

TITLE 9

ZONING REGULATIONS

CHAPTER 1

ZONING CODE

ARTICLE A. INTRODUCTION AND GENERAL PROVISIONS

SECTION:

9-1A-1: Title And Authority

9-1A-2: Purpose

9-1A-3: Applicability Of The Zoning Code

9-1A-4: Minimum Requirements

9-1A-5: Conflicting Provisions Or Regulations

9-1A-6: Reference To Other Laws

9-1A-7: Effect Of Prior Permits

9-1A-8: Violations Continue

9-1A-9: Pending Proceedings

9-1A-10: Interpretation

9-1A-11: Timing

9-1A-12: Definitions

9-1A-1: TITLE AND AUTHORITY:

The provisions of this chapter will be referred to and cited as the *TEMPLE CITY ZONING CODE* and referred to in this chapter as the "zoning code". The zoning code is adopted pursuant to the authority in section 65850 of the California Government Code. (Ord. 19-1036)

9-1A-2: PURPOSE:

The purpose of this chapter is to implement the city of Temple City General Plan and to protect the public health, safety, and welfare of the community. This chapter is intended to:

- A. Establish standards, regulations, and incentives that provide for the highest and best use of buildings, structures, and land.
- B. Serve the needs of residential, commercial, and industrial developments within the city.
- C. Regulate and limit the height, number of stories, size, and location of buildings and other structures, hereafter designed, erected, or altered.
- D. Regulate and determine the size of yards and open spaces.
- E. Regulate and limit the density of population.
- F. Facilitate adequate provisions for community utilities, such as transportation, water, sewage, schools, parks and other public requirements.
- G. Promote the public health, safety, welfare and general prosperity with the aim of preserving a wholesome, serviceable and attractive community. (Ord. 19-1036)

9-1A-3: APPLICABILITY OF THE ZONING CODE:

This chapter will apply to all land, uses, and structures within the City of Temple City unless specifically exempted by the terms of specific sections of this chapter or unless applicability is prohibited by law. (Ord. 19-1036)

9-1A-4: MINIMUM REQUIREMENTS:

In applying the provisions of this chapter to properties and uses, the provisions of this chapter will be deemed and construed to be the minimum requirements necessary for the promotion of the public health, safety, and welfare, unless the context of the regulation clearly otherwise provides. (Ord. 19-1036)

9-1A-5: CONFLICTING PROVISIONS OR REGULATIONS:

- A. Provisions of This Chapter: In the case of conflict between one section of this chapter and any other section of this chapter, the more specific provision will apply, except that provisions of specific plan or overlay zone districts will prevail over other provisions of this chapter, regardless of whether they are more or less specific.
- B. Municipal Ordinances or Regulations: In the case of a conflict between any part of this chapter and any other provision of the Temple City municipal code or ordinance of this city, the more specific provision will apply.
- C. Other Ordinances or Regulations: In the case of a conflict between any section of this chapter and any other public law, ordinance, or regulation, the sections that are more specific or that impose higher standards or requirements will govern, unless state or federal law requires a different interpretation. (Ord. 19-1036)

9-1A-6: REFERENCE TO OTHER LAWS:

Whenever reference is made herein, to other applicable provisions of the Temple City municipal code, state or federal law, or other regulations, the reference will be construed to be the applicable state law provisions as they may be amended from time to time. (Ord. 19-1036)

9-1A-7: EFFECT OF PRIOR PERMITS:

Use permits and approvals, building permits, sign permits, and variances that are valid on the effective date of this chapter will remain valid until their expiration date. Projects with valid approvals or permits will be completed pursuant to the development standards in effect at the time of approval. If the approval or permit (including any extensions of time permitted and approved under the prior zoning ordinance) expires, future development will comply with the requirements of this chapter. (Ord. 19-1036)

9-1A-8: VIOLATIONS CONTINUE:

Any violation of the previous zoning ordinance will continue to be a violation under this chapter and will be subject to the penalties and enforcement set forth in Article C, Administration and Enforcement. (Ord. 19-1036)

9-1A-9: PENDING PROCEEDINGS:

If, prior to the effective date of this chapter, legislative or administrative action is being processed, such action will be deemed to have been processed pursuant to the provisions of this chapter, and will be processed, insofar as possible, in accordance with the provisions hereof. (Ord. 19-1036)

9-1A-10: INTERPRETATION:

The director will be authorized to interpret the meaning and applicability of all provisions of this chapter, including but not limited to the location of zoning district boundary lines, unless a different city official is specifically designated in this chapter to make an interpretation. The decisions of the director are subject to appeal, pursuant to Title 9, Chapter 1, Article C. (Ord. 19-1036)

9-1A-11: TIMING:

If completion of a timer period, such as an appeal period, notice period, decision period and the like falls on a weekend or holiday, the appeal, notice, or decision will become effective after 5:00 p.m. on the next available business day. (Ord. 19- 1036)

9-1A-12: DEFINITIONS:

For the purpose of carrying out the purpose of this zoning code the words, phrases and terms included herein will be deemed to have the meanings ascribed to them as follows:

ABUTTING/ADJOINING:	Contiguous to. Having district boundaries or lot lines in common (i.e., not separated by an alley, public or private right-of-way, or street). See also "Adjacent."
ACCESS:	The place, or way, by which pedestrians and/or vehicles will have safe, adequate and usable ingress and egress to a property.
ACCESSORY DWELLING UNIT:	A residential dwelling unit that may be attached to the main dwelling, located within the living area of the main dwelling, or detached from the main dwelling, which provides complete independent living facilities for one (1) or more persons. It will include permanent provisions for living, sleeping, eating, cooking and sanitation, and be located on the same parcel as a single-family dwelling.
ACCESSORY DWELLING UNIT, ATTACHED:	An accessory dwelling unit that shares at least one common wall with the primary dwelling and is not fully contained within the existing space of the primary dwelling or an accessory structure.
ACCESSORY DWELLING UNIT, DETACHED:	An accessory dwelling unit that does not share a common wall or common roof with the primary dwelling on a single-family lot or primary dwellings on a multi-family lot and is not fully contained within the existing space of an accessory structure.
ACCESSORY DWELLING UNIT, INTERNAL:	An accessory dwelling unit that is fully contained within the existing space of the primary dwelling or an accessory structure.
ACCESSORY DWELLING UNIT, JUNIOR:	A unit that is no more than five hundred (500) square feet in size and contained entirely within a single- family residence, or a proposed single-family residence. A junior accessory dwelling unit may include an efficiency kitchen that is of reasonable size in relation to the size of the junior accessory dwelling unit. Such units may not be sold separately from the primary residence. The property having a junior accessory dwelling unit must require owner-occupancy.
ACCESSORY USE:	A use customarily incidental, related and clearly subordinate, to a permitted principal use.
ADJACENT:	The condition of being near to or close to but not necessarily having a common dividing line. Two (2) properties that are separated by an alley, public or private right-of-way, street (other than a principal arterial), public access easement, or creek, river, stream, or other natural or artificial waterway will be considered as adjoining one another. See also "Abutting/Adjoining."
ADMINISTRATIVE MODIFICATIONS:	A process and permit required for certain identified minor deviations from the provisions of this code.
AFFORDABLE HOUSING DEFINITIONS:	The following indented terms and phrases are defined for the purposes of section 9-1C-6 of this chapter relating to density bonuses:
Concessions Or Other Incentives:	Concessions or other incentives include a reduction in a site development standard or modification of another Zoning Code requirement or design standard, but not including Building Code requirements or other health and safety standards, that results in an identifiable, financially sufficient, and actual cost reduction; or, approval of mixed use zoning in conjunction with the housing project if commercial, office, industrial, or other land uses will reduce the cost of the housing development and if the commercial, office, industrial, or other land uses are compatible with the housing project and the existing or planned development in the area where the proposed housing project will be located; or other concession or regulatory incentive that results in an identifiable, financially sufficient, and actual cost reduction, as determined by the city in its sole discretion. A concession or other incentive does not include additional density beyond that allowed in section 9-1C-6 of this chapter relating to density bonuses.
Density Bonus:	An increase in density above the otherwise maximum allowable residential density under this title and the land use element of the general plan as of the date the development application for the project is deemed complete. The amount of the density bonus to which the applicant is entitled will vary according to the amount by which the percentage of affordable dwelling units meets the percentage established in sections 9-1C-6-L of this chapter. When calculating the number of density bonus units allowed, any fraction of a residential unit will be counted as a whole unit. An applicant may elect to accept a lesser percentage of density bonus units. An applicant may not seek a density bonus greater than that provided in sections 9-1C-6-L of this chapter relating to density bonuses, or by state law.

Developer:	Any association, corporation, firm, joint venture, partnership, person, or any entity or combination of entities, which seeks city approval for all or part of a residential development project.
Development Standard:	For sections 9-1C-6-L of this chapter relating to density bonuses, a development standard includes a site or construction condition that applies to a residential development pursuant to any ordinance, General Plan element, specific plan, charter amendment, or other local condition, law, policy, resolution, or regulation. A development standard subject to waiver does not include additional density beyond that allowed in sections 9-1C-6-L of this chapter relating to density bonuses.
Low Income Households:	Households whose gross income does not exceed eighty percent (80%) of the median income for Los Angeles County as determined annually by the U.S. Department of Housing and Urban Development.
Moderate Income Households:	Households whose gross income does not exceed one hundred twenty percent (120%) of the median income for Los Angeles County as determined annually by the U.S. Department of Housing and Urban Development.
Very-Low Income Households:	Households whose gross income is equal to fifty percent (50%) or less of the median income for Los Angeles County as determined annually by the U.S. Department of Housing and Urban Development.
ALCOHOL SALES, OFF-SITE:	Off-site Consumption: Any establishment in which alcoholic beverages are sold, served, or given away for consumption off the premises and which is applying for or has obtained any State ABC Licenses for all on-site consumption. References to the establishment will include any immediately adjacent area that is owned, leased, or rented, or controlled by the licensee.
ALCOHOL SALES, ON-SITE:	Any establishment in which alcoholic beverages are sold, served, or given away for consumption on the premises and which is applying for or has obtained any State ABC Licenses for on-site consumption. References to the establishment will include any immediately adjacent area that is owned, leased, or rented, or controlled by the licensee.
ALLEY:	A public or private way, other than a street or highway, permanently reserved as a means of vehicular access to adjoining properties. This does not include flag lots, tiered lots, and easements.
ARCADE (ELECTRONIC GAME CENTER):	An establishment that provides more than four (4) amusement devices, whether or not the devices constitute the primary use or an accessory or incidental use of the premises. Amusement devices mean an electronic or mechanical equipment, game, or machine that is played or used for amusement, which, when so played or used involves skill and which is activated by coin, key, or token, or for which the player or user pays money for the privilege of playing or using. This use may also include internet/cyber cafes, where three (3) or more computers and/or other electronic devices, for access to that system commonly referred to as the "internet," e-mail, playing video games over the Internet or other network system, and/or access to other computer software programs, is provided to the public for compensation and/or for public access. Internet café is also synonymous with PC café, cyber café, internet gaming center, computer/internet rental and cyber centers.
APARTMENT:	The same as the definition of "dwelling, multiple."
APPURTENANCE:	A tower, spire, cupola, chimney, penthouse, water tank, flagpole, theater scenery loft, radio or television antenna, transmission tower, fire equipment, or other similar structure that is attached to a structure and not intended for human occupancy.
ARTERIAL STREET:	A major thoroughfare or primary roadway, used primarily for through traffic rather than for access to abutting land, that is characterized by high vehicular capacity and continuity of movement. The street is either divided or undivided and its main function is to carry nonlocal traffic at medium speeds.
ASSESSOR:	The Los Angeles County Assessor.
ASSEMBLY/MEETING FACILITIES, PUBLIC OR PRIVATE:	A facility for public or private assembly and meetings, exclusive of Religious Assembly, which is defined separately.
ASSEMBLY, RELIGIOUS:	Any facility specifically designed and used to accommodate the gathering of persons for the purposes of fellowship, worship, or similar conduct of religious practices and activities. This definition includes functionally related internal facilities (i.e., kitchens, multi-purpose rooms, storage, etc.) and residences for clergy. Associated uses (i.e., day care centers or full-time or part-time schools) may be allowed as incidental uses to the primary use.
ATTIC:	The area located between the top plate and the roof or ridge of a building.
AUTOMATED TELLER MACHINES (ATM):	A pedestrian-oriented machine used by bank and financial service 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.
BAR OR TAVERN:	An establishment used primarily for the on premises sale and consumption of alcoholic beverages including establishments where food is sold and/or entertainment provided as incidental thereto.

