term of the accessory dwelling unit shall be longer than thirty days.
- E. The accessory dwelling unit may be conveyed separately from the primary residence under certain conditions, including that:
  1. The ADU or primary dwelling was built or developed by a qualified nonprofit. (Gov. Code, § 65852.26, subd. (a).)
  2. There is an enforceable restriction on the use of the property between the low-income buyer and nonprofit that satisfies the requirements of Section 402.1 of the Revenue and Taxation Code. (Gov. Code, § 65852.26, subd. (a)(2).)
  3. The entire property is subject to the affordability restrictions to assure that the ADU and primary dwelling are preserved for owner-occupied, low-income housing for 45 years and are sold or resold only to a qualified buyer. (Gov. Code, § 65852.26, subd. (a)(3)(D).)
  4. The property is held in a recorded tenancy in common agreement that meets certain requirements. (Gov. Code, § 65852.26, subd. (a)(3).)
- F. Prior to issuance of a building permit for the accessory dwelling unit or junior accessory dwelling unit, the owner shall record a covenant in a form approved by the city to notify subsequent owners of the requirements of this chapter, as follows:
  1. For any junior accessory dwelling unit, the owner shall record a deed restriction, which shall run with the land, using a form to be provided by the city, memorializing the following:
    - a. The junior accessory dwelling unit shall not be sold or owned separately from the primary residence, and the property shall not be subdivided in any manner which would authorize such separate sale or ownership;
    - b. The junior accessory dwelling unit shall not exceed the size and attributes set forth in this chapter and Government Code Section 65852.22, including any future amendments thereto;
    - c. Should a property have both an ADU and JADU, either the primary residence or the junior accessory dwelling unit must be owner-occupied at all times as required by state law, unless the owner is another governmental agency, land trust, or housing organization. (Gov. Code, § 65852.22, subd. (a)(2).)
  2. Accessory dwelling units do not count toward the density requirements in the General Plan or zoning regulations. (Ord. 1242 §5, 2020)

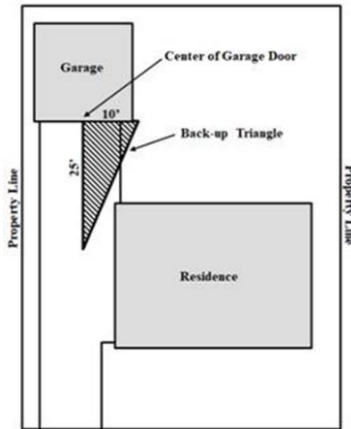
17.12.050 Development standards.

The following standards apply to all accessory dwelling units.

- A. An accessory dwelling unit with one or fewer bedrooms shall not be more than eight hundred fifty square feet in gross floor area and an accessory dwelling unit with two or more bedrooms shall not be more than one thousand square feet in gross floor area.
- B. The conversion of an existing accessory structure or a portion of the existing primary residence to an accessory dwelling unit is not subject to unit size requirements. However, any application that proposes to expand an accessory structure to create an accessory dwelling unit beyond 150 square feet would be subject to the size maximums outlined in State ADU Law and Chapter 17.12.
- C. A detached accessory dwelling unit shall be limited to a height of sixteen feet.
- D. A detached accessory dwelling unit shall be located behind the rear building line of the primary residence.
- E. The color, material and texture of the roof, exterior walls, fenestration, and architectural feature of an accessory dwelling unit shall be architecturally compatible with the primary dwelling unit and adjacent properties. The roof pitch of a second unit shall match the roof pitch of the primary dwelling unit.
- F. Setbacks for Detached Accessory Dwelling Units. The side-yard and rear-yard setback for detached accessory dwelling units shall be no less than three feet in accordance with the Uniform Building Code. Accessory units higher than one story shall provide side yard setbacks of four feet and rear yard setbacks of four feet. If any portion of an accessory dwelling unit is located in front of the main building, then the front and side yard setbacks shall be the same as a main building in the zoning district. Accessory dwelling units are not eligible for variances to setbacks.
- G. No setback shall be required for an existing structure that is converted to an accessory dwelling unit unless it is required to provide sufficient fire safety as required by the City Code.
- H. Setbacks for a newly constructed attached accessory dwelling unit shall meet the same setbacks as the main building in the zoning district or four feet, whichever is less.
- I. Notwithstanding the requirements and standards above, accessory dwelling units that meet all of the following criteria shall be permitted on all residential zoning districts on a lot with an existing single-family or multifamily residence:
  1. The accessory dwelling unit is contained within a legally constructed existing space (i.e., a fully enclosed area, including a garage) of the primary dwelling or accessory structure.
  2. There is an independent exterior access from the existing residence.
  3. Side and rear setbacks are sufficient for fire safety.
  4. All applicable building and safety codes are met. Only one accessory dwelling unit and one junior accessory dwelling unit will exist on the site.
- J. The following standards apply only to junior accessory dwelling units:
  1. A junior accessory dwelling unit shall not be more than five hundred square feet in size and contained entirely within an existing or proposed single-family structure.
  2. The entrance to a junior accessory dwelling unit must be separate from the main entrance to the structure.

3. A junior accessory dwelling unit may include separate sanitation facilities, or may share sanitation facilities with the existing structure.
  4. A junior accessory dwelling unit shall include an efficiency kitchen, which shall include all of the following:
    - a. A cooking facility with appliances.
    - b. A food preparation counter and storage cabinets that are of reasonable size in relation to the size of the junior accessory dwelling unit.
- 17.12.060 Parking requirements.
- A. One parking space shall be provided on site for the accessory dwelling unit. The on-site parking space required for the accessory dwelling unit may be provided as covered, uncovered, or as tandem parking on an existing driveway.
  - B. Exception. No additional parking space is required for an accessory dwelling unit if it meets any of the following conditions:
    1. The accessory dwelling unit is located within one-half mile walking distance of public transit. Public transit includes various means of transportation that charge set fees, run on fixed routes, and are available to the public. (Gov. Code, § 65852.2, subd. (j)(9).)
    2. The accessory dwelling unit is located within an architecturally and historically significant historic district.
    3. The accessory dwelling unit is part of the proposed or existing primary residence or an accessory structure.
    4. When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit.
    5. When there is a car share vehicle located within one block of the accessory dwelling unit.
  - C. Any onsite parking lost due to the conversion of a garage, carport or covered parking structure into an accessory dwelling unit cannot be replaced with off-street parking spaces (Gov. Code, § 65852.2, subd. (a)(1)(D)(xi).)
  - D. An accessory dwelling unit shall share the driveway with the existing primary residence on the site. A second driveway shall only be allowed from an alley, if there is an alley that serves the subject site. (Ord. 1242 §5, 2020)
  - E. No accessory building or structure shall block or otherwise prevent the entry of passenger vehicles to any garage. (Ord. 1089 §3, 2006; Ord. 822 §1, 1989)

Figure 17.12.060-A Back Up Triangle



#### 17.12.070 Impact Fees

- A. Accessory dwelling units up to 750 square feet are exempt from impact fees; accessory dwelling units that are 750 square feet or larger may be charged impact fees but only such fees that are proportional in size (by square foot) to those for the primary dwelling unit. (Gov. Code, § 65852.2, subd. (f)(3).)
- B. ADUs converted from existing space and JADUs shall not be considered by a local agency, special district, or water corporation to be a new residential use for purposes of calculating connection fees or capacity charges for utilities, unless constructed with a new single-family dwelling. The connection fee or capacity charge shall be proportionate to the burden of the proposed ADU, based on its square footage or plumbing fixtures as compared to the primary dwelling. ADU Law does not cover monthly charge fees. (Gov. Code, § 65852.2, subd. (f)(2).)

#### 17.12.080 Enforcement

Upon application and approval, any enforcement action against a qualifying substandard ADU must be delayed for five years to allow the owner to correct the violation, so long as the violation is not a health and safety issue, as determined by the enforcement agency. (Gov. Code, § 65852.2, subd. (n); Health & Safety Code, § 17980.12.)

#### 17.12.090 Exceptions

- A. Ministerial approval shall apply for building permit applications that satisfy the following standards.
  1. One accessory dwelling unit and one junior accessory dwelling unit per lot with a proposed or existing single-family dwelling if all of the following apply:
    - a. The accessory dwelling unit or junior accessory dwelling unit is within the proposed space of a single-family dwelling or existing space of a single-family dwelling or accessory structure and may include an expansion of not more than one hundred fifty square feet beyond the same physical dimensions as the existing accessory structure. An expansion beyond the physical dimensions of the existing accessory structure shall be limited to accommodating ingress and egress.
    - b. The space has exterior access from the proposed or existing single-family dwelling.
    - c. The side and rear setbacks are sufficient for fire and safety.
    - d. The junior accessory dwelling unit complies with the requirements of Section 65852.22.
  2. Multiple accessory dwelling units within the portions of existing multifamily dwelling structures that are not used as livable space, including, but not limited to, storage rooms, boiler rooms,

passageways, attics, basements, or garages, if each unit complies with state building standards for dwellings.

- a. One accessory dwelling unit within an existing multifamily dwelling is allowed up to twenty-five percent of the existing multifamily dwelling units.
  3. Not more than two accessory dwelling units that are located on a lot that has an existing multifamily dwelling, but are detached from that multifamily dwelling and are subject to a height limit of sixteen feet and four-foot rear yard and side setbacks. (Ord. 1242 §5, 2020)
- B. An application for the creation of an ADU or JADU shall be deemed approved (not just subject to ministerial approval) if the local agency has not acted on the completed application within 60 days. (Gov. Code, § 65852.2, subd. (a)(3).)

#### 17.12.100 Accessory Buildings

This section applies to accessory buildings *not* used for residential use.

- A. Generally: The location and use of accessory buildings or structures shall be governed by the following sections of this chapter. (Ord. 822 §1, 1989)
- B. Common walls: Where an accessory building or structure is attached to a main building by means of a common foundation, wall, roof or other means of attachment, the accessory building or structure shall be considered a portion of the main building and shall comply with all the regulations applicable to the main building. (Ord. 822 §1, 1989)
- C. Use:
  1. An accessory building or structure shall not be used for any use not specifically permitted in the zone district in which the building or structure is located. No person shall occupy an accessory building or structure.
  2. An accessory building shall not include a kitchen, bedrooms, or shower/bathtub. (Ord. 1089 §2, 2006; Ord. 822 §1, 1989)
- D. Location and lot coverage in residential zones
  1. The maximum size of an accessory building may not exceed 700 square feet.
  2. An accessory building or structure shall not be located within twenty feet of the front property line on interior lots or key lots. If the primary building or structure is setback more than twenty feet, the accessory building or structure shall not be located closer than the closest portion of the house to the front or side street property line.
  3. An accessory building or structure shall not be located within seventy-five feet of the front property line on corner lots or reversed corner lots.
  4. A detached accessory building or structure shall not cover more than thirty percent of the required rear yard.
- E. Setback for residential zones: No accessory building or structure in a residential zone shall be within three feet of a side or rear property line unless the accessory structure complies with the following construction standards:
  1. The accessory structure is constructed with one-hour fire resistant material;
  2. All drainage from the accessory structure is captured and transported within the boundaries of the lot upon which the accessory structure is located; and

3. The accessory structure contains no doors, openings or windows on the side or sides of the structure within three feet of the side or rear property line. (Ord. 1089 §4, 2006; Ord. 822 §1, 1989)

## Title 17

### ZONING

#### Chapters:

- 17.01 GENERAL PROVISIONS
- 17.02 DEFINITIONS
- 17.03 PERMIT APPROVAL PROCEDURES
- 17.04 ZONING MAP
- 17.05 RESIDENTIAL ZONES – STANDARDS AND USES
- 17.06 COMMERCIAL ZONES – STANDARDS AND USES
- 17.07 MIXED-USE ZONES – STANDARDS AND USES
- 17.08 PUBLIC FACILITIES ZONES – STANDARDS AND USES
- 17.09 INDUSTRIAL ZONES – STANDARDS AND USES
- 17.10 OVERLAY ZONES – STANDARDS AND USES
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- 17.16 OFF-STREET PARKING AND LOADING



Chapter 17.13  
DENSITY BONUS

Sections

- 17.13.010 Intent and purpose.
- 17.13.020 Implementation.
- 17.13.030 Types of incentives allowed.
- 17.13.040 Requirements for density bonus projects.
- 17.13.050 Development standards.
- 17.13.060 Processing of density bonus requests.
- 17.13.070 Density bonus housing agreement.
- 17.13.080 Changes in State Density Bonus Laws.