BASEMENT:	That portion of a building which is totally or partly below finished grade of the lot upon which it is located.
BEDROOM:	Any space in a dwelling unit or accessory structure which is seventy (70) square feet or greater in size and which is located along an exterior wall, but not including the following: hall; bathroom; kitchen; living room (maximum of one (1) per dwelling unit); dining room (in proximity to kitchen, maximum of one (1) per dwelling unit); family room (maximum of one (1) per dwelling unit), laundry room, closet/dressing room opening off of a bedroom.
BERM:	A raised earthen area.
BIOSWALES:	Landscape elements designed to remove silt and pollution from surface runoff water. A bioswale consists of a depressed drainage course with gently sloped sides and filled with vegetation, compost, and/or riprap, and designed to let water flow slowly. Bioswales are designed to slow down water flows after precipitation, let water soak into soil, and allow pollutants to adhere and/or degrade. Bioswales can include underdrains.
BUILDING:	Any structure having a roof supported by columns or by walls and intended for the shelter, housing or enclosure of persons, animals, chattels of property of any kind.
Building, Accessory:	A single-story detached building located on the same lot as the primary building or principal use. When an accessory building is attached to a primary building by a common wall or roof, it is considered a part of the primary building.
Building, Primary:	A building in which is conducted a principal use permitted upon the lot upon which it is situated. In a residential zone a dwelling will be deemed to be a main building.
CARPORT:	A permanently roofed structure with not more than two (2) enclosed sides, used or intended to be used for automobile shelter and storage.
CELLAR:	The same as the definition of "Basement."
CENTERLINE:	The centerline of any street, highway or alley.
CHILDREN'S DAY CENTER (EMOTIONALLY DISTURBED):	A facility intended solely for the admission of minors with mental illness or neurological or emotional disorders, who are provided with an organized program of services. Patients are not permitted to remain overnight.
CITY:	The City of Temple City.
CITY COUNCIL:	The City Council of the City of Temple City.
CLUB, PRIVATE:	Any building or premises used by an association of persons, whether incorporated or unincorporated, organized for some common purpose, but not including a group organized solely or primarily to render a service customarily carried on as a commercial enterprise.
COLLECTION FACILITY:	A center to collect various items (i.e. clothes, household goods, recyclable materials) from the public either as a donation or for a redemption value.
COMMERCIAL USE:	Any business that sells goods or services to the public, either retail or wholesale, for remuneration.
COMMERCIAL RECREATION AND ENTERTAINMENT:	Establishments providing participant or spectator recreation or entertainment, either indoors or outdoors, for a fee or admission charge.
COMMISSION:	The planning commission of the City of Temple City.
COMMUNICATIONS EQUIPMENT BUILDINGS:	Buildings housing operating electrical and mechanical equipment utilized in conducting a public utility communications operation.
COMMUNITY CARE FACILITY/LARGE:	Any facility as defined in the Health and Safety Code section 1502(a), which provides nonmedical care on a twenty-four (24) hour a day basis to seven or more persons including, but not limited to, persons with substance abuse illnesses, physically handicapped, mentally impaired, incompetent persons, and abused or neglected children.
COMMUNITY CARE FACILITY/SMALL:	Any facility as defined in the Health and Safety Code section 1502(a), which provides nonmedical care on a twenty-four (24) hour a day basis to six (6) or less persons including, but not limited to, persons with substance abuse illnesses, physically handicapped, mentally impaired, incompetent persons, and abused or neglected children. Small community care facility will be considered a permitted use within all residential zoned districts.
CONDITIONAL USE PERMIT:	A discretionary permit required for certain uses specified in this Code to provide for the thorough review of such proposed uses and their associated structures and other improvements, with the intent of ensuring that if approved, such use can be operated in a manner compatible with surrounding uses.
CONVALESCENT HOME:	The same as the definition of "Nursing and Convalescent Hospital."
COUNCIL:	The City Council of the City of Temple City.
COURT:	An open, unoccupied space bounded on three or more sides by the walls of a building. An inner court is a court entirely enclosed within the exterior walls of a building. All other courts are outer courts.
DAY CAMP OR CHILDCARE CENTER:	A facility with an organized daytime program for the supervision and care of children.

DAY CARE, ADULT:	Establishments providing non-medical care for persons on a less than twenty-four (24)-hour basis. May provide a program of education or training, handicraft, vocational, and recreational activities. Patients are not permitted to remain overnight.
DAYCARE CENTER:	Any childcare facility other than a "Daycare home, Family", and includes infant centers, preschools, and extended daycare facilities.
DAYCARE HOME, FAMILY:	A home which regularly provides care, protection, and supervision of twelve (12) or fewer children, in the provider's home, for periods of less than twenty-four (24) hours per day, while the parents or guardians are away, and includes the following: A. Large Family Daycare Home: A home which provides family daycare for seven (7) - twelve (12) children, inclusive, including children under the age of ten (10) years who reside at home, as defined in regulations issued by the State of California. B. Small Family Daycare Home: A home which provides family daycare for six (6) or fewer children, including children under the age of ten (10) years who reside at home, as defined in regulations issued by the State of California.
DEMOLITION:	The destruction or removal of a building or portion of a building. For purposes of determining whether a structure has been demolished, it is the intentional destruction and removal of fifty percent (50%) or more of the enclosing exterior walls and fifty percent (50%) or more of the roof of any structure.
DIRECTOR:	The Community Development Director of Temple City or his/her designee.
DISABLED VEHICLE:	A vehicle which is not operable, by reason of the removal of or damage to, integral component parts.
DISASSEMBLE:	The same as the definition of "Dismantle."
DISCRETIONARY APPROVAL:	Any approval or entitlement granted in compliance with this Zoning Code that requires the exercise of discretion, including the ability of the review authority to impose conditions of approval.
DRIVE THROUGH:	A business where one can be served without leaving one's car and where the vehicle is customer is served by way of a window in the business, a kiosk, or similar device. This is does not include businesses that deliver items from the store to a vehicle parked in a legal parking space.
DWELLINGS, MULTIPLE:	The same as building designed or used for occupancy, as living quarters, by two (2) or more families on the same lot and containing one (1) dwelling unit for each such family.
DWELLING, NEW:	Any residential structure which is to be newly constructed or voluntarily demolished and reconstructed. A remodel or house addition shall be considered a new dwelling if the proposed project involves voluntary demolition of fifty percent (50%) or more of the enclosing exterior walls and fifty percent (50%) or more of the roof of any structure, including any attached garage.
DWELLING, SINGLE OR ONE-FAMILY:	A building designed or used for occupancy, as living quarters, by one (1) family.
DWELLING, THREE-FAMILY:	A building designed or used for occupancy, as living quarters, by three (3) families and containing three (3) dwelling units.
DWELLING, TWO-FAMILY (DUPLEX):	A building designed or used for occupancy, as living quarters, by two (2) families and containing two (2) dwelling units.
DWELLING UNIT:	One (1) or more rooms in a building or portion thereof, designed for, and intended to be used, for occupancy by one (1) family, for living quarters. A single dwelling unit will contain a maximum of one (1) kitchen and can include no more than one (1) wok kitchen and one outdoor kitchen. All habitable rooms will be internally accessible from within the dwelling unit.
EASEMENT:	A grant of one (1) 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.
EATING AND DRINKING ESTABLISHMENTS:	
Accessory Food Service:	An establishment that sells food and/or beverages as an accessory use in a retail, office, or institutional structure and that does not change the character of the primary use.
Bar, Lounges, Nightclubs, Taverns (Includes Independent Or Accessory Establishments):	Any establishment that sells or serves alcoholic beverages for consumption on the premises and is holding or applying for a public premise license from ABC and in which persons under twenty-one (21) years of age are restricted from the premises. References to the establishment will include any immediately adjacent area that is owned, leased, or rented, or controlled by the licensee.
Fast Food:	A restaurant which supplies food and beverages primarily in disposable containers and which is characterized by high automobile accessibility, self-service and short stays by customers.

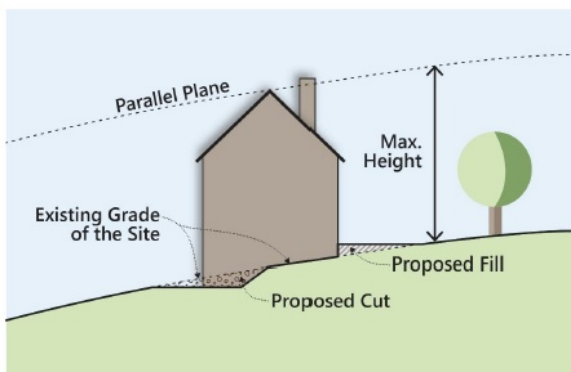
Outdoor Dining:	A dining area with seats and/or tables located outdoors of a sit-down restaurant, fast food, or other food service establishment. Outdoor dining is located entirely outside the walls of the contiguous structure or enclosed on one (1) or two (2) sides by the walls of the structure with or without a solid roof cover.
Limited:	Outdoor dining area encompassing up to eight hundred (800) square feet of area, inclusive.
General:	Outdoor dining area encompassing more than eight hundred (800) square feet of area.
Restaurant:	An establishment used primarily for the preparation and sale of food and beverages to be consumed on the premises including the sale of alcoholic beverages where incidental to the sale of food. A restaurant with a bar area exceeding five hundred (500) square feet or thirty percent (30%) of the dining area shall be classified as a bar.
Restaurant, drive-in:	A restaurant where, in whole or in part, food and beverages are served to customers, and consumed, in vehicles on the premises.
Restaurants, fast food:	A restaurant that sells prepared food either indoors or outdoors in disposable containers (e.g., paper or plastic). These uses include retail bakeries that provide on-site seating. A restaurant with a bar area exceeding five hundred (500) square feet or thirty percent (30%) of the dining area shall be classified as a bar.
Restaurant, sit-down:	An establishment engaged in the business of selling food and beverages, including alcoholic beverages, prepared on site for primarily on-site consumption. Food and beverages are served to the customer at a fixed location (i.e., booth, counter, or table). Food and beverages are ordered from individual menus. Customers typically pay for food and beverages after service and/or consumption. The sale or service of sandwiches, whether prepared in the kitchen or made elsewhere and heated up on the premises, or snack foods, will not constitute a sit-down restaurant. A restaurant with a bar area exceeding five hundred (500) square feet or thirty percent (30%) of the dining area shall be classified as a bar.
Take-out service:	An establishment that offers a limited variety of food or beverages. Transactions are sales for off-site consumption. Customers are served either at a counter or service window. Incidental seating (less than two hundred fifty (250) sq. ft. of seating area) may be provided for limited on-site consumption of food or beverages. Typical uses include bakeries, coffee stores, ice cream and frozen dessert stores, delivery-only pizza establishments, small delicatessens, and similar establishments.
EDUCATIONAL INSTITUTION:	Any public, private or parochial elementary, junior high, high school, university, or other school giving general academic instruction in the several branches of learning, having five (5) or more students.
EFFICIENCY KITCHEN:	A cooking facility with appliances, a food preparation counter, storage cabinets, and is of reasonable size in relation to the size of the unit.
EFFICIENCY UNIT:	A dwelling unit that is not less than two hundred twenty (220) square feet of floor area with a kitchen sink, cooking appliance, and refrigeration facilities, each having a clear working space of not less than thirty inches (30") in front. The unit must be provided with a separate bathroom and the bedroom must have a separate closet. An additional one hundred (100) square feet of floor area must be required for each occupant of such unit in excess of two (2).
ELECTRONIC CIGARETTE AND VAPING DEVICE:	An electronic and/or battery-operated device, the use of which may resemble smoking, which can be used to deliver an inhaled dose of nicotine or other tobacco derived product or cannabis product. "Electronic smoking and vaping device" includes any such electronic smoking or vaping device, whether manufactured, distributed, marketed, or sold as an electronic cigarette (e-cigarette), an electronic cigar, an electronic cigarillo, an electronic pipe, an electronic hookah, personal product vaporizer (i.e., liquid, dry herb, oils, wax, etc.), electronic nicotine delivery system, e-hookah, or any other similar system. "Electronic smoking and vaping device" does not include any product specifically approved by the United States Food and Drug Administration for use in the mitigation, treatment, or prevention of disease.
EMERGENCY SHELTER:	A managed housing facility with minimal supportive services for homeless persons and in which occupancy by a homeless person is limited to a term of six (6) months or less. No individual or household may be denied emergency shelter because of an inability to pay. Supportive services may include, but are not limited to, meal preparation, an activities center, daycare for children of homeless persons, vocational rehabilitation and other similar activities.
ENVIRONMENTAL ANALYSIS:	An analysis conducted in compliance with the provisions of the California Environmental Quality Act (CEQA), California Public Resources Code section 21000 et seq.
EXPLOSIVES:	Any explosive substance as defined in section 12000 of the Health and Safety Code of the State of California.
FACADE:	The portion of any exterior elevation of a structure from grade to the top of the roofline and the width of the structure.

FAMILY:	Two (2) or more individuals living together as a single housekeeping unit in an apartment or a dwelling unit.
FAR:	See "Floor Area Ratio (FAR)."
FARMERS MARKET:	An outdoor market certified for direct retail sales by farms to the public by the State or County Agricultural Commission under California Code of Regulations Title 3, Chapter 3, Article 6.5. Farmers' Markets can also include limited sales of crafts and goods.
FENCE:	An artificially constructed barrier of any material or combination of materials erected to enclose or screen areas of land. Fences do not include hedges or landscape materials.
FLOOR AREA, GROSS:	The total horizontal area of all the floors of a building included within the surrounding walls, exclusive of vents, shafts, courts and off-street parking facilities.
FLOOR AREA RATIO:	<p>The total gross floor area included within the surrounding exterior walls of a building(s) or portion thereof divided by the lot area, prior to any required dedications. In calculating floor area ratio (FAR), the exterior walls must be counted as gross square footage. For residential uses (not mixed use or commercial), the floor area must be counted twice for any portion of the dwelling where the distance between the floor and the ceiling directly above exceeds twelve feet (12') and the height of a single-story structure or single-story portion of a two (2)-story structure exceeds eighteen feet (18').</p> <p>For single-family structures and in the R-1 Zone, the floor area ratio limitations of Section 9-1G-12 will apply to:</p> <p>A. The living area of any two-story dwelling or single-story dwelling in excess of eighteen feet (18') in height.</p> <p>B. Accessory structures including garage areas in excess of required parking, pool houses, playrooms, accessory dwelling units, and the like.</p> <p>C. Patios, porches, entryways, or the like (recessed or projecting) on the side or rear of structures that are more than fifty percent (50%) covered or greater than twenty percent (20%) enclosed.</p> <p>1. In instances where a portion of a patio, porch, entryway, or the like is open to the sky and an adjoining area is covered, the two (2) areas shall be calculated independently, not averaged.</p> <p>2. The area underneath a second floor overhang shall be counted toward floor area, when the overhang is greater than four feet (4') in depth or twenty-five (25) square feet.</p> <p>3. Materials such as glass, window screen, wood, stucco, brick, or any other material that is installed in a permanent manner that provides a visual or physical separation shall be considered as providing an enclosure. Exterior grade fabric curtains and mosquito netting tied back so that it does not provide a visual or physical separation shall not be considered as providing an enclosure.</p> <p>In the R-2 Zone, floor area ratio limitations shall apply to all structures on a lot including enclosed garages and accessory buildings.</p>
FRONTAGE, STREET:	The width of the front boundary line of a lot which abuts upon a street or roadway.
GAME ARCADE:	Any business enterprise or establishment having games of skill or arcade games as a principal use or more than four (4) games of skill or arcade games as an incidental use.
GARAGE:	Any building, with three (3) enclosed sides, having not less than two hundred (200) square feet of floor area, provided with a closable access door or doors, which is used or intended to be used for automobile shelter or storage.
GRADE, GROUND LEVEL:	The average level of the finished ground surface of a lot, immediately surrounding a building, measured at the center of all walls of the building.
GRADIENT:	The rate of vertical change of a ground surface expressed as a percentage figure and determined by dividing the vertical distance by the horizontal distance.
GROCERY STORE:	A self-service retailer that predominantly sells a combination of foods including, meat, produce, dairy products and household supplies. Grocery stores also typically sell baked goods, toiletries, over the counter medicines, flowers, alcoholic beverages, stationary, magazines, and pet supplies. Grocery stores also meet the performance standards found in 9-1T-19. Regardless of size, grocery stores that meet the grocery store performance standards are classified as "Retail sales, under 10,000 square feet" in the land use and permit requirement tables. Stores that predominantly sell general merchandise and have grocery sections are classified as "Retail sales, 10,000 square feet or greater".
GYMNASIUM:	A school, place or building used for gymnastics and athletic exercise.
HANDICRAFT INDUSTRY:	Establishments engaged in on-site production of goods by hand involving the use of hand tools and small-scale equipment (i.e., drills and saws, hammers and chisels; paint brushes and sprayers; pottery wheels and kilns; sewing machines; spinning wheels, etc.) and the incidental direct sale to consumers of only those goods produced on-site.