17.13.010 Intent and purpose.

The purpose of this chapter is to provide incentives for the production of housing for very low income, lower income, moderate income, and senior households in accordance with Government Code Sections 65915—65918. In enacting this chapter, it is the intent of the city to facilitate the development of affordable housing and to implement the goals, objectives, and policies of the housing element of the city’s General Plan. (Ord. 1173 §1, 2014)

17.13.020 Implementation.

- A. The city shall grant a density bonus and incentives pursuant to 17.13.020-B and 17.13.020-C to an applicant who agrees to provide any of the following:

Table 17.13.020-A Density Bonus Implementation

Type of Units	Percent of Total Units (Minimum)
Very Low Income	5%
Lower Income	10%
Moderate Income Condominium	10% as defined by Civil Code Sections 1351(f) or (k)
Any senior development	Any

- B. In determining the number of density bonus units to be granted pursuant to this section, the density bonus for the site shall be computed as follows:

Table 17.13.020-B Maximum Allowable Density Bonus per Percent Increase in Units Made Affordable

Type of Household	Maximum Allowable Residential Density	Percent Increases in Units Made Affordable
Very Low Income	+20%	Each 1% increase (after 5%) = 2.5% density bonus increase, up to 50%
Lower Income	+16%	Each 1% increase (after 10%) = 1.5% density bonus increase, up to 50%
Moderate Income Condominium	+5%	Each 1% increase (after 10%) = 1% density bonus increase, up to 50%
100% Affordable Developments	+80%	NA

1. Density Bonus for One-Hundred Percent Affordable Developments. Density bonuses are required to be provided for developments that contain one-hundred percent affordable units (out of total units). These developments may have density bonuses up to eighty percent, provided that these developments result in a project cost reduction and that there are no adverse impacts on public health, safety, the environment, or historical properties that could be contrary to the law (AB 1763).
    - a. If one-hundred percent affordable developments are located within a half (1/2) mile of major transit stop, the development is exempt from maximum controls on density (AB 1763).
  2. Certain Donations of Land. When an applicant for a tentative subdivision map, parcel map, or other residential development approval donates land to the city that satisfies the requirements of Government Code Section 65915(g), and complies with all procedural requirements of that subsection, including recordation of a deed restriction, the maximum allowable residential density for the site shall be increased by fifteen percent; provided, however, that for each one percent increase above the minimum percentage of land required to be donated pursuant to Government Code Section 65915(g), the density bonus shall be increased by one percent up to a maximum of fifty. This increase shall be in addition to any increase required by Section 17.13.020-A, up to a maximum combined density increase of fifty percent, if an applicant seeks both the increase required by this subsection and by Section 17.13.020-A.
  3. All density calculations resulting in fractional units shall be rounded up to the next whole number. The density bonus shall not be included when determining the percentage of target units. When calculating the required number of target units, any resulting fraction of units shall be deleted.
  4. Any development receiving a density bonus pursuant to 17.13 must reserve at least twenty percent of units for affordable housing. Eighty percent of units within the development must be consistent with the maximum rent level for developments that receive low-income tax credits from the California Tax Credit Allocation Committee (CTCAC).
- C. Number of Incentives. The applicant shall receive the following number of incentives or concessions:

Table 17.13.020-C Number of Incentives (AB 2345)

Number of Incentives	Percent of Total Units: Lower Income Households	Percent of Total Units: Very Low Income Households	Percent of Total Units: Condominium for Moderate Income Households
1	10%	5%	10%
2	17%	10%	20%
3	24%	15%	30%
4	100% Affordable Housing (may include up to 20% moderate income) (AB 1763)		

1. In cases where a density increase of more than the amount specified in Section 17.13.020-B is requested, the density increase, if granted, shall be considered an additional incentive.
  2. Incentives provided, however, that these developments result in a project cost reduction and that there are no adverse impacts on public health, safety, the environment, or historical properties that could be contrary to the law.
- D. In cases where the developer agrees to construct a housing development that qualifies for a density bonus pursuant to Section 17.13.020-A, and that includes a childcare facility as defined in Government Code Section 65915(h)(4), the developer shall be entitled to either an additional density bonus that is an amount of square feet of residential space equal to or greater than the amount of square feet in the childcare facility, or an additional incentive described in Chapter 17.13, that contributes significantly to

the economic feasibility of the construction of the childcare facility. Any such childcare facility shall comply with the following:

1. The childcare facility shall remain in operation for a period of time that is as long or longer than the period of time during which the density bonus units are required to remain affordable;
2. Of the children who attend the childcare facility, the children of very low income households, lower income households, or families of moderate income shall equal a percentage that is equal to or greater than the percentage of dwelling units that are required for very low income households, lower income households, or families of moderate income, pursuant to this chapter;
3. Notwithstanding the foregoing, the city shall not be required to provide a density bonus or incentive for a childcare facility when it is found, based upon substantial evidence, that the community has adequate childcare facilities. (Ord. 1173 §1, 2014)

17.13.030 Types of incentives allowed.

Incentives. If requested by the applicant, a qualifying project shall be entitled to the following incentives, the number of which shall be determined pursuant to Chapter 17.13.020, unless the city makes the written findings required by Government Code Section 65915(d)(1):

A. Types of Incentives. Incentives may include, but are not limited to, any of the following:

1. A reduction in site development standards which exceed the minimum building standards provided in Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code. These may include, but are not limited to, one or more of the following:
  - a. Reduced minimum lot sizes and/or dimensions,
  - b. Reduced minimum lot setbacks,
  - c. Reduced minimum outdoor and/or private outdoor open space,
  - d. Increased maximum lot coverage,
  - e. Increased maximum building height
    - i. If development contains one-hundred percent affordable units and is located within a half (1/2) mile of major transit stop, the height of the development may exceed normal thresholds by up to thirty-three feet or three stories.
2. Reduced on-site parking standards,
3. Reduced minimum building separation requirements,
4. Other site or construction conditions applicable to a residential development;
5. Mixed-use zoning to allow the housing development to include nonresidential uses and/or allow the housing development to be within a nonresidential zone. Approval of mixed-use activities in conjunction with the housing development if other land uses will reduce the cost of the housing development, and the other land uses are compatible with the housing development and the existing or planned development in the area, and is consistent with the General Plan;
6. Another regulatory incentive or concession proposed by the applicant and agreed to by the city, that results in identifiable, financially sufficient, and actual cost reductions. Permissible incentives include direct financial aid (e.g., CAL Home, or other Federal or State housing funding) in the form of a loan or a grant to subsidize or provide low interest financing for on- or off-site improvements, land, or construction costs;
7. A density bonus of more than thirty-five percent;
8. Waived, reduced, or deferred plan check, or construction permit. Impact fees (e.g., capital facilities, park, traffic, etc.) may not be imposed on affordable units in any Density Bonus development (AB 571).

B. Requirements.

1. Economic Feasibility. Any development incentive granted shall contribute to the economic feasibility of providing the target units.
2. Waivers or Modifications of Development Standards. In addition to any density bonus or incentives provided, an applicant may seek a waiver or modification of development standards that would physically preclude the construction of a housing development at the densities or with the incentives permitted by this chapter.
  - a. The applicant may request a meeting with city staff to discuss the applicant's proposal for reduced development standards. The city may not apply any development standard that would physically preclude the construction of a housing development at the densities or with the incentives permitted by this chapter. (Ord. 1173 §1, 2014)
  - b. Developments receiving maximum density waiver are only eligible for specified waiver or reduction of development standards unless city agrees to additional waiver or reduction of development standards (AB 1763).

17.13.040 Requirements for density bonus projects.

- A. The entry into and execution of the density bonus housing agreement shall be a condition of a discretionary planning permit (e.g., tract maps, parcel maps, site plans, planned development or conditional use permits) or a ministerial building permit for a housing development proposed pursuant to this chapter. The agreement shall be recorded at the applicant's cost as a restriction running with the land on the parcel or parcels on which the target units will be constructed.
- B. Target units shall remain restricted and be offered at affordable rents to the designated group for a period of fifty-five years for rental units (or a longer period of time if required by the construction or mortgage financing assistance program, mortgage insurance program, or rental subsidy program), forty-four years for owner-occupied units, or otherwise as provided by law.
- C. In determining the maximum affordable rent or affordable sales price of target units, the following household and unit size assumptions shall be used, unless the housing development is subject to different assumptions imposed by other governmental regulations.

Table 17.13.040-A Household and Unit Size Assumptions

SRO (residential hotel) unit	75% of 1 person
Studio	1 person
1 bedroom	2 persons
2 bedroom	3 persons
3 bedroom	4 persons
4 bedroom	6 persons

- D. An applicant shall agree that the initial occupants of the moderate income units in the condominium project are persons and families of moderate income, as defined in Health and Safety Code Section 50093.
- E. Upon resale, the seller of the unit and the city shall share in the equity as follows:
  1. The seller of the unit shall retain the value of any improvements, the down payment, and the seller's proportionate share of appreciation.
  2. The city shall re-capture any initial subsidy and its proportionate share of appreciation, which shall then be used within five years for any of the purposes described in Health and Safety Code Section 33334.2(e) that promote homeownership.

3. For purposes of this subsection, the city's "proportionate share of appreciation" shall be equal to the ratio of the city's initial subsidy to the fair market value of the home at the time of the initial sale.
  4. For purposes of this subsection, the city's "initial subsidy" shall be equal to the fair market value of the home at the time of the initial sale minus the initial sale price to the moderate income household, plus the amount of any down payment assistance or mortgage assistance. If upon resale the market value is lower than the initial market value, then the value at the time of resale shall be used as the initial market value.
- F. All for-sale target units shall be occupied by their purchasers; no renting or subleasing shall be permitted. The purchaser shall remain on title as long as the purchaser owns the unit.
  - G. The owner of a rental development shall submit annually, and within thirty days of occupancy of a target rental unit, a certificate of compliance, which shall include the name, address, and income of each tenant occupying the target unit.
  - H. The owner of a rental development shall maintain and keep on file annual sworn and notarized income statements and current tax returns for all tenants occupying the target rental units.
  - I. The owner of a rental development shall provide to the city any additional information required by the city to ensure the long-term affordability of the target units by eligible households.
  - J. The city shall have the right to inspect the owner's project-related records at any reasonable time and shall be entitled to audit the owner's records once a year.
  - K. The city may establish fees associated with the setting up and monitoring of target units. (Ord. 1173 §1, 2014)

17.13.050 Development standards.

- A. Target units shall be constructed concurrently with nonrestricted units unless both the city and the applicant agree within the density bonus housing agreement to an alternative schedule for development.
- B. Target units shall be built on-site wherever possible and when practical, be dispersed within the housing development. Where feasible, the number of bedrooms of the target units shall be equivalent to the bedroom mix of the nontarget units of the housing development, except that the developer may include a higher proportion of target units with more bedrooms. The design and appearance of the target units shall be compatible with the design of the total housing development. All housing developments shall comply with all applicable development standards, except those standards that may be modified as provided by this chapter. Deviations from these provisions may only be permitted as part of an approved density bonus housing agreement.
- C. Circumstances may arise in which the public interest would be served by allowing some or all of the target units associated with one housing development to be produced and operated at an alternative development site. Where the applicant and the city form an agreement, the resulting linked developments shall be considered a single housing development for purposes of this chapter. Under these circumstances, the applicant shall be subject to the same requirements of this chapter for the target units to be provided on the alternative site.
- D. Parking Requirements. Upon the request of the developer of a housing development qualifying for a density bonus pursuant to this chapter, the city shall permit vehicular parking ratios, inclusive of handicapped and guest parking, in accordance with the following standards:

Table 17.13.050-A Parking Allocation per Number of Bedrooms

Number of Bedrooms	Required Parking Space Allocation
0-1	1 space (onsite)
2-3	1.5 spaces (onsite)
4+	2.5 spaces

Supportive or special needs housing	Not subject to parking requirements
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1. If the total number of parking spaces required for a housing development is other than a whole number, the number shall be rounded up to the next whole number. For purposes of this subsection, a housing development may provide “on-site parking” through tandem parking or uncovered parking, but not through on-street parking. (Ord. 1173 §1, 2014)

E. Parking Requirements – Special Cases (AB 2345):

Table 17.13.050-B Parking Allocation per Type of Development and Access to Transit

Type of Development	Proximity to Transit	Required Parking Space Allocation
Affordable housing development with at least 11% of units for very low income or 20% of units for low income (calculated off of base density)	½ mile (unobstructed) to a major transit stop	0.5 spaces per unit
100% affordable developments (lower income households)	½ mile (unobstructed)	No parking standards can be imposed
Development for individuals 62+ years complying with Sections 51.2 and 51.3 of the Civil Code	½ mile (unobstructed) to a fixed bus route running no less than 8 times a day or paratransit service	0.5 spaces per unit
Affordable housing development (lower income) that is special needs or supportive housing	½ mile (unobstructed) to a fixed bus route running no less than 8 times a day or paratransit service	No parking standards can be imposed

17.13.060 Processing of density bonus requests.

An application for a density bonus pursuant to this chapter shall be processed as part of the application for a housing development. An application for a housing development shall not be determined “complete” for purposes of Government Code Section 65920, et seq., unless and until the city council has given preliminary approval of the form and content of a density bonus housing agreement, which complies with the provisions of this chapter. The process for obtaining preliminary approval of the density bonus shall be as follows:

- A. Filing. An applicant proposing a housing development pursuant to this chapter shall submit an application for a density bonus as part of the submittal of any formal request for approval of a housing development. The application, whether a pre-application or a formal application, shall include:
  1. A brief description of the proposed housing development, including the total number of units, target units, and density bonus units proposed;
  2. The zoning and General Plan designations and assessor’s parcel number(s) of the project site;
  3. A vicinity map and preliminary site plan, drawn to scale, including building footprints, driveways, and parking layout; and
  4. The number and nature of the incentives requested pursuant to this chapter.
- B. Review of Density Bonus Request.