HARDSCAPE:	Hardscape includes driveways, pathways, and decks made of materials such as asphalt, concrete, pavers, and decomposed granite.
HEAVY INDUSTRIAL:	The manufacture and/or processing of materials and goods utilizing large quantities of raw materials, and generally requiring high capitalization and production of large quantities of output. Heavy industry often sells output to other business users rather than consumers. Characteristics of heavy industry include, but are not limited to, heavy trucking activity, noise, emissions requiring federal or state environmental permits, use of large quantities of hazardous materials as defined the U.S. Environmental Protection Agency, and requirement for specialized permits from federal and state occupational health and safety agencies.
HEDGE:	Vegetation, shrubs and/or trees planted to create a physical and/or visual barrier.
HEIGHT, BUILDING OR STRUCTURE:	The maximum allowable height will be measured as the vertical distance from the existing grade of the site to an imaginary plane located the allowed number of feet above and parallel to the grade not including rooftop appurtenances. See Figure 1 - Building Height Measurement.

Figure 1: Building Height Measurement

Figure 1: Building Height Measurement

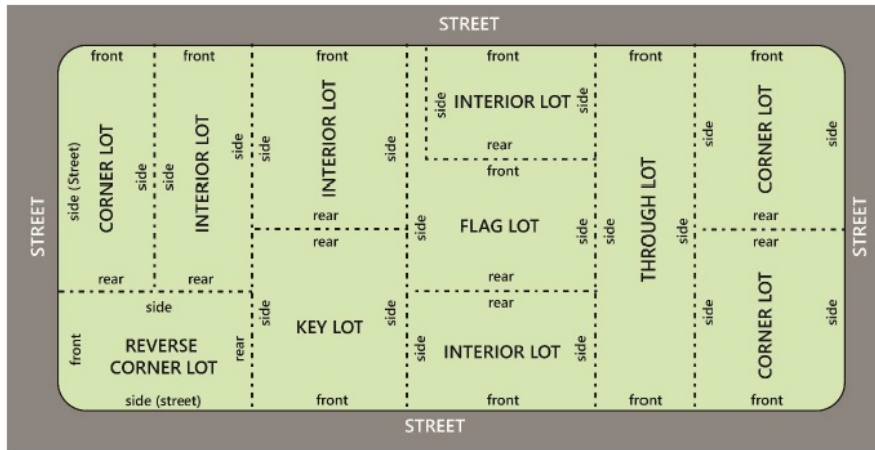


HOME OCCUPATION:	An occupation, calling or profession carried on by an occupant of a dwelling unit, within that dwelling unit, located in a residential zone.
HOSPITAL:	A facility providing medical, surgical, psychiatric, or emergency medical services to sick or injured persons, primarily on an inpatient basis. This use includes incidental facilities for outpatient treatment, as well as training, research, and administrative services for patients and employees. Excludes sanitariums and residential care facilities.
HOTEL:	Any building or portion of any building with access provided through a common entrance, lobby or hallway to six (6) or more guestrooms, with or without kitchens, and which rooms are designed, intended to be used or are used, rented or hired out as temporary or overnight accommodations for guests no more than twenty-eight (28) days at a time.
HOUSEHOLD PET:	Shall mean any domesticated animal commonly maintained in residence with man, but not including any animal which is capable of and inclined to inflict harm or discomfort to or upon any persons.
JUNIOR ACCESSORY DWELLING UNIT:	A unit that is no more than five hundred (500) square feet in size and contained entirely within a single-family residence, or a proposed single-family residence. A junior accessory dwelling unit may include an efficiency kitchen that is of reasonable size in relation to the size of the junior accessory dwelling unit. Such units may not be sold separately from the primary residence. The property having a junior accessory dwelling unit shall require owner-occupancy.
KENNEL:	A place where four (4) or more adult dogs or cats or any combination thereof are kept, whether by owners of the animals or persons providing facilities and care therefor, whether or not for compensation. An adult dog or cat is one of either sex, altered or unaltered, that has reached the age of four months.
KITCHEN:	Any room or space within a building designed, intended to be used, or used for the cooking or the preparation of food. A kitchen includes a single refrigerator, stove or range top, and oven or microwave.
KITCHEN, WOK:	A kitchen that includes a sink, range top, and cabinets, but not an oven refrigerator, or dishwasher and which is located directly adjacent to the main kitchen and is no larger than fifty percent (50%) the size of the main kitchen. A wok kitchen is not a kitchen for the purposes of determining the existence of an accessory dwelling unit.

KITCHEN, OUTDOORS:	An outdoor cooking area that features almost all or any of the capabilities of an indoor kitchen, centered on the grill. A kitchen located outside a structure is not considered a kitchen for the purposes of determining the existence of an accessory dwelling unit.
LANDSCAPED AREA:	An area upon which landscaping is required to be continuously maintained.
LANDSCAPING:	The planting and maintenance of some combination of trees, shrubs, vines, ground covers, flowers or lawns. In addition, the combination or design may include natural features such as rock and stone; and structural features, including, but not limited to, fountains, reflecting pools, art works, screens, walls, fences and benches.
LIGHT INDUSTRIAL:	The manufacture and/or processing of consumer-oriented goods in a manner that does not produce noticeable odors, air emissions, or other environmental effects, and that has limited associated trucking activity. Light industries generally require limited amounts of raw materials to produce goods. This includes processing, fabrication, assembly and treatment, but exclude basic industrial processing from raw materials, food processing, and vehicle/equipment services.
LIGHT POLLUTION:	Light that is directed to areas where it is not needed, that interferes with some visual act or is detrimental to an abutting use or zone.
LIVE/WORK UNIT:	A unit that combines a work space and incidental residential occupancy occupied and used by a single household. Live/work units have been constructed for such use or converted from commercial or industrial use and structurally modified to accommodate residential occupancy and work activity in compliance with the California Building Code. The working space is reserved for and regularly used by one (1) or more occupants of the unit. Living space includes, but is not limited to, a sleeping area, a food preparation area with reasonable work space, and a full bathroom including bathing and sanitary facilities which satisfy the provisions of applicable codes. Live/work units can include renter-occupant and/or owner-occupant.
LONG TERM FACILITY:	An institution of one (1) patient capacity or more intended primarily for the admission of chronic mentally ill, or mentally disordered or other incompetent persons who are provided medical care, nursing services and intensive supervision.
LOT:	A portion of real property as shown as a single delineated lot with a number or other designation on a plat recorded in the office of the County Recorder.
LOT AREA:	The total area, measured in a horizontal plane, included within the lot lines of a lot. Flood control easements and driveway easements providing access to tiered or flag lots are not considered as usable lot area for purposes of determining or calculating permitted density, lot coverage, floor area ratio, permeable area, etc.
LOT COVERAGE:	The percentage of a site covered by roofs, soffits or overhangs extending more than three feet (3') from a wall, and by decks more than four feet (4') in height. Roofs with openings or perforations fifty percent (50%) or greater of their surface area, pools, or hot tubs shall not be included in lot coverage calculations.
LOT DEPTH:	The horizontal distance measured between the midpoints of the front and rear lot lines.
LOT LINE:	The boundary between a lot and other property or the public right-of-way.
Lot Line, Front:	A line separating an interior lot from a street; in the case of a corner lot, the lot line separating the narrowest street frontage of the lot from the street; in the case of a lot having no street frontage, the same will mean the narrowest lot line parallel and closest to the nearest street or highway, as determined by the director.
Lot Line, Rear:	A lot line which is most distant from the front lot line.
Lot Line, Side:	Any lot boundary line which is not a front or rear lot line.

Figure 2: Lot Type Diagram

Figure 2: Lot Type Diagram



LOT TYPES:	The following lot types are found in the Temple City:
Abutting Lot:	A lot or parcel of land having a common property line or separated by a public path or lane, private street, or easement to the subject lot.
Corner Lot:	A lot or parcel of land bounded on two (2) or more sides by street lines that have an angle intersection that is not more than one hundred thirty-five (135) degrees.
Cul-De-Sac Lot:	A lot or parcel of land located on the curving portion of a cul-de-sac street.
Flag Lot:	An irregularly shaped lot or parcel of land resembling a flag on a pole, located to the side and/or rear of another lot, with street frontage and access from the street to the main body of the lot ("flag" portion) provided by a narrow strip of land that is owned in fee ("pole" portion).
Front Lot:	A lot or parcel of land with frontage on a public street that is in front of a flag lot or tiered lot.
Interior Lot:	A lot or parcel of land bounded on one (1) side by a street line and on all other sides by lot lines between adjacent lots or that is bounded by more than one (1) street with an intersection greater than one hundred thirty-five (135) degrees.
Irregular Lot:	A lot or parcel of land of irregular, rather than rectangular, shape.
Key Lot:	The first interior lot to the rear of a reversed corner lot.
Reverse Corner Lot:	A corner lot, the rear of which abuts the side of another lot, whether across an alley or not.
Through Lot:	A lot or parcel of land having frontage on two (2) parallel or approximately parallel streets, but not a street and an alley.
Tiered Lot:	A lot or parcel of land without frontage on a public street that receives vehicular access by way of a private driveway, access easement, or a public street that does not meet the city's minimum standards for a street.
LOT WIDTH:	The horizontal distance between the side lot lines measured between two (2) points each located on the side lot lines at a distance midway between the front and rear lot lines.
MANUFACTURED HOUSING UNIT:	A dwelling unit which is either wholly or mainly manufactured at an off-site location and is assembled on site on a permanent foundation with permanent service connections. The definition does not include a mobile home, mobile accessory structure, or an automobile trailer or recreational vehicle.
MARIJUANA DISPENSARY:	A facility where marijuana, cannabis products, or devices for the use of cannabis or cannabis products are offered, either individually or in any combination, for retail sale, including an establishment that delivers cannabis and cannabis products as part of a retail sale.
MATERIAL RECYCLING PLANT:	An industrial use which collects and processes recyclable materials and either packages them for offsite processing in a large-scale operation (such as a transfer station or materials recovery facility) or processes the materials at the same collection location.
MEDICAL AND/OR DENTAL CLINIC:	Any facility providing physical health service, or medical, surgical or dental care of the sick or injured, but will not include inpatient or overnight accommodations. Medical clinic includes health center, health clinic, doctors' and dentists' office.

MINI-MALL:	A commercial center consisting of two (2) or more commercial units or businesses on a freestanding (self-contained) development site of less than sixty-five thousand (65,000) square feet of land area with parking situated between the building or a portion of the building and the street. For purposes of defining a mini mall, a freestanding (self-contained) development will consist of any commercial center which does not have reciprocal parking and/or reciprocal vehicular access with any other abutting or adjoining site.
MINISTERIAL:	A government decision involving little or no personal judgment by the public official as to the wisdom or manner of carrying out the action, including the issuance of a permit.
MIXED USE DEVELOPMENT (MIXED USE PROJECT):	An approach to land use development that involves integrating two (2) or more different types of uses on the same property as part of a unified development. Generally, Mixed Use Development consists of commercial and residential uses integrated either vertically in the same structure or group of structures, or horizontally on the same development site where parking, open spaces, and other development features are shared. However, light industrial and commercial development may also be considered as Mixed Use. In a Mixed-Use Development, both uses are considered primary uses of the land.
MOBILE FOOD VENDOR:	A person or business that operates or assists in the operation of a food vending vehicle.
MOBILE HOME:	See definition of "Recreational Vehicle".
MORTUARIES AND FUNERAL HOMES:	Establishments engaged in the provision of service involving the care, preparation, or disposition of human dead other than in cemeteries. May or may not include crematories. No interment is provided on site. May include areas for assembly services and living quarters for funeral home/mortuary manager.
MOTEL:	One (1) or more buildings containing guestrooms or dwelling units, with or without kitchen facilities, with one (1) or more such guestrooms or units each having a separate entrance leading directly from the outside of the buildings or from an inner court; which facilities are designed, used or intended to be used, rented or hired out for temporary or overnight accommodations for guests for no more than twenty-eight (28) days at a time.
NATURAL GRADE:	The grade at the time of an application being filed or the grade before being altered by artificial means such as cut, fill, landscaping, or berming.
NONCONFORMING USE, BUILDING OR STRUCTURE:	The utilization of any lot, structure, building or improvement lawfully established and in use prior to the time this chapter, becomes effective, or having had a nonconforming status under the prior zoning regulations of city, but which utilization, due to the application of this chapter, or any amendment thereto, does not comply with all of the regulations currently applicable to the zone in which the use, lot, building or structure is located.
NURSERY SCHOOL:	The same as the definition of "Day Camp or Childcare Center".
NURSING AND CONVALESCENT HOSPITAL:	Any place or institution which provides bed accommodations for one (1) 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, will not be admitted or cared for in nursing and convalescent hospitals.
OATH:	Includes affirmation.
OPEN SPACE:	Landscape area other than a required front yard area, driveway, swimming pool, or off-street parking facility with no building or structure located therein. Must have a minimum dimension of ten feet (10').
OUTDOOR ADVERTISING STRUCTURES:	Signs or other advertising structure, which solicit public support or directs public attention to the sale, lease, hire, promotion or use of any objects, products, services or functions, which are not produced, sold or otherwise available on the premises where such sign or structure is located.
PARALLEL PARKING SPACE:	A parking space which is situated parallel to the direction of traffic in a driveway, off street parking facility or street.
PARK:	The standing of a motor vehicle, other than for the purpose of loading or unloading merchandise or passengers.
PARKING, JOINT USE:	The use of a single parking facility by several related uses occupying the same or adjacent parcels. For example, the use of a single parking facility by tenants of a shopping center.
PARKING, SHARED:	The use of a single parking facility by two (2) distinctly different uses with distinctly different hours of operation such that the shared use of the facility can be accomplished without limiting the ability of one use to occupy the facility to the detriment of the other. For example, distinctly different uses could be a place of religious assembly which generally has weekend parking demands and an office development, which typically uses the parking facility during the week.
PARKING SPACE:	A readily accessible area, not including driveways, ramps, loading or work areas, maintained exclusively for the parking of one (1) automobile.

PARKWAY:	That portion of the public right-of-way between the curb and sidewalk or, where no sidewalk is provided, between the curb and adjacent private property line. A parkway generally includes landscape improvements.
PERMEABLE SURFACES:	A surface where the surfacing material itself is impermeable to the inflow of rainwater, but the surface has inlets or holes through it which water enters the soil or construction below.
PLANNED DEVELOPMENT:	An area of land, controlled by a landowner, to be developed as a unified project and single entity for a group of townhouse dwellings and/or detached dwelling units, the plan for which may not correspond in lot size, bulk or type of dwelling, density, lot coverage, setback or required open space to the regulations in this code.
PLANNING COMMISSION:	The Planning Commission of the City of Temple City, also referred to as commission or Commission.
PORTE-COCHERE:	An accessory structure open on three (3) sides and attached to the side or front of a building through which cars pass and is established for the convenient loading and unloading of passengers from an automobile. A porte-cochere is not a carport or garage, nor may it be used to satisfy off-street parking requirements.
PRIMARY USE:	The principal or predominant use of any lot, building, or structure.
PROCESSING:	When used in reference to a commercial or industrial use, one (1) or more acts or operations which have the effect of changing the form of a product or material, to render the same more salable or usable.
PUBLIC FACILITY:	A site or structure owned and operated by the City of Temple City, or other public agencies, for the purpose of providing one or more services to residents of the city, and/or to support other city functions.
QUARRY:	Any place on a lot or parcel of land where dirt, soil, sand, gravel, rock or other similar material is removed by excavation or otherwise, for any purpose. Quarry will not include the excavation and removal of earth from a lot preparatory to construction of a building or structure, for which a valid building or grading permit has been issued by city; provided that such excavation will be confined to that necessary for such construction or otherwise authorized by such permit.
RECHARGING STATION:	A location that supplies electricity for the recharging of electric vehicles (including plug-in hybrids).
RECORDER:	The Los Angeles County Registrar-Recorder/County Clerk.
RECREATIONAL VEHICLE (RV):	A motor home, travel trailer, truck camper, camping trailer, pop-up campers, or boat or other water sport vehicle, with or without motive power, designed for recreational purposes. The definition includes any empty trailer on which an RV may be transported or stored. In no cases will a RV be classified as a mobile home or dwelling unit.
REPAIR:	The work necessary to restore to a usable condition.
RESEARCH AND DEVELOPMENT:	Establishments engaged in industrial or scientific research, including product testing. Includes electronic research firms or pharmaceutical research laboratories. Excludes manufacturing, except of prototypes, or medical testing and analysis.
RESIDENCE, SINGLE-FAMILY:	A structure containing one (1) dwelling unit. "Residence, Single-Family" will also include a modular home manufactured and certified under the National Mobilehome Construction and Safety Standard Act of 1974 on a permanent foundation system approved by the County Engineer.
REST HOME:	The same as the definition of "Nursing and Convalescent Hospital."
REVERSE VENDING MACHINE:	An automated mechanical device which accepts at least one (1) or more types of empty beverage containers including aluminum cans, glass, and plastic bottles, and issues a cash refund or a redeemable credit slip with a value not less than the container's redemption value as determined by state law. A reverse vending machine may sort and process containers mechanically provided that the entire process is enclosed within the machine. To accept and temporarily store all container types in a proportion commensurate with their relative redemption rates, and to meet the requirements of certification as a recycling facility, multiple grouping of reverse vending machines may be necessary, in which case the machines are considered a collection facility. A reverse vending machine is considered an accessory to a primary use. Reverse vending machines are no greater than fifty (50) square feet in size and eight (8) feet in height. Larger facilities are considered a collection facility.
RIGHT-OF-WAY:	A strip of land acquired by reservation, dedication, forced dedication, prescription or condemnation and intended to be occupied or occupied by a road, railroad, electric transmission lines, oil or gas pipeline, water line, sanitary storm sewer or other similar use.
SEASONAL SALES:	Temporary retail sale of seasonal merchandise. Examples include farm produce stands, Christmas tree sales lots, and pumpkin patches.
SETBACKS:	The distance from which a structure, parking area or other development feature will be separated from a prescribed property line, easement or other structure or development feature. All setback distances will be measured at right angles from the property line, easement or other structure or development feature, and the setback line will be drawn parallel to the designated property line, easement or other structure or development feature at the requested setback distance.

SETBACK, FRONT:	The minimum distance required between a structure and the front property line.
SETBACK, REAR:	The minimum distance required between a structure and the rear property line.
SETBACK, SIDE:	The minimum distance required between a structure and a side property line.
SHOPPING CENTER:	A group of two (2) or more contiguous or adjacent retail commercial business establishments planned, developed, owned or managed as a single unit. See definition of "Mini-Mall" for any freestanding (self-contained) development site of less than sixty-five thousand (65,000) square feet of land area.
SHORT TERM RENTAL:	A use in which a dwelling, or portion thereof, is rented or offered for rent for compensation for a period of less than twenty-eight (28) consecutive calendar days. This includes any arrangement in which the rental period is less than twenty-eight (28) consecutive days or can be reduced below twenty-eight (28) consecutive days, or in which the dwelling is rented multiple times within twenty-eight (28) consecutive days. This definition does not apply to residential care facilities or dwellings operated as a group home pursuant to the Community Care Facilities Act that are otherwise exempt from local zoning regulations. This includes the advertising of a short-term rental.
SIGN:	Any device for visual communication, including any announcement, declaration, demonstration, display, illustration or insignia, which is used to advertise or promote the products or services of any person, business group or enterprise available on the lot where located.
SINGLE ROOM OCCUPANCY (SRO) BUILDING:	Any building containing five (5) or more guestrooms or units which are used, rented, or hired out to be occupied for sleeping purposes by residents, and which is also the primary residence of those residents. The individual units may lack either cooking facilities or a full bathroom, or both. However, for purposes of this definition, a SRO does not include residential care homes, senior housing projects, rooming and boarding houses, hotels and motels, bed and breakfast lodging, extended care facilities or hospitals.
STATE:	The State of California.
STORAGE - OUTDOOR:	The storage of various materials outside of a structure other than fencing, either as an accessory or primary use.
STORAGE - PERSONAL:	A structure containing a separate storage space that is designed to be leased or rented individually. Indoor storage will mean that access to all storage spaces will be from common interior corridors, and the facility has only shared loading areas. This use does not include outdoor storage of any kind. Further, such storage does not involve any manufacturing, office or business services, or human habitation in any storage space or anywhere on site. Also known as mini-storage.
STORY:	That portion of a building including between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story will be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. "Story" includes a basement.
STREET:	A public or private way, other than a major highway, secondary highway or alley, permanently reserved as a means of vehicular access to an adjoining property.
STRUCTURE:	Anything constructed or erected, which requires a fixed location on the ground, or is attached to something having a fixed location on the ground.
STUDIO - ART AND MUSIC:	Small-scale instructional facilities or a small practice space for the individual artist, musician, or any individual practitioner of the activities defined here, typically accommodating one group of students at a time, in no more than one (1) instructional space. Examples include: individual and group instruction and training in the arts, production rehearsal, photography and the processing of photographs produced only by users of the studio facilities. Also includes production studios for individual filmmakers, musicians, painters, sculptors, photographers, and other artists. These uses may also include accessory retail sales of products related to the services provided. Does not include dance, yoga, gymnastics, and martial arts studios.
SUBDIVISION:	The division of a tract of land, shown on the latest equalized county assessment roll as a unit or as continuous units, into defined lots, either improved or unimproved, which can be separately conveyed by sale, lease, or financing, and which can be altered or developed. The process often includes setting aside land for streets, sidewalks, parks, public areas, and other infrastructure needs, including the designation of the location of utilities.

SUPPORTIVE HOUSING:	Housing with no limit on the length of stay and that is occupied by persons from the target population as defined by Health and Safety Code section 50675.14(b)(2) as the same may be amended from time to time, and that provides a significant level of on site and off site services that assist the supportive housing residents in retaining the housing, improving their health status and maximizing their ability to live, and when possible, to work in the community. Supportive housing may be provided under all residential housing types. In all cases, supportive housing will be treated as a residential use under this chapter and will be subject only to those restrictions that apply to other residential uses of the same residential housing type located in the same zoning district.
TEMPORARY USE:	A use of land that is designed, operated, and occupies a site for a limited period.
TOWNHOME (TOWNHOUSE):	Townhomes are multi-family dwellings that are attached along common walls, where an individual unit occupies the space from the ground to the roof (units cannot be stacked).
TRANSITIONAL HOUSING:	Housing operated under program requirements that call for: a) the termination of assistance to an existing program recipient occupying a transitional housing unit and b) the subsequent reassignment of the assisting residential unit to another eligible program recipient at some predetermined future point in time that will be no less than six (6) months into the future. Transitional housing services may include, but not be limited to, meals, counseling, and other services as well as common areas for residents. Transitional housing may be provided under all residential housing types. In all cases, transitional housing will be treated as a residential use under this chapter and will be subject only to those restrictions that apply to other residential uses of the same residential housing type located in the same zoning district.
TRANSITIONAL HEIGHT PLANE:	A geometric plane that establishes the maximum permitted height of a building in a district that allows a greater density or height than that of an adjoining lower-density residential district.
TRIPLEX:	The same as the definition of a three (3)-family dwelling.
UNATTENDED COLLECTION BOXES (UCBS):	Unstaffed drop-off boxes, containers, receptacles, or similar facilities that accept textiles, shoes, books, household goods, recyclable materials, and/or other salvageable personal property items. This does not include garbage bins, library book drops, postal or parcel boxes for public and private carriers, or the like.
UNIT, COMMERCIAL AND MANUFACTURING:	A space occupied by a business enterprise(s) located within a building or portion of a building with direct access from the accessway intended for use by the general public. A commercial or manufacturing unit will have the following features: a completely enclosed room or interconnecting rooms with lockable doors to common accessways or the exterior, full walls from the floor to the ceiling, independent cooling and ventilation controls, independent lighting which is controlled within the unit itself.
UNIT DEVELOPMENT:	The construction, maintenance and operation of any combination of two (2) or more permitted uses, buildings and structures, based on a comprehensive and complete design or plan treating the entire complex of land, buildings, structures and uses as a single project.
USE:	The utilization of a lot, building, structure, or any other improvement upon a lot, or any combination thereof.
UTILITY STRUCTURES AND SERVICE FACILITIES:	All lines and facilities owned and/or operated by a licensed provider and related to the provision, distribution, collection, transmission, or disposal of water, storm drainage, sanitary sewage, oil, gas, electricity, information, telecommunications, telephone cable, and similar services. Includes facilities for the generation of electricity. Does not include "Communications Facilities" or "Wireless Telecommunications Facilities."
VARIANCE:	A modification of the specific regulations of this code granted by the legislative body in accordance with the terms of this code for the purpose of assuring that no property, because of special circumstances applicable to it, will be deprived of privileges commonly enjoyed by other properties in the same vicinity and zone.
VEHICLE:	Means and includes motorcycles, motor driven cycle, motor truck, passenger vehicle, station wagon, truck tractor, trailer, and vehicle, as these phrases are defined in the Vehicle Code of the State of California, and all similar types of vehicles.
VEHICLE RENTALS:	Rental of automobiles, construction equipment, motorcycles, drones, mopeds, motorized scooters, recreational vehicles, trucks, and similar vehicles and equipment powered by a motor, including on-site storage and incidental maintenance that does not require pneumatic lifts.
VEHICLE REPAIR:	The repair of motor vehicles in an enclosed building, including the repair or replacement of engines and transmissions, body and fender repair, and the installation of nonfactory-installed products.
VEHICLE SALES:	Sale of automobiles, motorcycles, recreational vehicles, trucks, and similar vehicles and equipment, including display, storage, maintenance, repair, and incidental rental of the vehicles and equipment. May include the sale, installation, and servicing of related equipment and parts.

VENDING MACHINE:	An automated mechanical device which ejects consumer products including but not limited to snack food items, non-alcoholic beverages, electronic devices, and movies, and that accepts cash, debit, and/or credit.
WALL:	A physical barrier constructed largely of masonry, brick, concrete, stucco, concrete block, or any combination thereof and intended to mark a boundary.
WALL, RETAINING:	A wall not laterally supported at the top that resists lateral soil load and other imposed loads.
WAREHOUSE OR WAREHOUSING:	An establishment engaged in providing facilities for the storage of furniture, household goods, products, or other commercial goods of any nature. Includes cold storage. Does not include personal storage facilities offered for rent or lease to the general public; or warehouse facilities in which the primary purpose of storage is for wholesaling ("Wholesaling").
WATER-EFFICIENT LANDSCAPE:	Landscaping materials that are designed and maintained to function in a healthful and visually pleasing manner with limited water use, including plants which have minimal water requirements for subsistence, plants native to hot/dry environments, and xeriscape plants.
WHOLESALE:	The sale of commercial goods at or near production cost.
YARD:	An area upon a lot or parcel of land, other than a court or open space, required as a front, side or rear yard, which will be maintained unoccupied and unobstructed from the ground upward; provided that encroachment will be permitted in yards only as expressly authorized by this article.
Yard, Front:	A yard extending across the front of a lot, from the front property line to the dwelling on the property. The depth of a front yard will be a specified horizontal distance measured between the front lot line and a line parallel thereto, on the lot.
Yard, Interior Side:	A yard extending along an interior side of a lot, from the front property line to the rear lot line. The depth of an interior side yard will be a specified horizontal distance measured inward from the interior side lot line.
Yard, Rear:	A yard extending across the rear of a lot for its full width between side lot lines. The depth of a rear yard will be a specified horizontal distance measured between the rear lot line and a line parallel thereto, on the lot.
Yard, Street Side:	A yard extending along the street side of a corner lot from the front lot line to the rear lot line. The depth of a street side yard will be a specified horizontal distance measured inward from the street side lot line.
Yard Sales:	The temporary sale of goods, wares or merchandise from a residential property principally used as a residence.
ZONE:	Any of the residential, commercial, industrial, special-purpose, or overlay districts established in the zoning code, within which certain land uses are allowed or prohibited, and certain site planning and development standards are established. (Ord. 19-1036; amd. Ord. 20-1040U; Ord. 20-1047; Ord. 20-1048; Ord. 1055, 6-1-2021)

ARTICLE B. ZONING ESTABLISHED AND ZONING MAP

SECTION:

9-1B-1: Establishment Of Zones

9-1B-2: Zoning Map Adopted By Reference

9-1B-3: Rights-Of-Way And Vacated Boundary Lines

9-1B-4: Uncertainty Of Boundaries

9-1B-5: Classification Of Annexed Lands

9-1B-1: ESTABLISHMENT OF ZONES:

A. General: The city is divided into various zones to allow for orderly, planned development and to implement the General Plan. Table 9-1B-1 identifies all zones. All zones will be listed and appropriately designated on the official Zoning Map.