1. Within ninety days of receipt of the application for a density bonus and a housing development, the city shall provide to an applicant a letter, which identifies project issues of concern, and the procedures for compliance with this chapter.
  2. If additional incentives are requested, the director of community development shall inform the applicant that the requested additional incentives shall or shall not be recommended for consideration with the proposed housing development, or that alternative or modified incentives shall be recommended for consideration in lieu of the requested incentives. If the director of community development recommends alternative or modified incentives, the recommendation shall establish how the alternative or modified incentives can be expected to have an equivalent affordability effect as the requested incentives.
- C. Approval. The city shall approve a density bonus and requested incentives in conjunction with a discretionary planning permit or ministerial building permit for a housing development if the application complies with the provisions of this chapter. The execution and recordation of the density bonus housing agreement shall be a condition of approval of the discretionary planning permit or ministerial building permit. (Ord. 1173 §1, 2014)

17.13.070 Density bonus housing agreement.

- A. The terms of the draft density bonus housing agreement (the "agreement") shall be reviewed and revised as appropriate by the director of community development and the city attorney who shall formulate a recommendation to the planning commission for review and the city council for final approval.
- B. Following execution of the agreement by the applicant and the city, the completed agreement, or memorandum thereof, shall be recorded. The conditions contained in the agreement shall be filed and recorded on the parcel or parcels designated for the construction of target units as a condition of final map approval, or, where a map is not being processed, prior to issuance of building permits for such parcels or units. The agreement shall be binding upon all future owners and successors-in-interest for this property, which is the subject of the housing development application.
- C. At a minimum, the agreement shall include the following:
  1. The total number of units proposed within the housing development, including the number of target units;
  2. A description of the household income group to be accommodated by the housing development, and the standards for determining the corresponding affordable rent or affordable sales price and housing cost;
  3. The location, unit sizes (square feet) and number of bedrooms of target units;
  4. Tenure of use restrictions for target units per the period of time outlined in Section 17.13.050-B;
  5. A schedule for completion and occupancy of target units;
  6. A description of any additional incentive being provided by the city;
  7. A description of remedies for breach of the agreement by either party (the city may identify tenants or qualified purchasers as third party beneficiaries under the agreement); and
  8. Other provisions to ensure implementation and compliance with this chapter.
- D. In the case of for-sale housing developments, the agreement shall provide for the following conditions governing the initial sale and use of target units during the applicable use restriction period:
  1. Target units shall, upon initial sale, be sold to and occupied by eligible very low, lower, or in the case of a condominium, moderate income households at an affordable sales price and housing cost, or to qualified senior citizen residents (i.e., maintained as senior citizen housing) or to qualified veteran housing residents.

2. The initial purchaser of each target unit shall execute an instrument or agreement, approved by the city attorney, restricting the sale of the target unit in accordance with this chapter during the applicable use restriction period. Such instrument or agreement shall be recorded against the parcel containing the target unit and shall contain provisions as the city may require to ensure continued compliance with this chapter and the State Density Bonus Law.
- E. In the case of rental housing developments, the agreement shall provide for the following conditions governing the use of target units during the use restriction period:
1. The rules and procedures for qualifying tenants, establishing affordable rent, filling vacancies and the proper management and maintenance of target units for qualified tenants;
  2. Provisions requiring owners to verify tenant incomes and maintain books and records to demonstrate compliance with this chapter; and
  3. Provisions requiring owners to submit an annual report to the city, which includes the name, address and income of each person occupying target units, and which identifies the bedroom size and monthly rent or cost of each target unit. (Ord. 1173 §1, 2014)

17.13.080 Changes in State Density Bonus Laws.

It is the intent of the city council that the provisions of this chapter shall be interpreted so as to fulfill the requirements of Government Code Section 65915 et seq., notwithstanding changes in state laws revising percentages, numerical thresholds and/or other standards applicable to the granting of density bonuses or related incentives that may occur after the effective date of the ordinance codified in this chapter.

Accordingly, it is the further intent of the city council that any such changed percentages, numerical thresholds or other standards shall be deemed to supersede and govern any conflicting percentages, numerical thresholds or other standards contained in this chapter, to the maximum extent permitted by law. (Ord. 1173 §1, 2014)



## Title 17

### ZONING

#### Chapters:

- 17.01 GENERAL PROVISIONS
- 17.02 DEFINITIONS
- 17.03 PERMIT APPROVAL PROCEDURES
- 17.04 ZONING MAP
- 17.05 RESIDENTIAL ZONES – STANDARDS AND USES
- 17.06 COMMERCIAL ZONES – STANDARDS AND USES
- 17.07 MIXED-USE ZONES – STANDARDS AND USES
- 17.08 PUBLIC FACILITIES ZONES – STANDARDS AND USES
- 17.09 INDUSTRIAL ZONES – STANDARDS AND USES
- 17.10 OVERLAY ZONES – STANDARDS AND USES
- 17.11 SPECIAL USES – STANDARDS AND USES
- 17.12 ACCESSORY DWELLING UNITS
- 17.13 DENSITY BONUS
- 17.14 OBJECTIVE DESIGN STANDARDS
- 17.15 ADVERTISING SIGNS
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## Chapter 17.14 OBJECTIVE DESIGN STANDARDS

### Sections

- 17.14.010 Intent and purpose.
- 17.14.020 Applicability.
- 17.14.030 Site design.
- 17.14.040 Massing and form.
- 17.14.050 Entries and ground-level experience.
- 17.14.060 Landscaping and open space.
- 17.14.070 Parking and access.
- 17.14.080 Exterior and outdoor elements.
- 17.14.090 Façade and detailing.
- 17.14.100 Building equipment and service areas.
- 17.14.110 Artistic elements.

#### 17.14.010 Intent and purpose.

The purpose of the Objective Design Standards is to provide architectural and design requirements aimed at streamlining the approval process for qualifying multi-unit residential developments. The Objective Design Standards are intended to support a high-quality and desirable character for South El Monte.

#### 17.14.020 Applicability.

The Objective Design Standards only apply to qualifying multifamily and mixed-use projects unless specifically stated otherwise in this chapter. These qualifying projects are located on a site that is zoned for residential use (R-1, R-2, and R-3), commercial-residential use (C-R), or on a site that has a General Plan designation allowing residential use or a mix of residential and non-residential uses. These qualifying projects are defined as "Projects" in this chapter.

These standards serve as the minimum requirements and are mandatory for Projects with at least two-thirds of the square footage of the development designated for residential use for which a streamlined approval process is requested pursuant to State law per Government Code Section 65913.4. These standards shall supplement and be in addition to other objective standards within the zoning district in which the Project is located. In the event of any inconsistency between these standards and other provisions established by South El Monte's Zoning Ordinance (Municipal Code, Title 17), these standards shall prevail.

#### 17.14.030 Site design.

##### A. Neighborhood compatibility

1. Projects located in single-family residential areas shall orient entrances, patios, and landscaping to the street. Residential uses and activities may be located near other residential uses.
2. Projects located in the commercial-residential zone (C-R) shall orient all ground floor commercial and residential uses to the street, plazas, or parks to encourage public activity.

3. Projects adjacent to single-family residential areas and industrial areas shall install solid masonry walls and landscaping at the adjoining property line in compliance with required setbacks.
4. Uses that may generate noise levels over sixty (60) dB shall have primary entries, window openings, and permitted outdoor uses front commercial streets and away from residential uses.
5. Projects located adjacent to industrial uses that may generate noise over sixty (60) dB shall have primary entries, window openings, and permitted outdoor uses front commercial streets and away from industrial uses.

B. Transit connections

1. Driveways shall not be located directly adjacent to bus stops to avoid conflicts between buses and vehicles entering or exiting the parking area.
2. Projects adjacent to a transit stop shall provide a direct connection between the transit stop and any pedestrian and bicycle entrances via walkways, paseos, sidewalks, or any other path of travel uninterrupted by a driveway or parking area.

17.14.040 Massing and form.

A. Massing

1. Multi-unit residential-only projects shall have massing breaks at least every thirty feet along any street frontage using varying setbacks, vertical recesses up to three feet deep and four feet wide, or recessed building entrances. Massing breaks shall be at least two feet deep and extend the full height of the building.
2. Mixed-use projects must distinguish non-residential uses at the ground floor from the upper stories by having massing breaks at least every sixty feet along any street frontage above the podium level using varying setbacks, vertical recesses up to three feet deep and four feet wide, or recessed building entrances. Massing breaks shall be at least two feet deep and extend the full height of the building.

B. Setbacks

1. Projects shall comply with the setbacks listed in the zoning district in addition to the requirements of this section.
2. Setbacks for ground-floor residential units along street frontages shall not exceed ten feet. The setback area shall include street trees and understory plantings.
3. Projects located in commercial-residential zones with ground-floor non-residential uses shall have a minimum of seventy percent of building frontage constructed to the front property line with a zero-foot front yard setback.

C. Materials

1. Exterior building façades shall be constructed of stucco, fiber cement, masonry, architectural concrete masonry units, pre-cast concrete, rock, wood, or simulated wood siding. All buildings shall have an integrated color or painted exterior.
2. For projects that have a mix of affordable units and market-rate units, exterior materials and details shall be the same for both such that the units are not distinguishable.

D. Single Family Additions and Accessory Structures Design

1. New roofs shall be similar in form, pitch, slope and material with the existing permitted house.
2. Architectural design shall match style, form, color and material of the existing permitted house and extend to all the exterior portions of the structure that are visible to the public right-of-way and/or visible from adjacent properties. Portions not visible shall incorporate complementary elements.
3. Front Entry Orientation. New architecture, front additions altering the entrance of the dwelling, and remodels altering the entrance of the dwelling shall be designed with the front door oriented towards the street.

17.14.050 Entries and ground-level experience.

A. Orientation and dimensions

1. Building frontages shall be oriented towards the street with clearly defined entrances. Residential and commercial entrances must be clearly differentiated.
2. Projects in commercial-residential zones with ground floor commercial and retail shall provide direct access from and to the street.

B. Corner Cutoff entries

1. Mixed-use projects shall provide a ten-foot minimum corner cutoff at intersections to maintain visibility
2. Mixed-use projects with a corner cutoff shall have an entrance to the building from this area. Corner cutoff areas can include features such as benches, public art, signage, or lighting. Anything constructed or installed within the corner cutoff area may not exceed 42-inches in height

C. Residential access

1. For buildings with ground floor residential units with street frontage, entrances shall be clearly defined and directly accessible from the public sidewalk. For units that do not face the street, entrances may face a forecourt with at least the primary building entrance having access to the public sidewalk.
2. Individual residential unit entrances located on the ground floor shall be elevated between two and three feet above grade to provide adequate separation from the public street while preserving a visual connection. Accessibility requirements may be met with an at-grade main entrance to the building and unit entries from the building interior.
3. A minimum three-foot deep transition space must be provided between ground floor individual residential unit entrances and the street.

17.14.060 Landscaping and open space.

A. Landscaping

1. All common space areas, building entries, and pedestrian walkways shall be landscaped with defined edges.
2. Projects in residential zones shall have landscaped pedestrian walkways with shade trees at intervals of thirty feet. At least fifty percent of street trees shall be deciduous trees to shade walkways in summer and allow for the sun in winter.
3. Projects with residential uses on the ground floor shall provide landscaping along the street frontage to create a buffer between the sidewalk and the residential units. The landscaped setback shall not be less than three feet.
4. For projects in commercial-residential zones, a tree canopy shall be provided along the street frontage by installing shade trees at intervals of thirty feet or less.
5. Landscape accent lighting shall not exceed 18 inches in height.

B. Landscaping in parking areas

1. Landscaping shall be included in all parking lots and include drought-tolerant plantings that can thrive in an urban setting and be resilient to changing climate conditions, permeable pavers, and permanent water-efficient irrigation systems.
2. One shade canopy tree shall be included for every seven parking spaces and shall be placed within the parking lot envelope. The trees shall be dispersed throughout the parking lot.
3. Solid plant hedges shall be designed and maintained to screen vehicles from view from the street to a minimum height of three feet.

C. Trees

1. Tree species for projects located in residential and commercial-residential zones shall be selected in accordance with the City of South El Monte Tree Policy.

D. Common Open Space

1. All portions of all common open space shall be accessible to all tenants.
2. Projects shall provide a minimum of four hundred square feet of ground level common open space per dwelling.
3. For projects with five or more units, no less than fifty percent of the required ground level common open space shall consist of at least one amenity from the following options:

E. Active recreational facilities, such as sports fields, sports courts, or areas for recreational/exercise equipment.

F. Passive recreational facilities, such as paseos, plazas, or shaded gathering areas.

- G. Community gardens.
- H. Playgrounds or tot lots with a minimum of three structured play modules and a seating area.
- I. Lounge or reading area.

17.14.070 Parking and access.

A. Parking requirements

1. Parking requirements for multi-unit and mixed-use projects shall conform with the standards established in 17.16(Off-street parking requirements).

B. Location and access

1. Parking spaces (including structures) shall not occupy more than fifteen percent of the site frontage and shall be integrated into the design of the development. Parking may be placed behind buildings and/or on the interior of blocks to reduce visual prominence.
2. Parking areas along side or private streets shall occupy less than forty percent of the site frontage.
3. If multiple driveways are provided along the street frontage, they shall be at least sixty feet apart measured from the internal edges to reduce impacts of on-street parking capacity and minimize pedestrian and vehicular conflicts.
4. Projects in commercial-residential zones shall have parking and garage entrances with an architectural style that is consistent with the rest of the project.
5. Clearly defined pedestrian and bicycle access shall be provided and shall be accessible from the public street. All access points shall be a minimum of five feet in width and shall be unobstructed and conveniently accessible by walks, steps, or stepped ramps.

C. Screening

1. Parking shall be screened from street frontage by building placement, architectural elements, landscaping, planted fence, topography, or some combination of these elements. Landscaping used for screening purposes shall be no more than forty-two inches tall.
2. Parking behind buildings shall be screened on all sides from adjacent residential zones and adjacent streets by a six-foot-high wall to avoid headlight impacts to adjoining properties. A five-foot-wide landscape buffer (from the back of the sidewalk or street curb to the parking lot paving) may be used for screening purposes.
3. Parking screening shall be continuous, broken only for access driveways and walkways.
4. Architectural elements used for screening purposes shall be three feet tall and shall utilize the same materials, colors, and lighting fixtures as the site or building, or include a mural.
5. For mixed-use projects, parking along the frontage street shall be wrapped with a linear space for retail, commercial, or residential uses.

D. Parking Structures

1. Parking structures shall be consistent with the articulation and design of the building façade. Screening elements shall incorporate faux building façades and/or artistic elements along the full length of the façade.
2. Glare-free, dark-sky compliant fixtures shall be utilized to prevent uneven light distribution and trespass or glare outside the structure or property line.

E. Long-term bicycle parking

1. Long-term bicycle parking is defined in 17.03as bicycle parking designed for residents, employees, students, public transit users, and others that need to park their bicycles for several hours or more that provides security and weather protection.
2. Multi-unit projects shall provide one long-term bicycle parking/storage space for every two units.
3. Long-term bicycle parking shall be located on the ground floor or first level of a parking structure in a secured location within proximity to the public street.
4. Bicycle spaces shall not be located within required storage areas for the building; however, they may be located in common areas with direct access to the street.
5. Each required bicycle parking space shall be accessible without moving another bicycle.

F. Short-term bicycle parking

1. Short-term bicycle parking is defined in 17.03 as bicycle parking where bicycles are left for two hours or less, such as bicycle racks.
2. Projects shall provide one short-term bicycle parking space for every ten parking spaces.
3. Bicycle parking facilities shall be placed to include a three-foot buffer on all sides of a bicycle rack to accommodate a standard bicycle parked on-center to not interfere with pedestrian and vehicular access.
4. Each required bicycle parking space shall be accessible without moving another bicycle.
5. Bicycle parking facilities shall be in well-lit and convenient areas on private property within fifty feet of the main entrance to the building.

17.14.080 Exterior and outdoor elements.

A. Lighting

1. All walkways, steps, parking areas, driveways, onsite streets, and other facilities shall be illuminated to ensure safe and convenient nighttime use.
2. All lighting fixtures shall be fully shielded and directed downward to direct light to fall on the same premises upon which the light is located and prevent light from entering habitable rooms and enclosures, or from spilling onto adjacent properties.
3. Freestanding lighting shall be a maximum height of eight feet, and architecturally compatible with the architecture of the subject site.

4. All bicycle parking and storage areas shall be illuminated.

B. Fence and wall standards

1. Residential fence and walls standards are found in Sections 17.05.080.
2. Fences shall be constructed of vinyl, decorative iron, or welded steel. Barbed wire, electrified fence, chain link, and razor wire are prohibited.
3. All fences along a public street shall be constructed of masonry, decorative iron or welded steel.
4. Masonry walls are allowed and shall conform to the requirements of the California Building Code and will require a building permit.

17.14.090 Façade and detailing.

A. Articulation

1. Residential projects with street-facing façades greater than fifty feet long shall incorporate two or more of the following variations in the building frontage:

- B. Changes in material or color every thirty feet or less. Upper stories shall exhibit a lighter character than the base.
- C. Cornices that project no more than two feet into the public right-of-way (second floor and up).
- D. Window bays or other projecting windows that encroach no more than two feet into the public right-of-way every thirty feet or less.
- E. Above-ground balconies that encroach no more than two feet into the public right-of-way every thirty feet or less.
- F. Projections or recesses, such as porches, steps, entryway doors, or similar architectural elements, that may project up to six feet into the minimum front yard setback area to define the primary entrances of the building.
- G. Changes in height of the building of at least four feet for projects with two or more stories.
  - a. Mixed-use projects in commercial-residential zones shall have articulated street-facing façades for at least eighty percent of each façade length. Other façades shall be articulated for at least sixty percent of the façade length. Street-facing facades shall include at least one of the following variations:
- H. Changes in material from the remainder of the façade.
- I. Horizontal design features, such as water tables, belt courses, or belly bands to transition to the upper stories.
  1. Ground floor height
    - a. Mixed-use projects in commercial-residential zones with ground floor non-residential uses shall have a minimum ground floor ceiling height of fourteen feet.



## 2. Windows

- a. Residential uses along street frontages shall have clear glass windows or doors of at least thirty percent transparency.
- b. Mixed-use projects with retail and office uses along street frontages shall have windows and doors of a minimum of sixty percent transparency to provide views into the building. Views into the building shall not be blocked by shelving or displays.

## 3. Accessory structures

- a. Accessory structures shall match the residential development by using the same roof form, overhangs, trims, windows, and colors.

### 17.14.100 Building equipment and service areas.

#### 1. Mechanical equipment

- a. Screening for both ground-level and roof-mounted mechanical equipment shall be consistent with the design of the building.
- b. All mechanical equipment, including heating/air conditioning units, transformer, terminal boxes, meter cabinets, pedestals, and ducts, located at ground level shall be screened from view from streets, parks, gathering areas, and building entries using noncombustible screenings. Screenings are subject to all yard and setback regulations and shall exceed all mechanical equipment by one foot in height.
- c. Elevator housing and mechanical equipment located on the roof of the building shall be screened from view behind a full or partial penthouse with walls and roofs that have the same construction and appearance of the building served by the equipment.

#### 2. Utility connections

- a. All utility connections shall be designed to be consistent with the architectural elements of the site so as not to be exposed except where necessary. Pad-mounted transformers and/or meter box locations shall be included in the site plan and must be screened from view through the use of landscaping or other architectural elements.
- b. All new and existing utility connections within the boundaries of the project shall be placed underground.

#### 3. Refuse and recycling enclosures

- a. Standards for refuse enclosures are found in Sections 17.05.120 and 17.07.040.

#### 4. Laundry facilities

- a. Standards for laundry facilities for multi-unit projects are found in Section 17.07.060 (Additional development standards).

#### 5. Storage facilities

- a. Projects shall be provided with a minimum of one hundred and fifty-cubic feet for storage space per dwelling unit plus fifty-cubic feet for each additional bedroom more than one. Bedroom closets and cubic feet utilized by mechanical equipment shall not be included in the cubic feet requirement.
- b. Outdoor storage areas shall be located to the rear of a building and enclosed by solid decorative masonry walls and view-obstructing gates, both to be not less than 5.5 feet in height to adequately screen such areas from view.
- c. Mixed-used projects shall provide a minimum of ninety cubic feet of private storage space for each residential dwelling unit outside such unit unless a private attached garage, serving only the dwelling unit, is provided. Such private storage space shall have a minimum horizontal surface area of twenty-four square feet and shall be fully enclosed and lockable. (Ord. 1161 §1, 2012)

17.14.110 **Artistic elements.**

1. Public Art

- a. Integrate permanent art into common open spaces and gathering areas in all projects.

2. Limitation on Blank Walls

- a. Decorative features and artwork, including but not limited to decorative ironwork and grilles, decorative panels, mosaics, or relief sculptures are allowed as features to break continuous blank walls.
- b. A permanent vertical trellis with climbing plants or plant materials is allowed.

## Title 17

### ZONING

#### Chapters:

- 17.01 GENERAL PROVISIONS
- 17.02 DEFINITIONS
- 17.03 PERMIT APPROVAL PROCEDURES
- 17.04 ZONING MAP
- 17.05 RESIDENTIAL ZONES – STANDARDS AND USES
- 17.06 COMMERCIAL ZONES – STANDARDS AND USES
- 17.07 MIXED-USE ZONES – STANDARDS AND USES
- 17.08 PUBLIC FACILITIES ZONES – STANDARDS AND USES
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Chapter 17.15  
ADVERTISING SIGNS

Sections

- 17.15.010 Intent and purpose.
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17.15.010 Intent and purpose.

The intent and purpose of this section is to regulate signage area, sign height, sign types and sign design. These regulations are designed to protect the general welfare of the residents of the city by permitting signs which are both functional and aesthetically attractive and which enhance the commercial and industrial areas of the city. (Ord. 822 §1, 1989)

17.15.020 Policy.

The policy of the city with regard to signs and sign structures shall be: to recognize that advertising, including signs, is an integral part of the commercial life of the city; to recognize that aesthetics of the streetscape may be a source of community pride; to encourage those signs which make a positive contribution to aesthetics; to eliminate those signs which detract from the appearance of the city or of the neighborhood in which they are located and to vigorously enforce the provisions of these regulations. (Ord. 822 §1, 1989)

17.15.030 Sign approval and permits required.

It is unlawful for any person, firm, organization, or corporation to authorize, erect, construct, maintain, move, alter, attach, change, place, or suspend any sign within the city without first obtaining a written permit to do so from the building official and from the department of planning and community development, except that no such permit shall be required to maintain a sign legally in existence on the date of adoption of these regulations. Such permit shall not be issued until approval of such sign or signs is granted by the department of planning and community development or if required by the planning commission.

17.15.040 Corrections and stoppage of work.

It is unlawful for any person, firm, organization, or corporation to authorize, erect, construct, maintain, move, alter, attach, change, place, or suspend any sign within the city without first obtaining a written permit to do so from the building official and from the department of planning and community development, except that no such permit shall be required to maintain a sign legally in existence on the date of adoption of these regulations. Such permit shall not be issued until approval of such sign or signs is granted by the department of planning and community development or if required by the planning commission.