B. Base Zone: Every parcel must have a base zone that establishes the primary type and intensity of land use permitted along with development regulations for that type and intensity of land use.

C. Special Use Zone: A special use (or overlay) zone supplements the base zone for the purpose of establishing special uses or development regulations for an area in addition to the provisions of the underlying base zone. In the event a conflict arises between the base zone regulations and the overlay zone regulations, the provisions of the overlay zone will apply.

Table 9-1B-1		
Zones Implementing the General Plan		
Zoning Map Symbol	Zone Description	Corresponding General Plan Land Use Designation
Residential Zones		
R-1	Low-Density Residential	Low-Density Residential (RL)
R-2	Medium-Density Residential	Medium-Density Residential (RM)

R-3	High-Density Residential	High-Density Residential (RH)
Commercial Zones		
NC	Neighborhood Commercial	Commercial (C)
DC	Downtown Commercial	Commercial (C)
LTC	Las Tunas Commercial	Commercial (C)
Mixed Use Zones		
MU-L	Mixed-Use Low	Mixed-Use (MU)
MU-M	Mixed-Use Medium	Mixed-Use (MU)
Manufacturing Zone		
I	Industrial	Industrial (IL)
Institutional and Open Space Zone		
I/OS	Institutional and Open Space	Institutional (I), Parks (P), Open Space (OS)
Special Use Zones		
PD	Planned Development	All Residential designations, Commercial, Industrial, Institutional, Mixed-Use, Mixed-Use - Specific Plan

(Ord. 19-1036)

9-1B-2: ZONING MAP ADOPTED BY REFERENCE:

This Zoning Code, together with the Zoning Map, is hereby adopted in compliance with current state planning, zoning, and development laws. Changes in the boundaries of any identified zones will be made by ordinance. The boundaries, designations, and locations of the zones established by this Zoning Code will be shown upon the map(s) entitled "Zoning Map for the City of Temple City" and referred to in this Zoning Code as the Zoning Map. (Ord. 19-1036)

9-1B-3: RIGHTS-OF-WAY AND VACATED BOUNDARY LINES:

Where a public street or alley is officially vacated, the property areas associated with the vacated street or alley will be included within the zone or zones of the adjoining properties. If the adjoining properties are in different zones, the boundary lines will be the centerline of the former street or alley and the extension of the side yard lines of the abutting properties. In the event such street, alley, or right-of-way was a boundary between two (2) or more different zones, the new zone or zone boundary will be the property line that is created by the vacation. (Ord. 19-1036)

9-1B-4: UNCERTAINTY OF BOUNDARIES:

A. Determination of Boundaries: If there is uncertainty about the location of a zone boundary shown on the official Zoning Map, the director will determine the location of the boundary in the following manner:

1. Where a zone or area boundary approximately follows a parcel line, street line, or alley line, the parcel line, street centerline, or alley centerline will be construed as the zone boundary.
2. Where a zone or area boundary divides a parcel and the boundary line location is not specified by distances indicated on the subject map, the location of the boundary will be determined by using the scale appearing on the map. (Ord. 19-1036)

9-1B-5: CLASSIFICATION OF ANNEXED LANDS:

- A. Annexed Land Classification Requirements:
1. Any land annexed to the City of Temple City will be deemed to be zoned under such classification under this Zoning Code as is most nearly the equivalent zoning classification or General Plan land use designation of the City of Temple City.
 2. Whenever it is deemed that the zoning of annexed lands is inconsistent with adopted General Plan land use policy or other city policies, the Planning Commission may recommend and the council may adopt the zone classifications which will apply to the annexed lands in the manner prescribed in Article C amending this Zoning Code. (Ord. 19-1036)

ARTICLE C. ADMINISTRATION AND ENFORCEMENT

SECTION:

9-1C-1: City Council

9-1C-2: Planning Commission

9-1C-3: Director Of Community Development Department

9-1C-4: Planning Division Staff

9-1C-5: General Procedures

9-1C-6: Specific Procedures

9-1C-7: Enforcement

9-1C-1: CITY COUNCIL:

The city council is the legislative body of the city of Temple City, with all those powers granted by the state and the city charter. In the context of this Zoning Code, the city council has the authority to hear appeals and make decisions on those types of applications shown as city council responsibilities in Table 9-1C-6-1 Summary of Development Review Procedures. (Ord. 19-1036)

9-1C-2: PLANNING COMMISSION:

- A. Creation: Pursuant to Article XI of the Charter of the City of Temple City, a planning commission (commission) for the City of Temple City is hereby created.
- B. Membership and Terms:
1. Commission Members: The planning commission of this city must consist of five (5) members appointed for two (2)-year terms who must be residents and qualified electors of the city at the time of their appointment to office and during their entire period of service on the commission. Members must be appointed as set forth in section 1103 of the charter of the city of Temple City.
 2. Chairperson: The commission must elect its chairperson from among its appointed members for a term of one (1) year.
- C. Meetings and Proceedings:
1. Rules and Regulations: The rules and regulations adopted by the commission and "Rosenberg's Rules of Order", where not inconsistent with said rules and

regulations, will govern all meetings of the commission.

2. **Regular and Special Meetings:** Regular meetings will be as provided for by resolution of the commission and approved by the city council. The commission will hold at least one (1) regular meeting in each month, as business requires. Special meetings will be called in the manner specified in the Government Code of the State of California (Government Code) for the calling of special meetings of commissions and boards. A majority of the regular members will constitute a quorum. Less than a quorum may adjourn any meeting.

3. **Absence from Meetings:** If a member of the commission is absent from three successive regular meetings of said commission, without cause, the office of such member will be deemed to be vacant and the term of such member terminated and the commission will immediately inform the city council of such vacancy.

4. **Absence for Cause:** Where a member of the commission is absent due to illness or unavoidable absence from the city, and gives notice thereof to the secretary of the commission on or before the day of any regular meeting by said commission the same will be deemed an absence for cause.

5. **Records:** The commission must keep a record of all business, minutes, transactions, findings, determinations, correspondence, and other matters coming before it. Such records must be maintained as are public records of other bodies and agencies. Minutes of the commission will be filed with the city clerk.

D. **Duties and Authority:** The commission must perform the duties and will have all the rights, powers and privileges specified and provided for in this zoning code or by state law including the authority to hear appeals and make decisions on those types of applications shown as planning commission responsibilities in Table 9-1C-6-1 Summary of Development Review Procedures. (Ord. 19-1036)

9-1C-3: DIRECTOR OF COMMUNITY DEVELOPMENT DEPARTMENT:

The Director of the Community Development Department (director) has the overall responsibility for the decisions of the planning division staff. The director, or designee, will make recommendations and decisions as indicated in Table 9-1C-6-1 Summary of Development Review Procedures. (Ord. 19-1036)

9-1C-4: PLANNING DIVISION STAFF:

Planning division staff is responsible for the day-to-day administration of this zoning code, unless this Zoning Code states that another individual, department, or body has a specific responsibility. (Ord. 19-1036)

9-1C-5: GENERAL PROCEDURES:

This section describes the common procedural steps and other rules that generally apply to development applications reviewed under this Zoning Code, unless otherwise expressly exempted or alternative procedures are specified in Table 9-1C-6-1 Summary of Development Review Procedures.

A. Pre-application Meeting:

A pre-application meeting is an informal discussion between a potential applicant and planning division staff regarding a possible project subject to this Zoning Code. The purpose of the pre-application meeting is to inform a potential applicant of the city requirements as they apply to the proposed project, inform the potential applicant of the city's review process, and identify information and materials required in the application. The meeting will be conducted between planning division staff and a project applicant for the following projects:

1. Projects requiring city council approval;
2. Major site plan reviews approved by the planning commission; and
3. Projects requesting a pre-application meetings by an applicant.

B. Application:

1. **Application Filing:** Unless otherwise expressly stated in this Zoning Code, all applications must be filed with the planning division, on forms furnished by the planning division, and must include a list of all application materials, information, and fees for that type of project, permit, or approval on the respective application form.

2. **Review for Completeness:**

a. **Initial Review:** The planning division will review each application for completeness and accuracy before it is accepted as being complete and officially filed.

b. **Basis for Determination:** The planning division's determination of completeness will be based on the city's list of required application materials and any additional written instructions provided to the applicant in a pre-application meeting, if such pre-application meeting has been held.

c. **Notification of Applicant:** Within thirty (30) calendar days of filing an application, the planning division will inform the applicant, in writing, whether the application is complete and has been accepted for processing, or whether the application is incomplete and additional information is required.

d. **Appeal of Determination:** The applicant may appeal the planning division's determination, that the application is incomplete or that the additional information requested by the planning division is not required, to the planning commission in compliance with section 9-1C-G Appeals.

e. **Referral of Application:** An application may be referred to those city departments, contract departments, service providers, and review agencies potentially affected by the application for review and comment per the director's discretion.

3. **Inactive Application:** If an applicant does not respond to a complete letter, incomplete letter, comment letter, or other correspondence requesting revisions or additional material within ninety (90) days the city will send a letter to the applicant notifying them that if materials responsive to the previously mentioned correspondence are not submitted within thirty (30) days, the application will be deemed inactive. The application will be administratively withdrawn on the thirty-first (31st) day if no responsive materials are submitted.

4. **Withdrawal of Application:** Any applicant may withdraw an application or an appeal, prior to a decision thereon, by filing a written request to do so; refunds may be issued at the discretion of the Community Development Director based on the amount of work completed on the application or an appeal at the time the written request is submitted.

5. **Environmental Information:** After the planning division has accepted an application as complete, the division may require the applicant to submit additional information for the environmental review of the project in compliance with the California Environmental Quality Act (CEQA) to determine if the findings can be made.

6. **Environmental Review:**

a. **CEQA review:** After acceptance of a complete application, the planning division will review the project in compliance with CEQA to determine whether the project is exempt from CEQA, or the extent of environmental review required for the project. These determinations and, where required, the preparation of appropriate environmental documents must comply with CEQA and any adopted CEQA guidelines.

b. **Special Studies Required:** Special studies, prepared by the city's consultant and paid for in advance by the applicant, may be required to supplement the city's CEQA review.

7. **Successive Applications:** No application may be resubmitted for the same or substantially the same variance, permit, modification, or other application which had previously been denied by the director, planning commission, or the city council within the previous twelve (12) months.

8. **Multiple Construction Projects:** Multiple construction projects within any twenty-four (24) month period will be considered a single construction project.

C. Neighborhood Meeting:

1. **Applicability:** The following types of applications require at least one (1) neighborhood meeting, open to the public, at the project site, an alternate location within a mile radius of the site (i.e. coffee shop, community center, etc.), or at city-owned location for a fee at a time convenient for interested residents to attend. The applicant must confer with planning division staff prior to selecting a meeting time and location.

- a. Zoning Map Amendment.
- b. General Plan Amendment.

- c. Non-residential structures greater than twenty-five thousand (25,000) square feet in size.
 - d. Residential projects with more than twenty-five (25) units.
 - e. Any project requiring an Environmental Impact Report (EIR).
2. Meeting Content: The applicant must provide general information on the proposed project including but not limited to the following:
- a. A general description, orally, in text, and/or by diagram of the project.
 - b. A description of the location of the real property on which the project will be located.
 - c. Any entitlements being sought by the applicant.
 - d. Any amendments to this Zoning Code, the General Plan, or applicable specific plan associated with the project.
3. Notice: Notice for a public hearing must occur in compliance with section 9-1C-5-E Notice.
4. Proof of Meeting: Prior to the scheduling of a public hearing, the applicant must provide to the director proof that the meeting occurred, including a sign-in sheet of attendance, notes from the meeting, and meeting location, date, and time.

D. Public Hearings:

- 1. Applicability: Public hearings will be held for those types of applications where Table 9-1C-6-1 Summary of Development Review Procedures requires a public hearing.
- 2. Proceedings: Public hearings before the planning commission and public hearings before the city council on matters related to this Zoning Code will be conducted pursuant to rules and practices established by each of those bodies and in compliance with state law. Public hearings before the director will be conducted at a date, time, and location determined by the director, in compliance with state law. All public hearings before the planning commission, city council, or director must be open to the public.
- 3. Notice: Notice of a public hearing must be given pursuant to section 9-1C-5-E Notice.
- 4. Recommendations: Following a public hearing resulting in a recommendation to another hearing body, the recommendations will be forwarded to the other hearing body. A copy of the staff report to the other hearing body with the recommendation will be forwarded to the applicant.
- 5. Decision and Notice: Following a final decision, the decision authority will provide notice of the final action to the applicant and any person who specifically requested notice of final action. Notice of the final action will contain applicable findings, conditions of approval, reporting and monitoring requirements, and the procedure for appeal of the decision.

E. Notice:

- 1. Content of Notice: Notice of a public hearing must include all the following information:
 - a. Information pertaining to the hearing, including:
 - (1) The date, time, and place of the hearing.
 - (2) The name of the hearing body or director.
 - (3) The phone number, email address, and street address of the planning division where an interested person could call or visit to obtain additional information.
 - b. Information pertaining to the project, including:
 - (1) The name of the applicant.
 - (2) The city's file or project number assigned to the project.
 - (3) A general explanation of the matter to be considered.
 - (4) A general description, in text or by diagram, of the location of the real property, if any, that is subject of the hearing.
 - c. Statement on Environmental Document: The hearing notice must state that the hearing body will consider approval of the CEQA determination or document prepared for the proposed project.
- 2. Method of Noticing:
 - a. Mailing: Notice must be given by United States mail, postage prepaid, at least fourteen (14) and up to thirty (30) days in advance of a scheduled hearing to the following recipients:
 - (1) The owners of the subject property as shown on the latest equalized assessment roll or the owner's authorized agent, and the project applicant, if not the owner.
 - (2) All local agencies expected to provide water, sewage, streets, roads, schools, or other essential facilities or services to the project, whose ability to provide those facilities and services may be significantly affected.
 - (3) All owners of real property as shown on the latest equalized assessment roll located within three hundred (300) feet from the external boundaries of the real property that is the subject of the hearing. The list of the names of the property owners who own property within the notice mailing radius must be provided by the applicant. If the number of property owners to whom notice would be mailed or delivered to is greater than one thousand (1,000), in lieu of mailed or delivered notice, notice may be given by newspaper publication.
 - (4) Any other person who has filed a written request for notice with the planning division, or whose property, in the judgement of the planning division may be affected by the proposed project.
 - b. On-Site Notice: The applicant will post a sign, provided by the planning division, of at least thirty (30) inches by twenty-four (24) inches on each street face of the real property that is the subject of the hearing. The content of the sign must include the project and hearing information required by section 9-1C-5-E-1 Content of Notice. The applicant must provide the director with a date-stamped photo as proof of on-site notice.
 - c. Newspaper Publication: If on-site notice is not feasible, notice of public hearing must be published by placing a display of at least one-eighth (1/8) of a page in size in at least one (1) newspaper of general circulation at least fourteen (14) days in advance of the hearing.
 - d. City Website: Notice of a public hearing will be posted on the city's website no less than fourteen (14) days in advance of the hearing.