- A. Application for Sign Approval. When signs are to be considered in conjunction with new construction or development, which in itself is subject either to site plan review or conditional use permit approval, the sign shall be considered as a part of this review. Requests for signs other than as a part of an overall project or development shall be submitted to the planning and community development department on forms prescribed by the department and accompanied by a fee established by resolution of the city council. The application shall be accompanied by three copies of a plot plan showing the following information:
1. The position of the sign or other advertising structure in relationship to the adjacent buildings or structure;
  2. The design and size, structural details and calculations as required by the Uniform Sign Code or the building code, and the proposed location of the sign or sign structure;
  3. The location, size and dimensions of all signs existing on the premises at the time of the filing of the application.
- B. Sign Approval. Upon evaluation of the application, and after consultation with the applicant or his or her contractor, the director of planning and community development, or his or her designee, shall approve the application, disapprove the application, or approve the application with conditions. If the applicant disagrees with the decision of the director, or his or her designee, the applicant may appeal, at no cost, to the planning commission in accordance with provisions of Section 17.03.130 of these regulations. (Ord. 963 §33, 1995; Ord. 822 §1, 1989)

17.15.050 Revocation of sign permits.

The granting of a sign permit shall not prevent the director of planning or his or her designee from thereafter requiring the correction of errors in the work or from preventing further operations being carried out when such work or operations are in violation of the provisions of this section or the conditions of the sign permit. (Ord. 963 §34, 1995; Ord. 822 §1, 1989)

17.15.060 General sign provision.

The provisions of this section shall not apply to the following signs, nor shall the area of each sign be included in the area of signs permitted for any lot, building or use:

- A. Sign Maintenance.
1. All signs, together with their supports and appurtenances, shall be kept in a proper state of repair. The display surface of all signs shall be kept neatly painted or posted. The building official may order the repair or removal of any sign that is not maintained in accordance with the provisions of these regulations.
  2. All signs and advertising structures which are constructed on property lines, or within five feet thereof, shall have a smooth surface. No nails, tacks or wires shall protrude, except for electrical reflectors and devices which extend over the top and in front of the advertising structure.
- B. Signs at Intersections. No on-site advertising display or portion thereof shall be erected or maintained at the intersection of any public or private street within a triangular area formed by a line connecting points forty feet from the intersection of the projected street property lines. No sign shall be placed in such a location as to interfere with, obstruct the view of, or be confused with any authorized traffic sign or signal.
- C. Obstruction of Passage. No sign or sign structure shall be erected in such a manner that any portion of its surface or supports will interfere in any way with the free use of a fire escape, exit or standpipe. No sign shall obstruct any window to such an extent that light or ventilation is reduced to a point below that required by any law, code or ordinance.
- D. Signs on Public Property. Signs on public property or within the public right-of-way shall be prohibited unless otherwise authorized by these regulations.
- E. Signs on Curbs, Streets or Street Signs. No person shall paint, mark, paste, fasten, or in any manner affix or cause to be painted, marked, pasted, fastened, or any manner affixed to or on the curb, street, sidewalk, street sign post, or to or on any sign erected for the purpose of directing or warning traffic, or to or on any telephone, telegraph or electric light pole, or to or on any tree or shrub in any park, public street, alley, parkway or sidewalk any sign, poster, or advertisement of any kind without first obtaining written approval of the city council to do so. Nothing in this section shall be construed as to prohibit the posting of official signs by any department of the city, county, state or federal government, or to the posting of legal notices in the place or manner prescribed by law. (Ord. 963 §36, 1995; Ord. 822 §1, 1989)

17.15.070 Signs uses.

Table 17.15.070-A Approval and Permit Requirements per Sign Type – All Zones

Sign/Use Type	Approval & Permit Requirements
Signs not exceeding one square foot in area, erected for convenience of the public such as signs identifying restrooms, public telephones, walkways and similar features or facilities	E
Memorial signs or tablets, names of buildings and dates of erection, when cut into the surface of the façade of the building or when projecting no more than two inches from the face of the building	E
Traffic or other municipal signs (signs required by law), railroad crossing signs, legal notices, and such temporary advertising signs as may be authorized by the city council	E
Signs of public utility companies indicating danger or which serve to aid the public safety or which show the location of underground facilities or public telephones	E

Directional signs not exceeding three square feet in area, erected to aid the public in locating entrances to buildings, business or parking areas	E
Newspaper stands, provided the sign area does not exceed six square feet	E
One real estate sign per lot frontage, provided such sign meets the provisions of Section 17.15.060	E
House numbers, nonilluminated or directly illuminated, "no trespassing," "no parking" and similar warning signs located on the lot to which the sign is appurtenant and provided that the sign does not exceed four square feet in area, one nonilluminated or directly illuminated name-plate, not exceeding one square foot in area for each dwelling unit, provided, that in the case of multiple dwellings, the total allowable area of such nameplates shall not exceed one square foot per dwelling unit, and provided further, that no sign identifying an occupation or business conducted on the premises shall be permitted	E
Signs located in the interior of any building or within an enclosed court or lobby of any building or group of buildings which signs are designed and located to be viewed exclusively from within the building, court or lobby	E
Window signs in all commercial and manufacturing zones, when placed within the inside of the window and not obscuring more than twenty-five percent of the total window area	E
Wind signs (banners, pennants, etc.) in all commercial and manufacturing zones during a thirty-day period following the initial or grand opening of a store or business, or for a period or periods not to exceed thirty aggregate days per year for sales or promotional purposes	E
Governmental or other legally required posters, notices or signs	P – All Zones
Real estate signs provided that: <ul style="list-style-type: none"> <li>• Only one such sign is displayed per street frontage on the property to which it refers,</li> <li>• No sign shall exceed three square feet in residential areas or twelve square feet in industrial and commercial areas,</li> <li>• If freestanding, such sign shall not exceed six feet in overall height and shall be placed a minimum of five feet inside the property line,</li> <li>• Vacant parcels containing five or more acres in area may be allowed one real estate sign for each one hundred fifty feet of street frontage. Such sign shall not exceed twenty square feet in area, nor be higher than eight feet above grade</li> </ul>	P – All Zones
The American flag, state flag, governmental flags or emblems or flags of nonprofit organizations or of the owner or tenant of the site. The height of such flags is subject to height restrictions applicable to freestanding signs	P – All Zones
One contractor's sign on each street frontage of any construction site which will serve to identify the enterprises engaged in work on the project, or to announce intended or pro-posed future uses of the property. In the case of identification signs, a building permit shall have been issued prior to the issuance of the sign approval. In the case of signs announcing future uses, a building permit shall obtained not later than one year from the date of issuance of the sign permit. Such signs shall conform to the following conditions: <ul style="list-style-type: none"> <li>• Each enterprise or future use identified may be allowed up to twenty-four square feet of sign area, provided, that the total sign area shall not exceed one hundred twenty square feet, unless legally required to do so by government contract,</li> <li>• No sign shall exceed eight feet in overall height,</li> <li>• No sign shall be located nearer than five feet to any property line,</li> </ul>	P – All Zones

<ul style="list-style-type: none"> <li>• Such sign may be either integral to a building or affixed to or in the ground,</li> <li>• Such signs shall be removed at the termination of the construction and commencement of the use of the improvement, or at the expiration of the building permit whichever is sooner</li> </ul>	
<p>Political Signs. Unless otherwise provided in this section, political signs shall be regulated solely by the provisions of this section.</p> <ul style="list-style-type: none"> <li>• Temporary political signs may be erected on private property in any zone during the period beginning with the first date a declaration of candidacy may be filed in connection with any election or from the time a notice of intention to circulate an initiative or referendum petition is filed with the appropriate legal officer until five days following the subsequent election or, in the case of an initiative or referendum, ten days following the date upon which such petitions are deemed invalid by the proper officer,</li> <li>• Such political signs are subject to the following conditions: <ul style="list-style-type: none"> <li>• No permitted political sign shall exceed sixteen square feet in sign area,</li> <li>• The total allowable sign area of all signs located on any single lot or parcel may not exceed sixty-four square feet, provided, that one sign with a sign area not to exceed sixteen square feet per candidate may be placed on any parcel or lot,</li> <li>• No political sign may be placed on any public property or public right-of-way,</li> </ul> </li> <li>• The city may remove any political sign or signs not complying with this section forty-eight hours following notification to the property owner of the city's intention to remove the sign or signs not in compliance. The city may have any political signs located in any public right-of-way immediately removed. Signs removed by the city may be claimed by the candidate, political committee or owner of the sign at any time following removal upon paying a service fee for the cost of removal as follows: <ul style="list-style-type: none"> <li>• Fifty cents for each temporary political sign, up to and including four square feet in area,</li> <li>• One dollar for each temporary political sign exceeding four square feet in area,</li> <li>• A figure equal to the city's costs of removal for all other political signs.</li> </ul> </li> </ul>	P – All Zones
Off-site signs (billboards), except as provided in Section 17.15.090	X – All Zones
Roof signs	X – All Zones
Signs extending above the roof line of any building	X – All Zones
<p>Any sign, including the illumination thereof, which is animated or designed or operated so as to flash, scintillate, or in any way simulate motion or emit sound other than:</p> <ul style="list-style-type: none"> <li>• Time and temperature signs (public service signs)</li> <li>• Barber pole signs</li> <li>• Public service reader boards</li> </ul>	X – All Zones
Revolving signs	X – All Zones
Portable signs, except as otherwise provided in these regulations	X – All Zones
<p>Vehicle advertising displays other than those painted on or permanently affixed to public transportation vehicles used regularly in a business to which the sign pertains. No vehicle shall be parked in any parking area or public or private street for the purpose of displaying a sign</p>	X – All Zones
<p>Signs, which by color, wording, design, location or illumination resemble or conflict with any traffic-control device, or which interfere with the safe and efficient flow of traffic</p>	X – All Zones



No sign in which a live animal or human being is included as a part of the advertising display shall be permitted	X – All Zones
No word, statement, or symbol of an obscene or immoral nature, or any picture, illustration or other depiction of the human body or any feature thereof in such detail as to offend the public morals or decency shall be permitted	X – All Zones
Signs, which because of location or physical characteristics are determined to be detrimental to the public health, safety or welfare	X – All Zones
Inflatable advertising devices	X – All Zones
Neighborhood Identification Signs. Two nonilluminated neighborhood identification signs, each not exceeding an area of ten square feet nor a height of six feet, shall be permitted at each entry point in connection with any residential neighborhood	P - Residential
Building Identification. One permanent wall sign, identifying the building, and not exceeding an area of twenty square feet, shall be permitted for each multifamily building of between three and ten units	P - Residential
Any sign advertising a home occupation	X - Residential
Exterior lighted signs	X - Residential
A. Freestanding Signs. <ol style="list-style-type: none"> <li>1. One freestanding sign shall be permitted for each three hundred lineal feet of street frontage or fraction thereof.</li> <li>2. Sign Area. One square foot of sign area for each lineal foot of street frontage up to a maximum of one hundred square feet.</li> <li>3. Sign Height. No sign shall exceed twenty feet in height which shall be measured from average grade.</li> <li>4. Placement. No freestanding sign shall be placed in such a manner as to create a hazard or so as to eliminate any required parking.</li> <li>5. No freestanding sign shall encroach into a public right-of-way.</li> </ol>	P - Commercial and Manufacturing
B. Wall Signs. <ol style="list-style-type: none"> <li>1. Sign Area. A sign area of one and one-half square feet for each lineal foot of building frontage shall be permitted. In the case of multiple tenancies, each occupant shall be entitled to the lineal portion of the building occupied.</li> <li>2. Sign Height. No wall sign shall exceed a height of five feet.</li> <li>3. Placement. The permitted sign area may be utilized on any or all building faces provided that the total permitted sign area is not exceeded and further provided that not more than two signs may be placed on any single building face.</li> <li>4. Painted wall signs prohibited.</li> </ol>	P - Commercial and Manufacturing
Projecting Signs <ul style="list-style-type: none"> <li>• One projecting sign may be permitted for each building frontage in lieu of one permitted wall sign</li> <li>• No projecting sign shall exceed twenty square feet in area nor project more than five feet from any wall surface. No projecting sign shall extend into a public right-of-way</li> <li>• No projecting sign shall be installed lower than eight feet in height measured from the ground level to the base of the sign</li> </ul>	P - Commercial and Manufacturing
Gateway Signs	P - Commercial

<ul style="list-style-type: none"> <li>• Gateway signs shall only be located on private property within two hundred lineal feet of the following locations: the intersections of the centerlines of Garvey Avenue and Rosemead Boulevard; Rosemead Boulevard and Rush Street; Santa Anita Avenue and Merced Avenue; Peck Road and Michael Hunt Drive; Durfee Avenue and Rush Street.</li> <li>• Only one gateway sign shall be permitted at each of the specified locations.</li> <li>• The height, area, design and placement of each gateway sign shall be determined by the planning commission and design review board. Where such signs are to be located in a business improvement district, the signs shall also be subject to review and approval by the district board.</li> </ul>	<p>and Manufacturing</p>
<p>Automobile Service Station Signs</p> <ul style="list-style-type: none"> <li>• Freestanding Signs. Notwithstanding the provisions of subsections (A)(1) and (A)(2) of this section, the following freestanding sign(s) may be permitted for each automobile service station, regardless of the amount of the street frontage: <ul style="list-style-type: none"> <li>• One freestanding single or double face, interior illuminated single pole sign with an area not to exceed one hundred square feet per sign face</li> <li>• One freestanding single or double face, interior illuminated single pole sign with an area not to exceed fifty square feet per sign face and one freestanding single or double face, interior illuminated or nonilluminated monument type advertising sign not to exceed six feet in height measured from the finished grade, with an area not to exceed fifty square feet per sign face.</li> </ul> </li> <li>• Wall Signs. Notwithstanding the provisions of subsection (B)(1) of this section, wall signs, not to exceed one hundred square feet in total shall be permitted for each automobile service station, regardless of building frontage. Such wall signs may be used on service station exterior walls, service station canopies, service bays and car wash facilities. When the service station also contains an additional retail commercial activity as permitted pursuant to Section 17.11.010(A), a total of one hundred fifty square feet of wall sign may be permitted</li> <li>• Architectural Review. Signs permitted by these regulations are subject to the approval of the architectural review board</li> </ul>	<p>P - Commercial and Manufacturing</p>
<p>Flags and Banners</p> <ul style="list-style-type: none"> <li>• Flags used to attract the attention of potential customers shall be limited to businesses engaged in the outdoor sale of motor vehicles and watercraft. Flags shall be displayed only after the city of South El Monte community development department has issued a permit. <ul style="list-style-type: none"> <li>• Flags may only be displayed on the property where the motor vehicles or watercraft are displayed for sale.</li> <li>• Each flag shall be no larger than one hundred forty-four square inches in size, but individual flags may be joined together with other flags to form a continuous string of flags.</li> <li>• Each flag or string of flags shall be secured in such a manner to prevent it from moving about in a manor hazardous to persons or property.</li> <li>• Flags shall not be displayed over public rights-of-way nor attached to anything in the public right-of-way.</li> </ul> </li> </ul>	<p>P - Commercial and Manufacturing</p>

<ul style="list-style-type: none"> <li>• Flags shall not be allowed to become faded, worn or tattered and shall be removed or replaced promptly when such conditions occur.</li> <li>• Banners may be used out of doors by commercial and industrial businesses, schools and churches to advertise special events and limited-time offers only. Banners shall not be placed or displayed in any location within a building that makes the banner conspicuous to persons outside of the building. <ul style="list-style-type: none"> <li>• Commercial and industrial advertising banners. <ul style="list-style-type: none"> <li>➢ Each business may only display one banner at any one time, except that businesses located on a corner lot or a through lot may have one banner for each street frontage. Banners shall be displayed only after the city of South El Monte community development department has issued a permit.</li> <li>➢ Banners may only be displayed on the property where the goods and/or services are available to the consumer.</li> <li>➢ Each banner shall be no larger than thirty square feet in size and may not obstruct the visibility of any other sign or business.</li> <li>➢ Advertising of each special event or limited-time offer by banner(s) shall not exceed thirty days for each event or offer.</li> <li>➢ Advertising by banners shall be limited to an aggregate of one hundred twenty days per year per business location.</li> </ul> </li> <li>• School, church, local charities and youth group banners. <ul style="list-style-type: none"> <li>➢ Each facility or group may only display one banner at any one time, except that schools or churches located on a corner lot or a through lot may have one banner for each street frontage.</li> <li>➢ Banners may only be displayed on the property where the special event is to occur, except that school, church, local charities and youth group banners may also be displayed, with permission, on the city-owned poles. Banners displayed on city-owned poles must be the standard size necessary to fit the pole spacing.</li> <li>➢ When displayed on the subject property, each banner shall be no larger than thirty square feet in size and may not obstruct the visibility of any other sign or business.</li> </ul> </li> </ul> </li> </ul>	
Signs advertising business, products or services not offered on the site (off-site signs).	X - Commercial and Manufacturing
Signage permitted within the public facilities zone shall be determined by the planning commission on a case-by-case basis.	P – Public Facilities
Commercial advertising except as it relates to publicly or privately owned public utility facilities	X – Public Facilities
Off-site signs unless a conditional use permit has been granted permitting such use pursuant to the provisions set forth in Section 17.03.060. The provisions of subsection 17.15.090-C of this section shall be applicable to any off-site sign authorized by this section.	X - Residential

Off-site signs unless a conditional use permit has been granted permitting such use pursuant to the provisions set forth in Section 17.03.060. The provisions of subsection 17.15.090-C of this section shall be applicable to any off-site sign authorized by this section.	X – Commercial and Manufacturing
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E: Exemption from approval and permit requirements: The director of planning or designee is hereby authorized to revoke any permit upon failure of the holder thereof to comply with any provisions of these regulations or of the sign permit.

P – All Zones: Signs permitted in all zones, if nonilluminated.

P - Residential: Signs permitted in all residential zones (R-1, R-2 and R-3)

P – Commercial and Manufacturing: Signs permitted in the commercial and manufacturing zones (C, C-M and M zones)

P – Public Facilities: Signs permitted in the Public Facilities Zone

X – All Zones: Prohibited signs in all zones.

X – Residential: Signs prohibited in all residential zones (R-1, R-2 and R-3)

X – Commercial and Manufacturing: Signs permitted in the commercial and manufacturing zones (C, C-M and M zones)

X – Public Facilities: Signs prohibited in the Public Facilities Zone

#### 17.15.080 Nonconforming signs.

Every sign or advertising structure or advertising device which does not comply with the provisions of these regulations, or any amendments thereto, but which was legally existing at the effective date of the regulations codified in this section shall be nonconforming.

- A. A nonconforming sign, sign structure, or device shall not be:
  1. Changed to another nonconforming sign;
  2. Structurally altered so as to extend its useful life;
  3. Expanded or enlarged;
  4. Reestablished after discontinuance of one hundred twenty days or more; or
  5. Reestablished after damage or destruction exceeding fifty percent of its replacement value.
- B. A sign which was not legally existing on the date of adoption of the regulations codified in this section shall be removed or made to conform with these regulations within thirty days of their effective date.
- C. On-Site Advertising Displays. All nonconforming advertising devices or sign structures in existence on the effective date of the regulations codified in this section shall be altered or removed so as to conform with time periods from the date such sign became nonconforming:
  1. Less than one hundred dollars valuation, ninety days;
  2. One hundred dollars to nine hundred ninety-nine dollars valuation, one hundred eighty days;
  3. One thousand dollars to four thousand nine hundred ninety-nine dollars valuation, one year;
  4. Over five thousand dollars valuation, three years.
- D. Valuation refers to the construction cost entered into the records of the building division at the time the permit for the advertising display was issued. In the event such cost figures are not available or do not fairly represent the true value of the replacement costs, the valuation shall be based upon a reasonable cost estimate established by the building official.
- E. Off-Site Advertising Displays. All off-site signs in existence on the effective date of the regulations codified in this section shall be altered to conform with the provisions of these regulations or may be removed in accordance with the provisions of state law. (Ord. 963 §37, 1995; Ord. 909 §1, 1992; Ord. 822 §1, 1989)

17.15.090 Regulation of off-site signs.

- A. No application for a conditional use permit shall be processed and no permit shall be issued for the installation of any off-site sign pursuant to this section unless the applicant:
1. Is replacing an existing off-site sign with a new off-site sign to be located within the same general location as the existing off-site sign to be removed, as determined by the director of community development; or
  2. Agrees, as a condition of approval for a new off-site sign to remove or cause to be removed a sufficient number of existing off-site signs to cause a net reduction of off-site signs within the city. A list of signs to be removed shall accompany the application. Actual removal of the off-site signs shall precede the installation of any new off-site sign(s).
  3. Is proposing the sign on property owned and utilized by the City of South El Monte for municipal purposes.
- B. In addition to the criteria set forth in Section 17.03.060, the following factors shall be considered in connection with the review of a conditional use permit for an off-site sign:
1. Whether the proposed off-site sign would be compatible with the area and neighboring uses, existing or anticipated;
  2. Whether the off-site sign would create or cause any of the following:
    - a. An adverse traffic impact or a traffic safety hazard,
    - b. An accumulation of garbage or trash,
    - c. Interference with neighboring properties or uses;
  3. Whether the off-site sign can be located or situated in such a manner that:
    - a. Lighting can either be eliminated, mitigated or reduced so as to not adversely affect neighboring properties or uses,
    - b. The impact on neighboring properties or uses does not exceed acceptable levels.
- C. No off-site sign shall be approved unless it complies with the following design criteria:
1. Double-faced and "vee" signs shall be permitted provided that no vee sign with an angle greater than forty-five degrees shall be permitted, unless a variance is approved for the increased angle.
  2. No off-site sign shall exceed twenty-five feet in height measured from ground level to the base of the sign, unless a variance is approved for the increase in height.
  3. No off-site sign shall exceed six hundred seventy-two square feet in area, except for temporary cut-outs or extensions.
  4. No off-site sign shall be located within five hundred linear feet of any other off-site sign located on the same side of any public or private street or thoroughfare.
  5. All lighting employed on an off-site sign shall be designed so as to eliminate any intrusive glare on public rights-of-way or on neighboring properties.
- D. Any provision(s), requirement(s) or restriction(s) of this section shall not apply to any off-site sign when said provision(s), requirement(s) or restriction(s) is/are superseded by any other applicable law, court order or litigated settlement. (Ord. 1167 §1, 2012; Ord. 1028 §1, 2001; Ord. 987 §1, 1997; Ord. 905 §1, 1992)

17.15.100 Modification of standards.

Any modification of the standards contained in these regulations shall be subject to the provisions of Section 17.03.180. (Ord. 822 §1, 1989)

17.15.110 Appeals.

- A. Any decision of the director of planning and community development may be appealed, at no cost, to the planning commission. Such appeal must be presented in writing to the director of planning and community development and must indicate why the appellant feels the decision of the director was incorrect or must provide extenuating circumstances which the appellant feels would justify reversal or modification of the director's decision.
- B. Any appeal from a decision of the planning commission must be presented in accordance with the provisions of Section 17.03.130. (Ord. 822 §1, 1989)

## Title 17

### ZONING

#### Chapters:

- 17.01 GENERAL PROVISIONS
- 17.02 DEFINITIONS
- 17.03 PERMIT APPROVAL PROCEDURES
- 17.04 ZONING MAP
- 17.05 RESIDENTIAL ZONES – STANDARDS AND USES
- 17.06 COMMERCIAL ZONES – STANDARDS AND USES
- 17.07 MIXED-USE ZONES – STANDARDS AND USES
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Chapter 17.16  
OFF-STREET PARKING AND LOADING

Sections

- 17.16.010 General provisions.
- 17.16.020 Parking requirements.
- 17.16.030 Development standards.
- 17.16.040 Remote parking.
- 17.16.050 Loading facilities and truck maneuvering.
- 17.16.060 Parking and loading facilities—Nonconforming.
- 17.16.070 Maintenance of parking.

17.16.010 Purpose and applicability.

- A. Off-street vehicle parking spaces shall be provided at the time of the use of the land, or at the time of the erection of the building or use of the land or building or structure is altered, enlarged converted or increased in capacity by the addition of uses, floor area, dwelling units guest rooms, beds or seats; provided, however, that additional parking spaces shall not be required at the time of the erection of an addition to a single-family residence if the director of community development shall find all of the following:
  - 1. The proposed addition is otherwise in conformity with the provisions of the zoning regulations;
  - 2. The provision of additional off-street parking of the lot is impossible or impractical because of the size or configuration of the lot and improvement; and
  - 3. The public safety and welfare will not be unreasonably jeopardized by waiving the requirements of additional off-street parking.
- B. All off-street parking spaces and areas required by these regulations, or otherwise provided, shall comply with all of the conditions, improvements and landscaping requirements set forth in these regulations, and shall be maintained as much as such thereafter in a reasonable and acceptable manner or condition.
- C. All vehicle parking spaces and areas required or otherwise provided shall comply with the following conditions:
  - 1. The number of spaces shall be determined by the amount of use of land, dwelling units, floor area guest rooms, beds, or seats provided, and such parking spaces and areas shall be maintained thereafter without reduction in the number of spaces required in connection with such buildings, structures and uses of land.
  - 2. Each parking space shall be developed in accordance with standards established by written resolutions of the planning commission and Section 17.16.030.
  - 3. Adequate driveways and aisles shall be provided as set forth in these regulations and in any standards adopted by the planning commission.
  - 4. All vehicle parking spaces shall be on the same lot with the land use, building or structure except as otherwise provided in Section 17.16.040.
  - 5. Any carport or private garage which fronts upon a private street shall be located so as to provide for a minimum automobile ingress or egress of not less than twenty feet between the property line and the entrance to the garage or carport.



6. No vehicle parking spaces shall occupy or be designed in a required front yard, or in a side yard on a side street, except as specifically provided in these regulations or in the zone district regulations for the zone in which the property is located.
  7. No parking spaces or areas shall be so designed as to require vehicles to back into a street except for single-family or duplex buildings.
  8. No more than twenty feet of the width of the front yard in residential zones may be used or improved by paving or otherwise vehicle access. This area may be increased to a maximum of thirty feet if three covered spaces are provided in a single structure.
- D. In all zones, parking plans for off-street parking facilities shall be submitted for approval to the planning division prior to the issuance of building permits or certificates of occupancy. All plans shall clearly indicate the proposed development, including parking location, size, design, lighting, landscaping, curb cuts, ingress and egress.
  - E. Parking shall be based upon gross floor area, except for office buildings in excess of one story, the parking ratio shall be based on net floor area, which is gross floor area minus elevator shafts, stairwells, open courtyards and balconies. Fractional spaces may be rounded to the nearest whole parking space.
  - F. Whenever a nonresidential structure is enlarged or increased in capacity, or when a change in use creates an increase in the amount of off-street parking or loading area required, additional spaces shall be provided. Furthermore, for all existing uses or structures, including residential, hereafter expanded by fifty percent or more of the existing gross floor area, the required off-street parking for the entire property or development shall conform to the most current parking standards.
  - G. All required parking spaces shall be used exclusively for operable, currently licensed motor vehicles of tenants, occupants, or visitors of the property.
  - H. No parking area shall be counted as both a required parking stall and a loading space.
  - I. Requirements for uses not specifically listed herein shall be determined by the community development director, based upon the requirements for comparable uses and upon particular characteristics of the use. Additional parking over and above that required herein may be required upon determination of the planning commission that the specific type of business or user generates a greater demand for more parking than the requirement herein.
  - J. No tandem parking shall be allowed within private residential areas anywhere in the city, it would adversely impact the aesthetic appeal and character of the city.