F. Request for Review:

- 1. Eligibility: The following city officials may file with the city clerk a request for review (RFR) of any decision made by the planning commission:
 - a. Any council person.
 - b. The city manager.
 - c. The city attorney.
- 2. Timing: Such RFR must be filed within fourteen (14) days of the decision by the planning commission, as a no fee filing, together with a statement that such RFR is not indicating support for or opposition to such decision, but is filed because the filer believes that such decision involves a matter of such interest, import,

precedent or significance that such decision should as a matter of policy and planning be made by the city council.

3. Effect of RFR: Upon the timely filing of an RFR, the decision of the planning commission will be suspended until the RFR is determined by the city council; and the city clerk will immediately notify the council, planning commission, applicant and all who appeared at the planning commission meetings with regard thereto and set the matter for hearing before the city council for final determination.

4. Procedure: The procedures of an RFR will be the same as those for an appeal under section 9-1C-5-G Appeals.

G. Appeals:

1. Review Authority: Unless stated otherwise in this code, appeals of decisions of the director must be made to the planning commission and appeals of decisions of the planning commission must be made to the city council.

2. Eligibility: Appeals may be initiated by the applicant or any person aggrieved by the decision of the planning commission or the director.

3. Timing: An appeal must be filed within fifteen (15) calendar days following the date the decision was rendered, unless a longer appeal period is specified as part of the project approval. In the event the completion of the appeal period falls on a weekend or holiday, the decision will become effective after 5:00 p.m. on the first business day following the completion of the appeal period.

4. Form and Fees: An appeal must be submitted in writing on an official city appeal form together with all required fees.

5. Effect of Appeal: Once an appeal is filed, any action on the associated project is suspended until the appeal is processed and a final decision is rendered by the review authority.

6. Procedure:

a. Report and Scheduling of Hearing: When an appeal has been filed, the director must prepare a report on the matter, including all the application materials in question, and schedule the matter for a public hearing by the appropriate review authority within ninety (90) days of receiving the appeal.

b. Notice: Notice of the appeal hearing must be provided and the hearing must be conducted pursuant to section 9-1C-5-D Public Hearings.

c. Scope of Review and Decision: During the appeal hearing, the review authority may act on any aspect of the appealed project (de novo review). The review authority will make its own decision based upon findings of fact applicable to the case. The findings will identify the reasons for the action on the appeal and verify the compliance of the subject of the appeal with this Zoning Code.

d. The review authority's decision may:

(1) Affirm, affirm in part, or reverse the action that is the subject of the appeal.

(2) Adopt additional conditions of approval that address the matter appealed.

(3) Remand the appeal for further review, recommendation, or action to the previous review authority.

(4) A matter being heard on appeal may be continued for good cause (e.g. additional California Environmental Quality Act (CEQA) review is required).

(5) If the hearing body is unable to reach a decision on the matter appealed, the decision of the previous review authority will remain in effect.

7. Effective Date of Appeal Decision:

a. City Council's Decision: A decision of the city council on an appeal is final and will be effective on the date the decision is rendered.

b. Other Decisions: A decision of the planning commission is final and effective after 5:00 p.m. fifteen (15) calendar days following the date the decision is rendered, when no appeal to the decision or RFR has been filed in compliance with this code. In the event the completion of the appeal period falls on a weekend or holiday, the decision will become effective after 5:00 p.m. on the first business day following the completion of the appeal period.

8. Judicial Review: No person may seek judicial review of a city decision on a permit or other matter in compliance with this zoning code until all appeals to the planning commission and city council have been first exhausted in compliance with this Zoning Code.

H. Post Decision Procedures:

1. Effective Date of Decision:

a. City Council: A decision of the city council is final and will be effective on the date the decision is rendered.

b. Planning Commission and Director: A decision of the planning commission or the director is final and will be effective after 5:00 p.m. on the fifteenth (15th) day following the date the decision is rendered, when no appeal to the decision has been filed.

2. Issuance of Permits: Permits will not be issued until the effective date, provided that no appeal of the decision body has been filed in compliance with section 9-1C-5-G Appeals.

3. Compliance to Approved Plan or Permit: All work performed under an approved plan or permit must comply with the approved drawings and plans or permit and any conditions of approval imposed by the decision authority.

4. Performance Guarantees:

a. Security Required: The director may require an applicant to provide adequate security to guarantee the proper completion of any approved plan or permit and compliance with any conditions of approval.

b. Form of Security: The security must be in the form of cash, a certified or cashier's check, or a performance bond executed by the applicant and a corporate surety authorized to do business in California and approved by the city.

c. Amount of Security: The director will determine the amount of the security necessary to ensure proper completion of the approved plan or compliance with any conditions of approval.

d. Duration of Security: The security must remain in effect until all work has been completed according to the approved plans or permit and conditions fulfilled to the satisfaction of the director or until a specified warranty period has elapsed.

e. Release of Security: The security deposit will be released upon completion of work in compliance with the approved plan or permit and any conditions of approval. The city may maintain twenty-five percent (25%) of the security deposit to ensure work complete was constructed appropriately and will be returned to the applicant one (1) year following the partial release of the security deposit.

f. Failure to Comply:

(1) Upon failure to complete any work or comply with conditions, the city may complete the work or fulfill the condition and may collect from the applicant or surety all costs incurred, including administrative, engineering, legal, and inspection costs.

(2) Any unused portion of the security will be refunded to the funding source.

5. Changes to an Approved Project: Changes to an approved project must be established only as approved by the review or decision authority, except when changes to the project are approved in compliance with this section.

a. Request for a Change: An applicant must request desired changes in writing and must submit appropriate supporting materials and an explanation for the request.

b. Notice and Hearing: If the original approval required a noticed public hearing, a noticed public hearing is required for the requested change pursuant to section 9-1C-5-D Public Hearings, section 9-1C-5E Notice, except as allowed by section 9-1C-5-H-5-c Minor Changes.

c. Minor Changes: The director may authorize minor changes to an approved project if the changes comply with all the following criteria:

(1) The requested changes are consistent with this Zoning Code.

(2) The requested changes are consistent with the spirit and intent of the original approval.

(3) The requested changes do not involve a feature of the project that was a basis for findings in a negative declaration, mitigated negative declaration, or environmental impact report for the project.

(4) The requested changes are in substantial compliance with and are consistent with the spirit, intent, and directions of the decision-making body.

(5) The requested changes do not involve a feature of the project that was a specific consideration by the review authority in granting the approval.

(6) The requested changes do not involve an expansion, intensification, or increase greater than ten percent (10%) in size of the land use or structure, and are in substantial compliance with all other conditions of approval, do not affect compliance with CEQA requirements, and are found by the director to be in substantial compliance with the original approval.

(7) The requested changes comply with the criteria above and involve a minor change to the project design that maintains the essential elements of the project as originally approved.

6. Lapse of Approval and Extension: A permit or approval issued pursuant to this zoning code will lapse and become null and void two (2) years following the effective date of the permit or approval if not exercised. The permit shall not be deemed "exercised" until a building permit for the subject property has been issued, and construction diligently pursued to completion; a Certificate of Occupancy has been issued by the city; or if no building permit has been required, the use has commenced. A one (1)-year extension may be granted by the Director upon written request by the applicant received at least thirty (30) days prior to the permit or approval expiration date, provided there are no changes to the project.

7. Permits to Run with the Land: Unless otherwise stated for a specific type of permit or approval under this zoning code, or unless otherwise stated on the permit or approval document, permits, approvals, or decisions issued under this zoning code run with the land and are not affected by changes in ownership or the form of ownership of the property.

8. Revocations:

a. Notice and Hearing: Upon recommendation by the director, the body which originally granted the permit or approval will conduct a noticed public hearing to determine whether a permit or approval, should be revoked. If the revocation relates to a permit or approval granted by the County of Los Angeles, the commission will conduct a hearing.

b. Decision and Action: If the commission or council finds any one of the following facts to be present, it will revoke the permit or approval:

(1) That the permit or approval was obtained by fraud.

(2) That the permit or approval granted is being, or has been, exercised contrary to the terms and conditions of such permit or approval or in violation of any law.

(3) That the use for which the permit or approval was granted is being exercised to be detrimental to the public health or safety, or as to constitute a nuisance.

c. Appeal: If the commission conducts the hearing, the action taken by the commission will be subject to an appeal in compliant with section 9-1C-5-G Appeals of this Zoning Code. (Ord. 19-1036; amd. Ord. 20-1047)

9-1C-6: SPECIFIC PROCEDURES:

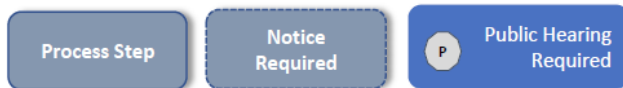
This section lists the specific types of development applications that may be required for a development or redevelopment project in the city, and the various procedural steps, decision makers, and findings of facts applicable to each type of application. The requirements of section 9-1C-5 General Procedures will apply to any relevant topic not specifically addressed in this section. In case of conflict between the provisions of this section and those of section 9-1C-5 as they relate to a specific type of application or procedure, the provisions of this section will apply.

Table 9-1C-6-1

Summary of Development Review Procedures

Application/Approval	Approval Authority	Notice	Public Hearing	Appeal Body
Zoning Clearance	D	N	N	--
Minor Site Plan Review	D	N ¹	N	PC/CC
Major Site Plan Review (standalone)	D ² /PC ⁴	Y	N/Y ⁴	PC/CC
Minor Variance	D	Y	N	PC/CC
Variance	PC	Y	Y	PC/CC
Temporary Use Permit	D	N	N	--
Conditional Use Permit	PC	Y	Y	CC
Zoning Amendment	PC/CC ³	Y	Y	CC
General Plan Amendment	PC/CC ³	Y	Y	CC
Reasonable Accommodation (standalone)	D	Y	N	PC/CC
Development Agreement	PC/CC ³	Y	Y	CC
1. Notice is required for a new two-story single-family residence or addition above the first story to an existing single-family residence. 2. The planning commission is the approval authority for a major site plan review sought in conjunction with another application that requires planning commission review (conditional use permit, variance, etc.). The city council is the approval authority for a major site plan review sought in conjunction with a bonus or concession associated with the state density bonus law. 3. Recommendation by Planning Commission final approval by City Council. 4. Major site plan reviews for multi-family projects with 7 or more units, non-residential projects greater than 10,000 square feet in size, and mixed-use projects with a component exceeding either will be reviewed by the Planning Commission. Key: D = Director; PC = Planning Commission; CC = City Council; N = Not Required; Y = Required				

Flow Chart Key:



A. Zoning Clearance:



1. Applicability: Zoning clearances are not considered discretionary for purposes of the California Environmental Quality Act (CEQA). A zoning clearance is required for a proposed use or structure prior to the issuance of any building, grading, or construction permit, or other authorization for the use or structure. The following projects are subject to a zoning clearance:
 - a. Single-story accessory structures permanently attached to the ground for single family uses.
 - b. All fences and walls.
 - c. All pools, spas, and their related equipment.
 - d. All residential patio covers.
 - e. All commercial, industrial, mixed-use, and institutional tenant improvements provided no exterior changes are proposed.
 - f. Other projects that require a building permit but not require a minor or major site plan review (except for permits to re-roof a structure, stucco a structure, or changeout windows).
 - g. The establishment of a new land use or change in land use on an existing parcel or within an existing structure.
 - h. Accessory dwelling units and junior accessory dwelling units.
 - i. Water heaters and air conditioning units located outside of the structure.
 - j. Parking lot re-striping.
2. Application: An application for a zoning clearance must be filed and reviewed pursuant to section 9-1C1-5-B Application.
3. Approval Authority: The director acts on a zoning clearance.
4. Scope of Review: The director will issue the zoning clearance after determining that the request complies with all provisions of this code applicable to the proposed project.
5. Exception: A zoning clearance is not required for projects that have been approved under another permit process identified in this code.

B. Minor Site Plan Review:



1. Purpose: The minor site plan review process is to:
 - a. Ensure that development occurs in a manner consistent with the overall goals and objectives of the general plan.
 - b. Ensure that all development is consistent with the standards and regulations contained in the code.
 - c. Ensure that the proposed architectural design and treatment of construction is consistent with the design guidelines contained in the code.
 - d. Ensure that the proposed architectural design and treatment of construction is designed to minimize adverse aesthetic and environmental impacts on the site and its surroundings and are compatible with its surroundings.
2. Applicability: The following projects are subject to a minor site plan review:
 - a. All new, single-story, single-family residences.
 - b. Ground floor additions to single-family residences.
 - c. Any proposed demolition, where new construction is not proposed.