Figure 17.16.010-A Standards Spaces

N	P	S	A	C	P'	S'
0°	28'	9'	10'	24'	-	-
30°	45'-6"	16'-9"	12'	17'-9"	-	-
40°	49'-10"	18'-5"	13'	14'	-	-
45°	52'	19'	14'	12'-9"	45'-8"	15'-10"
50°	53'	19'-6"	16'	11'-10"	-	-
60°	60'-4"	20'	20'	9'-10"	-	-
70°	63'-4"	20'-2"	23'	9'-9"	-	-
80°	62'-8"	19'-4"	24'	9'-3"	-	-
90°	62'	18'	26'	9'	-	-

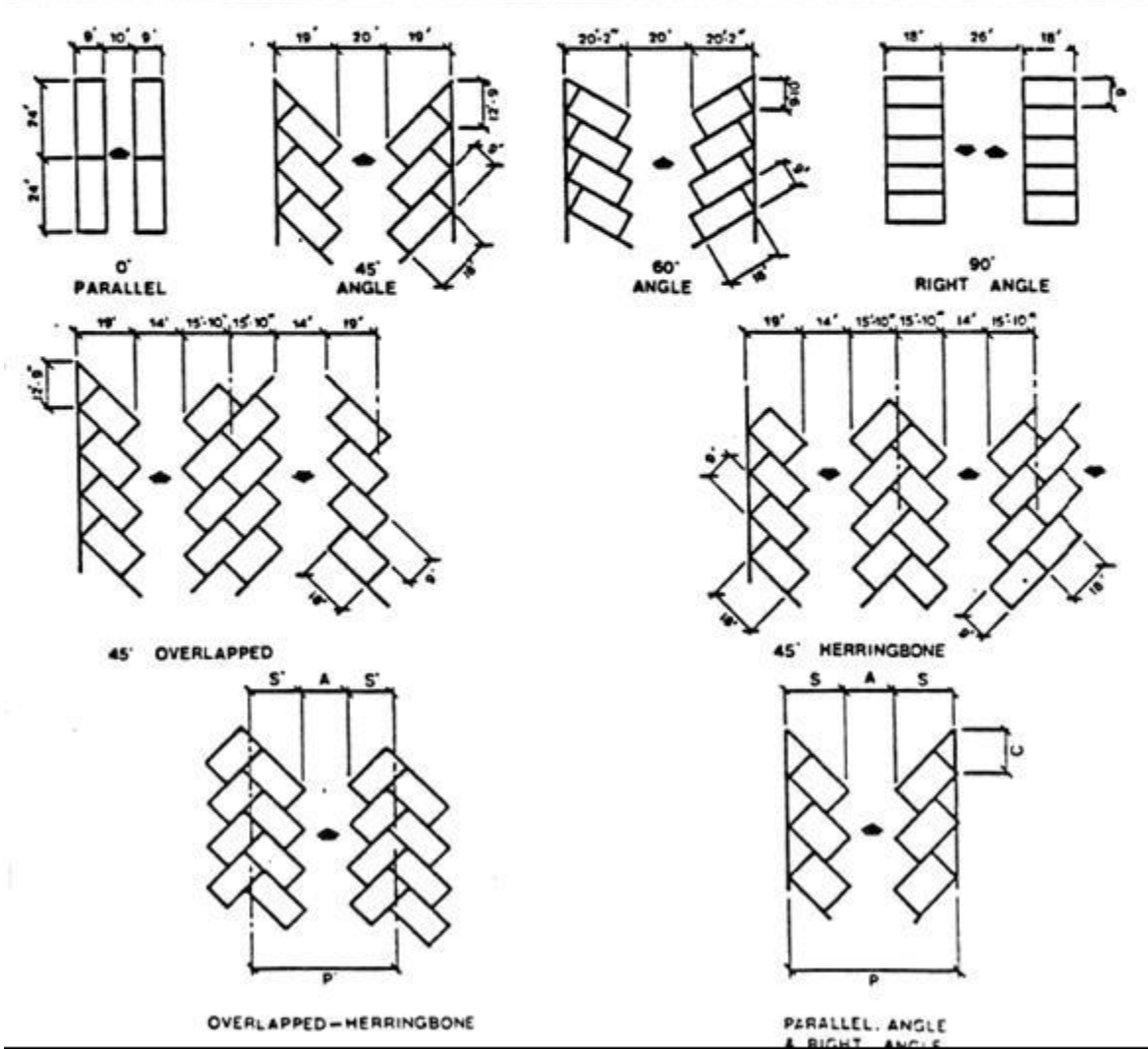
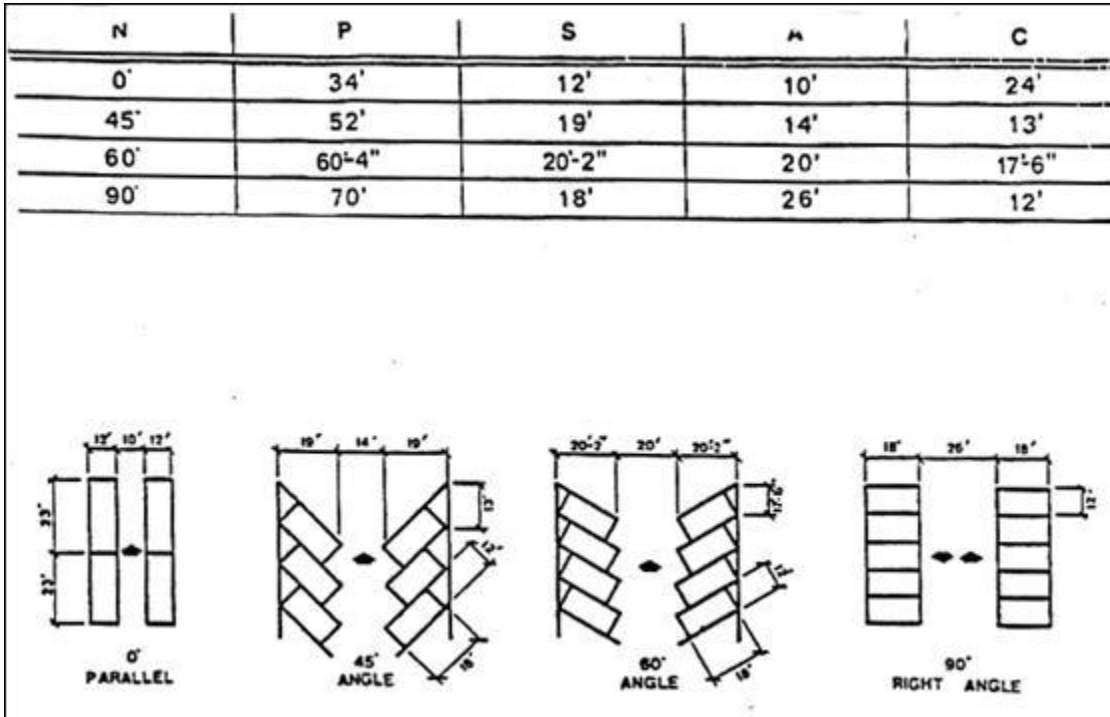


Figure 17.16.010-B Handicapped Spaces



(Ord. 1120 §2, 2008; Ord. 822 §1, 1989)

17.16.020 Parking requirements.

Required vehicle parking shall be provided in accordance with the following schedule. Except that in cases of development for which no specific parking requirements have been established, the planning commission shall establish and approve parking requirements.

Table 17.16.020-A Parking Requirements

Land Use	Required Parking
<b>Residential:</b>	
Single-family dwelling	2 standard spaces within a garage.
Duplex (two-family) or triplex (three-family) dwelling	2 standard spaces per dwelling unit within a garage.
Multiple dwelling	2 standard spaces per dwelling unit with a garage, plus 1 guest parking for every 4 units.
Mobile home park	2 standard spaces for each mobile home site or space. The parking may be tandem. 1 additional space per each 5 mobile home sites or spaces shall be provided for guests.

Land Use	Required Parking
Senior housing and very low/low income	0.5 spaces per unit.
Commercial:	
General retail or services	1 space for each 300 square feet of gross floor area. Handicapped parking spaces shall be provided in accordance with Title 24 of the <a href="#">California Building Code</a> .
General professional offices	1 space for each 300 square feet of gross floor area. Handicapped parking spaces shall be provided in accordance with Title 24 of the <a href="#">California Building Code</a> .
Restaurants, cafés and similar establishments dispensing food and beverages (including drive-ins, drive-through and take out establishments with designated seating areas)	1 space for each 4 fixed seats or for each 4 persons of occupant load in the dining area. There shall also be provided additional 10% of the required parking with parking to be designated for use by employees. Handicapped parking spaces shall be provided in accordance with Title 24 of the <a href="#">California Building Code</a> .
Drive-in, drive-through and take out business with no designated interior or exterior seating areas (including automobile service stations)	1 space for each 250 feet of gross floor area provided, a minimum of 5 spaces shall be provided. Handicapped parking spaces shall be provided in accordance with Title 24 of the <a href="#">California Building Code</a> .
Hotels, motels, boardinghouses, clubs, and lodges	1 space for each guest room, suite or dwelling unit, and 2 spaces for any dwelling unit used by a residential manager. Handicapped parking spaces shall be provided in accordance with Title 24 of the <a href="#">California Building Code</a> .
Assemblies such as theaters, auditoriums, arenas, stadiums and similar places of assembly including churches and private schools	1 space for each 3 permanent seats, or if movable or temporary seats are used, 1 space for each 3 persons of occupant load.  Handicapped parking spaces shall be provided in accordance with Title 24 of the <a href="#">California Building Code</a> .
Industrial:	
General manufacturing	1 space for each 750 square feet of gross floor area up to 10,000 square feet and 1 for each 750 square feet of gross floor area over 10,000 square feet plus 1 loading area for each 5,000 square feet of gross floor area.

Land Use	Required Parking
	Handicapped parking spaces shall be provided in accordance with Title 24 of the <a href="#">California Building Code</a> .
Research and scientific manufacturing	1 space per 750 square feet of gross floor area plus 1 space for each vehicle owned or leased by any occupant and operated from the site.  Handicapped parking spaces shall be provided in accordance with Title 24 of the <a href="#">California Building Code</a> .
Warehousing	1 space per 1,000 square feet of gross floor area plus 1 space for each vehicle owned or leased by any occupant and operated from the site.  Handicapped parking spaces shall be provided in accordance with Title 24 of the <a href="#">California Building Code</a> .
Office	1 space for each 300 square feet of gross floor area.  Handicapped parking spaces shall be provided in accordance with Title 24 of the <a href="#">California Building Code</a> .
Self-storage	Parking shall be provided along 30-foot wide parking/driving lanes adjacent to the storage buildings and a minimum of 10 spaces adjacent to the leasing office.
Vehicle-related use:	
Auto repair	1 space per 300 square feet of gross floor area.
Auto sales/leasing	1 space per 750 square feet of lot size plus one space per 2,500 square feet of outdoor display and storage area.
RVs and related	1 space per 750 square feet of gross floor area plus one space per 2,500 square feet of outdoor display and storage area.

(Ord. 1120 §3, 2008; Ord. 822 §1, 1989)

17.16.030 Development standards.

- A. Paving. All parking spaces, maneuvering, turnaround areas, and any driveways shall be paved with asphalt or concrete to city standards.
- B. Marking of Parking Spaces. All parking spaces, except those within private garages or carport, shall be marked with distinguishable materials. Handicapped spaces shall be clearly identified to preclude their use by unauthorized vehicles.
- C. Bumper Guards or Wheel Stops. Bumper guards or wheel stops shall be provided as necessary to protect any buildings, structures, landscaping or other vehicles.
- D. Illumination. All parking areas must be illuminated; lights shall be arranged so that there is no direct reflection of light toward any adjoining premises, public street, private street or alley.