- d. New two-story single-family residences or additions above the ground floor of a single-family residence.
- e. Facade improvements and other exterior changes on commercial, industrial, mixed-use, and institutional uses provided there is no square footage being added.
- f. Accessory structures for multi-family, commercial, industrial, mixed-use, and institutional uses, including trash enclosures and other non-habitable structures that are one hundred twenty (120) square feet or larger; provided there is no habitable square footage being added.
- g. The addition of outdoor seating areas to existing restaurants provided there is no interior square footage being added.
3. Application: An application for site plan review must be filed and reviewed pursuant to 9-1C-5-B Application.
4. Approval Authority: The director acts on all minor site plan reviews.
5. Public Hearing: Minor site plan reviews do not require a public hearing. However, the director may, due to the nature of a proposed project, require that a public hearing before the director be held for a minor site plan review.
6. Notice:
 - a. Notice is not required for a minor site plan review except for the following:
 - (1) A new two (2)-story single-family residence or addition above the first story to an existing single-family residence.
 - (2) When required by the director.
 - b. Noticing Requirements:
 - (1) Notice that the director will be deciding on an application will be mailed to owners of all properties, as shown on the latest equalized assessment roll, located within one hundred feet (100') from the external boundaries of the real property that is the subject of the hearing, at least fourteen (14) days prior to the director's decision being made. The list of the names of the property owners, within the notice mailing radius must be provided by the applicant.
 - (2) Notices must contain a description of the location, a brief description of the proposal, the deadline to submit comments, the date the director is scheduled to decide, and information about when and how an appeal may be filed.
7. Comment Period: The comment period will be ten (10) days from the date notice is provided. Written comments received by the director during this period will be considered as part of the staff review.
8. Findings of Fact: The director may approve a site plan review only if all the following findings of fact are made:
 - a. The proposed development complies with all applicable provisions of this zoning code and is consistent with the general plan and any applicable specific plan.
 - b. The proposed structures, signs, site development, grading and/or landscaping are compatible in design, appearance and scale with existing uses, development, signs, and structures and landscaping of the surrounding area.
 - c. The proposed development, as submitted or modified by conditions of approval is consistent with the applicable design guidelines.
 - d. The site is adequate in size and shape to accommodate the proposed structures, yards, walls, fences, parking, landscaping, and other development features.
 - e. The approval of the site plan review complies with the California Environmental Quality Act (CEQA).
9. Appeals: Procedures and requirements of 9-1C-5-G Appeals will apply to appeals of a site plan review decision.
10. Post Decision Procedures: Procedures and requirements of 9-1C-5-H Post Decision Procedures will apply to a site plan review decision.

C. Major Site Plan Review:



1. Purpose: The major site plan review process is to:
 - a. Ensure that development occurs in a manner consistent with the overall goals and objectives of the city's general plan.
 - b. Ensure that all development is consistent with the standards and regulations contained in the code.
 - c. Ensure that the proposed architectural design and treatment of construction is consistent with the design guidelines contained in the code.
 - d. Ensure that the proposed architectural design and treatment of construction is designed to minimize adverse aesthetic and environmental impacts on the site and its surroundings, and are compatible with its surroundings.
2. Applicability: The following projects are subject to a major site plan review:
 - a. All new commercial, industrial, mixed-use, multi-family residential, and institutional construction, or remodel where new square footage or units is proposed.
 - b. Any other construction not identified as requiring a minor site plan review or zoning clearance, as determined by the director.
3. Application: An application for site plan review must be filed and reviewed pursuant to section 9-1C-5-B Application.
4. Approval Authority: The director acts on major site plan reviews, except, under the following conditions:
 - a. When a major site plan review is sought in conjunction with another application that requires planning commission review (conditional use permit, variance, etc.), the planning commission will be the approval authority.
 - b. When a major site plan review for a multi-family project includes seven (7) or more units, a non-residential project is greater than ten thousand (10,000) square

feet, or a mixed-use project includes seven (7) or more units or ten thousand (10,000) square feet of non-residential space the Planning Commission will act on the application.

c. The city council acts, upon recommendation of the planning commission, on site plan reviews that also involve concessions under the state's density bonus law.

5. Public Hearing:

a. Major site plan reviews that are acted upon by the director do not require a public hearing. However, the director may, due to the nature of a proposed project, require that a public hearing before the director be held for a major site plan review.

b. For major site plan reviews that are acted upon by the planning commission or city council, the public hearing will be set before the planning commission or city council pursuant to section 9-1C-5-D Public Hearings.

6. Notice: Notice for a major site plan review with or without a public hearing will occur in compliance with section 9-1C-5-E Notice. For major site plan reviews without a public hearing, notice will be provided the specified number of days prior to the director's decision being made, and the public notice must include the date the Director is scheduled to decide.

7. Findings of Fact: The approval authority (director, planning commission, or city council) may approve a major site plan review only if all the following findings of fact are made:

a. The proposed development complies with all applicable provisions of this Zoning Code and is consistent with the general plan and any applicable specific plan.

b. The proposed structures, signs, site development, grading and/or landscaping are compatible in design, appearance and scale with existing uses, development, signs, structures, and landscaping of the surrounding area.

c. The proposed development, as submitted or modified by conditions of approval is consistent with the applicable design guidelines.

d. The site is adequate in size and shape to accommodate the proposed structures, yards, walls, fences, parking, landscaping, and other development features.

e. The approval of the site plan review complies with the California Environmental Quality Act (CEQA).

8. Appeals: Procedures and requirements of section 9-1C-5-G Appeals apply to appeals of a major site plan review decision.

9. Post Decision Procedures: Procedures and requirements of section 9-1C-5-H Post Decision Procedures apply to a major site plan review decision.

D. Minor Exception:



Minor Variance Process

1. Purpose: A minor exception is provided to allow an applicant that demonstrates practical difficulties in complying with all requirements of this Zoning Code, minor deviations from certain development standards of this zoning code.

2. Applicability: The following adjustment from the applicable development standards may be subject to a minor exception.

Table 9-1C-6-2

Maximum Allowable Deviation by Minor exception

Development Standard	Maximum Allowable Deviation (cumulative of earlier deviations).
Minimum Front Setback	15%
Minimum Side Setback	15%
Minimum Rear Setback	10%
Maximum Height, Principal Building	10%
Minimum Number of Vehicle Parking Spaces	10%

3. Application: An application for a minor exception must be filed and reviewed pursuant to section 9-1C-5-B Application.

4. Approval Authority: The director acts on a minor exception. The director will set a date and time on which the application for a minor exception will be considered and decision be made.

5. Notice:

a. Notice that an application for a minor exception has been submitted will be mailed to the owners of all properties, as shown on the latest equalized assessment roll, located within one hundred feet (100') from the external boundaries of the real property that is the subject of the hearing, at least fourteen (14) days before the decision will be made. The list of the names of the property owners within the notice mailing radius will be provided by the applicant.

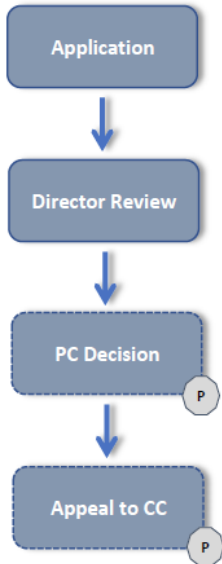
b. Notices will contain a description of the location, a brief description of the proposal, the date the director is scheduled to make a decision, the deadline to submit written comments, and information about when and how an appeal may be filed.

6. Comment Period: The comment period will be ten (10) days from the date notice is provided. Written comments received by the director during this period will be considered as part of the staff review.

7. Findings of Fact: The director may approve a minor exception only if all the following findings of fact are made:

- a. The minor exception will be compatible with adjacent structures and uses and is consistent with the character of the neighborhood or zone district where it is located.
 - b. The minor exception will not adversely impact neighboring properties or the community at large and will not be materially detrimental to the public welfare or injurious to the adjacent or neighboring properties.
 - c. The minor exception will be consistent with all other applicable provisions of the city's general plan and any applicable specific plan.
 - d. The minor exception will not establish an undesirable precedent.
8. Appeals: Procedures and requirements of section 9-1C-5-G Appeals will apply to a minor exception.
 9. Post Decision Procedures: Procedures and requirements of section 9-1C5-H Post Decision Procedures will apply to a minor exception.

E. Variance:



Variance Process

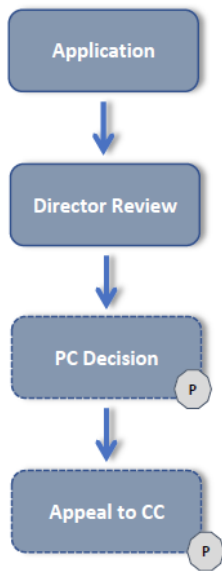
1. Purpose: A variance is provided to allow for the deviation from the terms and standards of this zoning code and is granted only when, because of special circumstances applicable to the property, the strict application of this zoning code deprives such property of privileges enjoyed by other property in the vicinity under identical zoning classification.
2. Applicability:
 - a. A variance is required for the deviation from any physical development standard to the subject property. Examples of physical development standards include height, setbacks, open space, floor area ratio (FAR), and off-street parking requirements.
 - b. Minor building alterations consistent with the reasonable accommodations portion of this code (9-1C-6-J), and/or small expansions to existing facilities, which are proposed for the sole purpose of meeting the requirements of the Americans with Disabilities Act (ADA), will be waived from a zone variance requirement. Specific instances may require a public hearing if it is determined by the director that the proposed building modifications involve more substantial work than mere compliance with ADA requirements.
 - c. A variance will not be granted to permit a use or activity which is not otherwise expressly permitted within the zoning district which the property is in as specified in the Use Tables of each zoning district.
3. Application: An application for a variance will be filed pursuant to section 9-1C-5-B Application.
4. Pre-Application Meeting: An applicant seeking a variance will participate in a pre-application meeting pursuant to 9-1C-5-A Pre-Application Meeting.
5. Approval Authority: The planning commission acts on all variances, and may approve, conditionally approve, or deny a variance by resolution adopted by not less than three (3) affirmative votes.
6. Public Hearing: Every application for a variance will be set for a public hearing before the planning commission by the director, in compliance with section 9-1C-5-D Public Hearings.
7. Notice: Notice for a public hearing will occur in compliance with section 9-1C-5-E Notice.
8. Findings of Fact: The planning commission may approve a variance only if all the following findings of fact are made:
 - a. There are unique circumstances applicable to the subject property, including size, shape, topography, location, or surroundings, that do not generally apply to other properties in the same zone as the subject property.
 - b. The variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property similarly situated, but which is denied to the property in question.
 - c. The variance will not be materially detrimental to the public welfare or injurious to the adjacent or neighboring properties.
 - d. The subject property and existing or proposed use located on the subject property complies with all other applicable provisions of this zoning code and is in conformance with the general plan and any applicable specific plan.
9. Appeals: Decisions of the planning commission may be appealed to the city council in compliance with section 9-1C-5-G Appeals.
10. Post Decision Procedures: Post decision procedures and requirements in section 9-1C-5-H Post Decision Procedures will apply to zone variances.

F. Temporary Use Permit:



1. Purpose: A temporary use permit is required for certain temporary uses and structures to ensure that proposed temporary uses or structures comply with the standards of this Zoning Code and do not negatively impact neighboring properties or the general public.
2. Applicability: When permitted in a zoning district, all temporary uses will require a temporary use permit except for the following exempt temporary uses, subject to applicable occurrence and duration standards. A temporary use permit will be required for any exempt temporary use exceeding applicable occurrence and duration standards.
 - a. Garage sales for individual residences limited to three (3), two (2)-day events per calendar year per individual residence. One (1) block or neighborhood sale per calendar year is allowed in addition to individual sales.
 - b. Storage containers delivered to a home, loaded by residents, and delivered to another location, for a maximum of two (2) weeks on private property. Storage containers on a residential property for more than two (2) weeks may be approved by the director with a temporary use permit.
 - c. Outdoor fund-raising events located on non-residential zoned properties, when sponsored by a non-profit, charitable, civic, service, religious, educational or other similar organization directly engaged in civic or charitable efforts, limited to one (1) weekend per month per sponsoring organization.
 - d. Temporary on-site construction yards and office trailers, less than one (1) acre in size, and established in conjunction with an approved project. The construction yard and trailer will be immediately removed within ten (10) days of completion of the construction project or expiration of the building permit.
 - e. Temporary events at any publicly owned facility, including city-owned parks.
 - f. Seasonal sales events such as Christmas tree farms and pumpkin patches.
 - g. Any other temporary use of the public right-of-way.
3. Application: An application for a temporary use permit will be filed and reviewed in compliance with section 9-1C-5-B Application.
4. Approval Authority: The director acts on the temporary use permit and may impose conditions that are deemed reasonable and necessary to ensure that the permit would be in full compliance with the findings required by section 9-1C-6-F-5, Scope of Review.
5. Scope of Review: The director will issue the temporary use permit after determining that the request complies with all the provisions of this zoning code applicable to the proposed temporary use, including any makes the following findings:
 - a. The proposed temporary use is compatible with the nature, character and use of the surrounding area;
 - b. The temporary use will not adversely affect the adjacent uses, buildings or structures;
 - c. The nature of the proposed use is not detrimental to the health, safety, or welfare of the community.
 - d. The applicant has agreed in writing to comply with all conditions imposed on approval of the temporary use permit.
6. Conditions of Approval: The director may include conditions of approval consistent with one or more of the following:
 - a. Unless on Public Property, the applicant must either be the owner of the property, or the authorized agent of the owner of the property, where the temporary use will occur. For temporary uses involving city owned parks and recreation areas, see section 3-5E-2 Permits of the municipal code;
 - b. Continuation of a temporary use beyond the authorized dates or failure to remove a structure associated with a temporary use within ten (10) days of the final authorized day of use will constitute a violation of the municipal code and may be subject to Article U, Enforcement, Violations and Penalties, of the Zoning Code;
 - c. Fixed period of time. Unless otherwise stated in the permit, a provision for a fixed period of time not to exceed thirty (30) days for a temporary use not occupying a structure, including promotional activities, or twelve (12) months for all other temporary uses or structures, or for a shorter period of time as determined appropriate by the director;
 - d. Operating hours and days. The director may set hours of operation for the temporary use, and may limit one (1) or more days of the use within the time established in subsection 3. above;
 - e. Temporary pedestrian and vehicular circulation. Provision for adequate temporary pedestrian and vehicular circulation, parking facilities (including vehicular ingress and egress), and public transportation;
 - f. Regulation of nuisance factors. Regulation of nuisance factors including prevention of glare or direct illumination on adjacent parcels, dirt, dust, gases, heat, noise, odors, smoke, trash, and vibration;
 - g. Regulation of temporary structures. Regulation of temporary structures and facilities, including placement, height and size, location of equipment and open spaces including buffer areas and yards, and equipment staging or materials storage areas;
 - h. Sanitary and medical facilities. Provision for sanitary and medical facilities, as appropriate;
 - i. Waste collection, recycling, and/or disposal. Provision for solid, hazardous, and toxic waste collection, recycling, and/or disposal;
 - j. Police/security and safety measures. Provision for police/security and safety measures, as appropriate;
 - k. Signs. Regulation of signs, including provisions to ensure removal of the signs following the event;
 - l. Performance bond or other security. Submission of a performance bond or other security measures, satisfactory to the director, to ensure that any temporary facilities or structures used will be removed from the site within a reasonable time following the event and that the property will be restored to its former condition, or better, as determined by the director;
 - m. Compliance with applicable provisions. A requirement that the approval of the requested temporary use permit is contingent upon compliance with applicable provisions of the Municipal Code and the successful approval of any/all required permits from any other department or governing agency; and
 - n. Other conditions. Other conditions that would ensure that the operation of the proposed temporary use would be conducted in an orderly and efficient manner, and in full compliance with the purpose of this chapter.