- E. Parking Area. Any parking area, other than that used for single-family or two-family dwellings (duplex), shall be separated from any adjoining residential zone, church, school, or park by a masonry wall six feet in height, except within a required front setback or front yard on the site of adjoining property, in which case the solid wall shall not exceed forty-two inches in height, but may be increased to a total height of six feet if wrought iron, chain link, or other "see through" materials are used and the design is approved by the director of community development.
- F. Driveways and Aisles. The minimum driveway and aisle widths necessary for adequate ingress and egress shall be provided and maintained free and clear of all obstruction as follows:
  - 1. Minimum one-way driveway widths:
    - a. Single-family or duplex dwellings, ten feet,
    - b. Multiple dwellings, twelve feet,
    - c. All other uses, ten feet;
  - 2. Driveways affording ingress and egress to a parking area with twenty or more spaces shall be designed for one-way circulation or a double driveway system;
  - 3. Aisle widths for parking areas shall be in accordance with parking standards adopted by the planning commission.
- G. Landscaping. All parking areas required, or otherwise provided, except for residential zones, shall be landscaped as follows:
  - 1. A minimum planter strip, as required by regulations of the zone district in which site is located, shall be provided on peripheral sides bounded by a public or private street, except for those areas devoted to crosswalks and traversing driveways.
  - 2. A minimum of five percent of the total parking area must be landscaped; provided, however, that any such planting beds shall have a minimum width of three feet and a minimum area of twenty square feet. These beds shall be drawn to scale and indicated on the plot plan.
  - 3. Any unused space resulting from the design of parking may be used for planting purposes; provided, however, that any such planting beds shall have a minimum width of three feet and a minimum area of twenty square feet. These beds shall be drawn to scale and indicated on the plot plan.
  - 4. In complying with the five percent landscaping requirements, the landscaping shall be distributed throughout the parking area as evenly as possible. When parking areas are not visible from the public right-of-way, the director of community development shall have the option of incorporating the required parking area landscaping into other areas of the site including, but not limited to, the landscape front setback.
  - 5. Planter curbing shall be used for landscaping containment. The height of such curbing shall be not less than six inches of concrete or eight inches in masonry.
  - 6. All landscaping areas shall contain an accepted irrigation system (sprinklers, bubblers, or diffuser heads) or hose bibs located within fifty feet of all parts of a planted area, and the system shall be shown on the plot plan or on a separate drawing. (Ord. 1120 §4, 2008; Ord. 822 §1, 1989)
- H. Residential Parking. The minimum required dimensions of a parking space shall be as follows.
  - 1. Parking space:
    - a. Ten feet (10') wide by twenty feet (20') in depth
  - 2. Two car garage:
    - a. Minimum interior measurement of twenty feet (20') in width and twenty feet (20') in depth.

17.16.040 Remote parking.

Remote parking (parking located on a site other than that on which the use is located) may be utilized for multiple dwellings and commercial and industrial facilities under the following conditions:

- A. That the lot or parcel to be utilized for remote parking adjoins the lot or parcel it is to serve; or
- B. That the lot or parcel to be utilized for remote parking is separated only by an alley from the lot or parcel it is to serve; and in both cases;
- C. The lot or parcel utilized for remote parking is in the same ownership as the parcel being served or is held in a long-term (twenty-year) recorded lease providing that the owners or lessees and their heirs, assigns or successors in the interest shall maintain the parking facilities so long as the building or use they are intended to serve be maintained. The covenant shall be prepared for the benefit of and in a form acceptable to the city, shall be recorded with the county recorder of Los Angeles County, and shall provided that the covenant may not be revoked, cancelled or modified without the written consent of the city;
- D. That the lot or parcel is located not more than one hundred fifty feet from the lot or parcel to be served, the requirement for a covenant running with the land as shown in subsection C of this section shall apply. (Ord. 1120 §5, 2008; Ord. 822 §1, 1989)

17.16.050 Loading facilities and truck maneuvering.

- A. All loading docks or loading doors facing upon a public or private street shall be located in such a manner that all truck maneuvering shall take place on the site whenever possible.
- B. All drive approaches shall be designed so as to preclude direct access to a loading dock or loading door from the street whenever possible.
- C. All areas used for parking, maneuvering, or vehicle storage shall be paved with asphalt or concrete to city standards.
- D. For every commercial or industrial building erected or established on a lot which abuts an alley, there shall be provided and maintained a twenty-five-foot by ten-foot by fourteen-foot high loading space for each two thousand square feet of gross floor area. Each loading space shall be clearly marked and identified and shall be kept clear and unobstructed at all times. (Ord. 822 §1, 1989)

17.16.060 Parking and loading facilities—Nonconforming.

Any use of property which, on the effective date of this section is nonconforming only as to the regulations in this chapter regulating off-street parking and loading facilities may be continued as if the off-street parking and loading facilities were conforming, provided that:

- A. There shall be no further reduction of off-street parking and loading facilities that do not exist on the property as of the effective date of this section; and
- B. The property complies with any applicable regulations requiring handicapped parking. (Ord. 937 §1, 1993)

17.16.070 Maintenance of parking.

- A. Any parking spaces or loading zones that were required when the building was originally constructed or subsequently expanded shall be continually maintained.
- B. All parking areas shall be permanently maintained in a safe and clean condition free of physical obstructions and in good condition. All areas, including landscaping, shall be kept free of trash and

weeds. Landscaped planters shall be permanently maintained with healthy nursery stock. Any alteration, enlargement, maintenance or repairs shall be subject to the provisions of this chapter.

- C. Any restriping or other changes made to a parking lot shall be reviewed and approved by the planning division prior to such work being commenced. (Ord. 1120 §6, 2008)



Initial Study/Negative Declaration  
South El Monte Comprehensive Zoning Update

**APPENDIX B – AB 52 CONSULTATION LETTERS AND RESPONSES**



## CITY OF SOUTH EL MONTE

1415 SANTA ANITA AVENUE  
SOUTH EL MONTE, CALIFORNIA 91733  
PHONE (626) 579-6540 FAX (626) 579-2409



December 14, 2023

Andrew Salas, Chairperson  
Gabrieleno Band of Mission Indians – Kizh Nation  
P.O. Box 393  
Covina, CA 91723

**SUBJECT:** Tribal Cultural Resources under the California Environmental Quality Act, AB 52 (Gatto, 2014). Formal Notification of determination that a Project Application is Complete or Decision to Undertake a Project, and Notification of Consultation Opportunity, pursuant to Public Resources Code § 21080.3.1 (hereafter PRC).

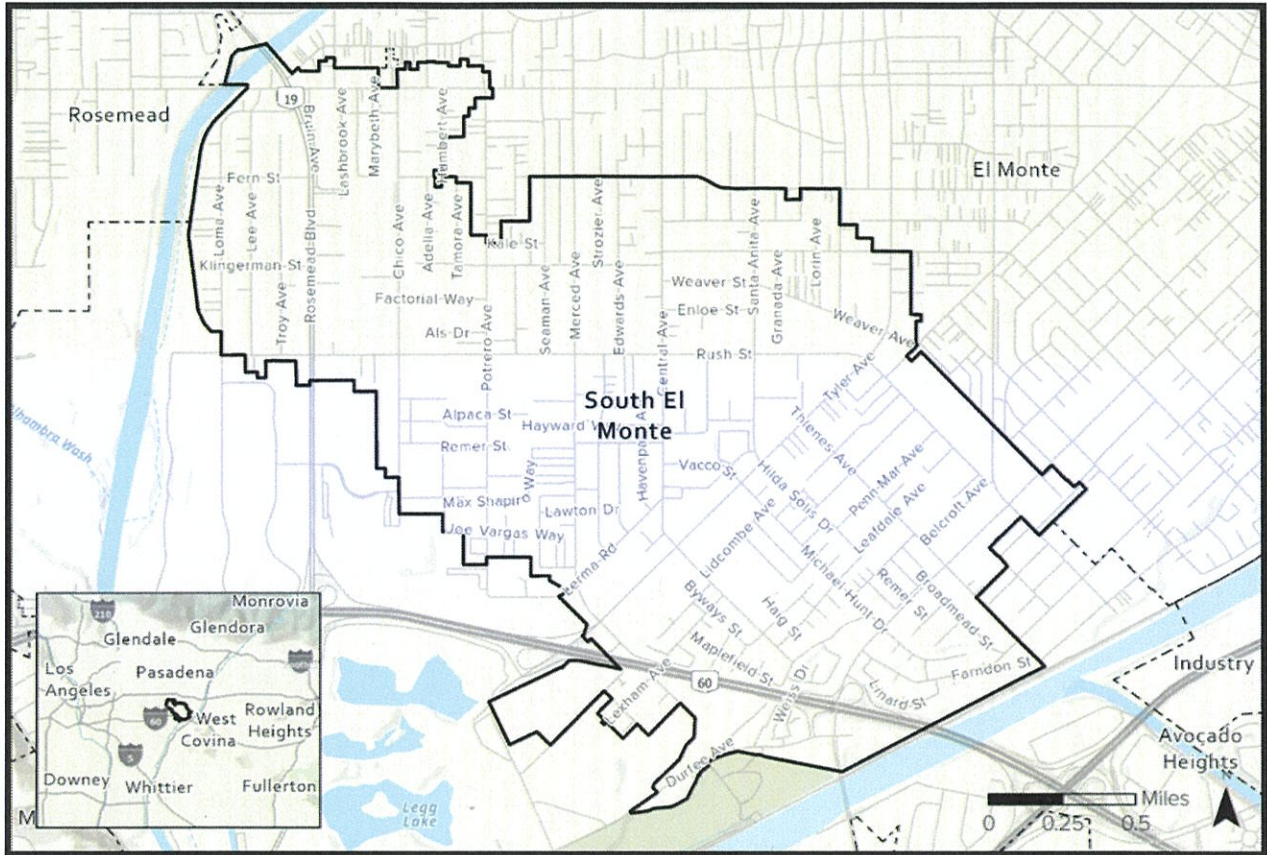
Dear Mr. Salas,

The City of South El Monte has decided to undertake a Comprehensive Zoning Code Update of the existing Municipal Code Title 17 to facilitate housing development opportunities throughout the City and create a Zoning Code that is more user-friendly and easier to administer.

Below please find a description of the proposed project, a map showing the project location, and the name of our project point of contact, pursuant to PRC § 21080.3.1 (d).

The City of South El Monte proposes an update of the existing Municipal Code Title 17 to facilitate housing development opportunities throughout the City. The Comprehensive Zoning Code Update will advance the City's 6th Cycle Housing Element Goals, develop, and adopt Objective Development Standards, implement pro-housing policies and programs, and revise and adopt housing supportive parking policies and programs. The main objective of the City of South El Monte will be to provide an updated zoning code that is fully consistent with the latest General Plan, State and Federal law, and create a housing-friendly streamlined process that is consistent with the California Department of Housing and Community Development's pro-housing goals. These updates will supersede the existing Municipal Code language within Title 17.

*South El Monte – Comprehensive Zoning Code Update*



Pursuant to PRC § 21080.3.1 (b), you have 30 days from the receipt of this letter to request consultation, in writing, with the City of South El Monte.

Respectfully,

Guillermo Arreola  
Director of Community Development

**From:** Gabrieleno Administration <[admin@gabrielenoindians.org](mailto:admin@gabrielenoindians.org)>

**Sent:** Thursday, January 4, 2024 4:05 PM

**To:** Guillermo Arreola <[garreola@soelmonte.org](mailto:garreola@soelmonte.org)>

**Subject:** Re: 6th Cycle Housing Element Goals

You don't often get email from [admin@gabrielenoindians.org](mailto:admin@gabrielenoindians.org). [Learn why this is important](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Guillermo

Thank you for your call today. As stated on the call since there won't be any type of ground disturbances taking place there will be no need for a consultation.

Thank you

Brandy Salas  
Admin Specialist  
Gabrieleno Band of Mission Indians - Kizh Nation  
PO Box 393  
Covina, CA 91723  
Office: 844-390-0787  
website: [www.gabrielenoindians.org](http://www.gabrielenoindians.org)

On Wed, Jan 3, 2024 at 4:55 PM Guillermo Arreola <[garreola@soelmonte.org](mailto:garreola@soelmonte.org)> wrote:

Good Afternoon Chloe,

Sorry for not responding sooner, but our office was closed between Christmas and the New Year.

We would like to meet with you as soon as possible. However, the letter was for a Zone Code Update, and not the 6<sup>th</sup> Cycle Housing Element. Can you please email me, or call me back at your convenience so we can schedule the consultation?

Kindest Regards,



**Guillermo Arreola**

Director of Community  
Development

Ph: 626-579-6540

[1415 Santa Anita Avenue](#)

[South El Monte, CA 91733](#)

[www.cityofsouthelmonte.org](http://www.cityofsouthelmonte.org)





GABRIELENO BAND OF MISSION INDIANS - KIZH NATION  
Historically known as The Gabrielino Tribal Council - San Gabriel Band of Mission Indians  
recognized by the State of California as the aboriginal tribe of the Los Angeles basin

December 21

Project Name : 6<sup>th</sup> Cycle Housing Element

Dear Guillermo Arreola,

Thank you for your letter dated December 14, 2023 regarding AB52 consultation. The above proposed project location is within our Ancestral Tribal Territory; therefore, our Tribal Government requests to schedule a consultation with you as the lead agency, to discuss the project and the surrounding location in further detail.

Please contact us at your earliest convenience. ***Please Note: AB 52, "consultation" shall have the same meaning as provided in SB 18 (Govt. Code Section 65352.4).***

Thank you for your time,

Andrew Salas, Chairman  
Gabrieleno Band of Mission Indians – Kizh Nation  
1(844)390-0787

Andrew Salas, Chairman

Albert Perez, treasurer I

Nadine Salas, Vice-Chairman

Martha Gonzalez Lemos, treasurer II

Dr. Christina Swindall Martinez, secretary

Richard Gradias, Chairman of the council of Elders