G. Conditional Use Permit:

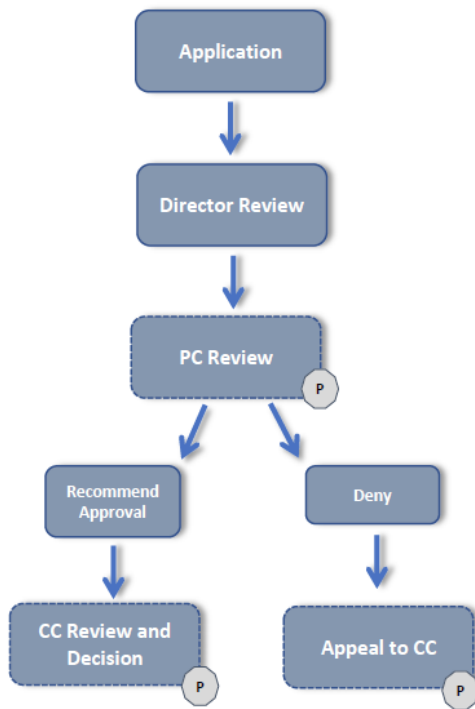


Conditional Use Permit
Process

1. **Applicability:** A CUP is required for certain land uses that are generally appropriate within a zoning district, but may have impacts that make them undesirable on a particular parcel, in large numbers, or within a specified proximity to another use. Land uses requiring a CUP are displayed in the Use Table in each zoning district section.
2. **Pre-Application Meeting:** An applicant seeking a CUP must participate in a pre-application meeting pursuant to 9-1C-5-A Pre-Application Meeting.
3. **Application:** An application for a CUP will be filed in compliance with section 9-1C-5-B Application.
4. **Approval Authority:** The planning commission acts on all CUPs, and may approve, conditionally, approve, or deny a CUP by resolution adopted by not less than three affirmative votes.
5. **Public Hearing:** Every application for a CUP will be set for a public hearing before the planning commission by the Director, in compliance with section 9-1C-5-D Public Hearings.
6. **Notice:** Notice for a CUP Hearing will occur in compliance with section 9-1C-5-E Notice.
7. **Additional Standards:** The proposed conditional use must comply with all provisions of this zoning code, including any special use standards specified in Article T, Special Uses.
8. **Findings of Fact:** The planning commission may approve a CUP only if all the following findings of fact are made:
 - a. The proposed use complies with all applicable provisions of this zoning code.
 - b. The proposed use is consistent with the general plan and any applicable specific plan.
 - c. The location, size, design, and operating characteristics of the proposed use will be compatible with existing and future land uses in the vicinity where the proposed use will be located, in terms of aesthetic values, character, and scale.
 - d. The site and use provide adequate and appropriate access to and from the site and within the site for vehicles, bicycles, and pedestrian and is adequately served by public facilities and services.
 - e. The proposed use will not be detrimental or injurious to property or improvements in the neighborhood or the general welfare of the city.
9. **Appeals:** Decisions of the planning commission may be appealed to the city council in compliance with section 9-1C-5-G Appeals.
10. **Post Decision Procedures:** Post decision procedures and requirements in section 9-1C-5-H Post Decision Procedures will apply to CUPs.

H. General Plan Amendment:

1. **Initiation:** Amendments to the general plan may be initiated by any of the following:
 - a. **General plan diagram amendment:**
 - (1) By motion of the city council.
 - (2) By motion of the planning commission.
 - (3) By the city manager.
 - (4) By the owner or person in legal possession of any real property located within the city.
 - b. **General plan text amendment:**
 - (1) By motion of the city council.
 - (2) By motion of the planning commission.
2. **Application:** An application for a general plan amendment will be filed and reviewed in compliance with section 9-1C-5-B Application.
3. **Planning Commission Action:**
 - a. **Notice and Hearing:** The planning commission will hold a public hearing on a proposed general plan text or diagram amendment pursuant to section 9-1C-5-D Public Hearing and section 9-1C-5-E Notice.



General Plan Amendment Process

- b. Decision: After conducting a hearing on any proposed amendment, the commission will make a written recommendation to the council whether to:
 - (1) Recommend the city council approve the requested amendment.
 - (2) Recommend the city council conditionally approve the proposed amendment.
 - (3) Recommend the city council deny the requested amendment.
 - (4) The commission's action must be by resolution, adopted by not less than three affirmative votes, which must be based upon the findings specified in section 9-1C-6-H-6 Findings for General Plan Amendment Approval.
 - (5) The director will forward the commission's written recommendation to the city clerk.
4. City Council Action:
 - a. Notice and Hearing: Upon receiving the planning commission recommendation to approve, approve with conditions, or deny a General Plan amendment, the city council will hold a public hearing on the proposed amendment pursuant to section 9-1C-5-D Public Hearing and section 9-1C-5-E Notice.
 - b. Decision: After conducting a hearing on any proposed amendment, the council must take one of the following courses of action:
 - (1) Approve the requested amendment.
 - (2) Approve the requested amendment with conditions.
 - (3) Deny the requested amendment.
 - c. Referral to planning commission:
 - (1) If the decision of the council, after conducting a public hearing, is in any way contrary to the commission's action, the said matter will be referred to the commission for a report before any final action is taken by the council.
 - (2) Failure of the commission to report back to the council within forty (40) days after such matter has been referred to it will be deemed a recommendation for approval of the council's action.
5. Findings for General Plan Amendment Approval: The city council may approve a General Plan text or diagram amendment only if all the following findings of fact are made:
 - a. The proposed amendment would not create an internal inconsistency in the General Plan.
 - b. The proposed amendment would not be detrimental to the public health, safety, or general welfare of the city.
6. Effective Date: A general plan amendment will become effective immediately upon the adoption of a resolution by the city council.

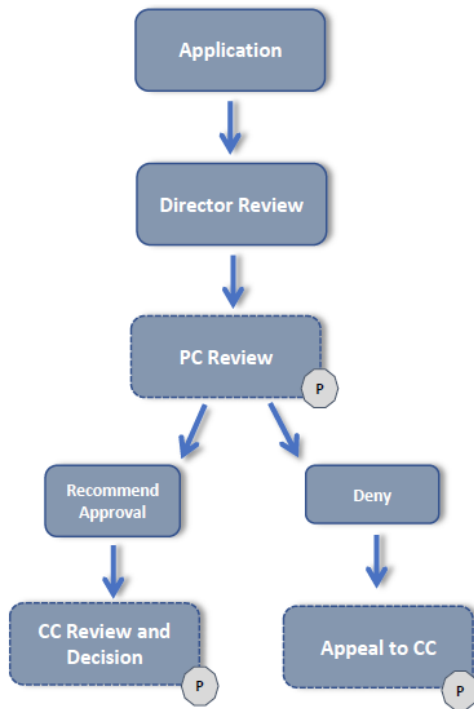
I. Zoning Amendment:

This section establishes procedures for amending this zoning code, including text and map amendments. All amendments to this zoning code will be processed as set forth in Government Code section 65853 et seq. and as specified in this section.

1. Purpose: A zoning amendment is the process of amending the content of this zoning code, including the text or zoning map.
2. Initiation: Amendments to this zoning code and zoning map may be initiated by any of the following:
 - a. By motion of the city council.
 - b. By motion of the planning commission.
 - c. By the owner, or person in legal possession of any real property located within the city, or by any public agency having the power of eminent domain.
 - d. By council action taken pursuant to section Government Code section 65858.
 - e. By the city manager.
3. Pre-Application Meeting: A private applicant seeking a zoning code or map amendment must participate in a pre-application meeting pursuant to section 9-1C-5-A Pre-Application Meeting.
4. Application: An application for a zoning amendment will be filed and reviewed in compliance with section 9-1C-5.B Application.

5. Planning Commission Action:

- a. Notice and Hearing: The commission will hold a public hearing on a proposed zoning code amendment or zoning map amendment pursuant to section 9-1C-5-D Public Hearing and section 9-1C-5-E Notice.



Zoning Amendment Process

b. Decision:

- (1) After conducting a hearing on any proposed amendment, the commission will make a written recommendation to the council whether to: recommend the city council approve the requested amendment, recommend the city council conditionally approve the proposed amendment, or recommend the city council deny the requested amendment.

(2) The commission's action must be by resolution, adopted by not less than three affirmative votes, which must be based upon the findings specified in section 9-1C-I-7 Findings for Code Amendment Approval.

- (3) The Director must forward the commission's written recommendation to the city clerk.

6. City Council Action:

- a. Notice and Hearing: Upon receiving the planning commission recommendation to approve, approve with conditions, or deny a zoning code or zoning map amendment, the city council will hold a public hearing on the proposed amendment pursuant to section 9-1C.5-D Public Hearing and section 9-1C.5-E Notice.

b. Decision: After conducting a hearing on any proposed amendment, the council must take one (1) of the following courses of action:

- (1) Approve the requested amendment.
- (2) Approve the requested amendment with conditions.
- (3) Deny the requested amendment.

(4) If the decision of the council, after conducting a public hearing, is in any way contrary to the commission's action, the said matter will be referred to the commission for a report before any final action is taken by the council. Failure of the commission to report back to the council within forty (40) days after such matter has been referred to it will be deemed a recommendation for approval of the council's action.

7. Findings for Code Amendment Approval: The city council may approve a Zoning Code amendment or zoning map amendment only if all the following findings of fact are made:

a. Findings applicable to all Zoning Code and Zoning Map amendments.

- (1) The proposed amendment is consistent with the general plan and any applicable specific plan as provided by Government Code section 65860.
- (2) The proposed amendment will not be detrimental to the public health, safety, or welfare of the city.

b. Additional finding for zoning code text amendments: The proposed amendment is consistent with other applicable provisions of this Zoning Code.

8. Effective Date: A zone amendment becomes effective thirty (30) days following the adoption of the ordinance by the city council.

J. Reasonable Accommodation:



Reasonable Accommodation Process

1. Purpose: A reasonable accommodation request is an adjustment to standards of this Zoning Code to accommodate modifications to a dwelling unit in response to the needs of a disabled resident seeking equal access to housing under the Federal Fair Housing Act and the California Fair Employment and Housing Act.
2. Public Notice of Process Availability: Notice of the availability of the reasonable accommodation process will be publicly displayed at city hall. Forms for requesting reasonable accommodation will be available to the public at the community development department at city hall.
3. Applicability:
 - a. A request for reasonable accommodation may include a modification or exception to the rules, standards, and practices for the siting, development, and use of housing or housing-related facilities that would eliminate regulatory barriers and provide a person with a disability equal opportunity to housing of their choice.
 - b. A request for reasonable accommodation may be made by any person with a disability, their representative, or any entity, when the application of this zoning code or other land use regulations, policy, or practice acts as a barrier to fair housing opportunities.
 - c. A request for reasonable accommodation may be made by any person with a disability, their representative, or a developer or provider of housing for individuals with a disability. A reasonable accommodation may be approved only for the benefit of one or more individuals with a disability. A reasonable accommodation may be approved for a "community care facility/large", as defined in section 9-1A-12, Definitions of this zoning code.
4. Application:
 - a. An application for a reasonable accommodation will be filed and reviewed pursuant to section 9-1C-5-B Application.
 - b. If the project for which the request for reasonable accommodation is being made also requires some other discretionary approval (e.g., conditional use permit, variance, etc.), then the applicant will file the reasonable accommodation application materials together for concurrent review with the application for discretionary approval.
 - c. A request for reasonable accommodation may be filed at any time that the accommodation is necessary to ensure equal access to housing. A reasonable accommodation does not affect an individual's obligation to comply with other applicable regulations not at issue in the requested accommodation.
 - d. If an individual needs assistance in making the request for reasonable accommodation, the city will provide assistance to ensure that the process is amenable to the individual.
5. Required Submittals: In addition to materials required under other applicable provisions of this code, an application for reasonable accommodation will include the following:
 - a. Documentation that the applicant is any of the following: an individual with a disability, applying on behalf of one or more individuals with a disability, or a developer or provider of housing for one (1) or more individuals with a disability.
 - b. Documentation of the specific exception or modification to the zoning code provision, policy, or practices requested by the applicant.
 - c. Documentation that the specific exception or modification requested by the applicant is necessary to provide one (1) or more individuals with a disability an equal opportunity to use and enjoy the residence.
 - d. Any other information that the director reasonably concludes is necessary to determine whether the findings required by in section 9-1C-6-J-8 Required Findings can be made so long as any request for information regarding the disability of the individuals benefited complies with fair housing law protections and the privacy rights of the individuals affected.
6. Approval Authority: The director acts on all applications for a reasonable accommodation, except under the following circumstances:
 - a. If the reasonable accommodation application is filed for concurrent review with an application for discretionary review, the planning commission or city council as applicable will act on the reasonable accommodation application.
 - b. The director may refer any reasonable accommodation application to the planning commission for review and final decision.
7. Notice: Notice that a request for reasonable accommodations has been received will be mailed to the owners of properties within one hundred (100) feet of a proposed project fourteen (14) days prior to the director approving the project.
8. Comment Period: The comment period will be ten (10) days from the date notice is provided. Written comments received by the director during this period will be considered as part of the staff review.
9. Procedure:
 - a. Director Review:
 - (1) The director will make a written decision within forty-five (45) days based upon the findings specified in section 9-1C-6-J-9 Findings.
 - (2) To reach a decision on the request for reasonable accommodation, the director may request further information from the applicant consistent with fair housing laws, if necessary. If a request for additional information is made, the forty-five (45)-day period to issue a decision is stayed until the applicant submits the requested information.
 - b. Other Review Authority:
 - (1) If the director refers a reasonable accommodation application to the planning commission for review and final decision, the planning commission must decide within forty-five (45) days based upon the findings specified in section 9-1C-6-J-9 Findings.
 - (2) The decision on a request for reasonable accommodation that is submitted concurrently with a discretionary permit application will be made by the planning commission or city council in conjunction with the review procedure for the discretionary permit application.

10. Findings: The review authority must make a written decision and either approve, approve with modifications, or deny a request for reasonable accommodation based on consideration of all the following factors:

- a. The requested accommodation is requested by, or on behalf of, one (1) or more individuals with a disability protected under the fair housing laws.
- b. The requested accommodation is necessary to provide one (1) or more individuals with a disability an equal opportunity to use and enjoy a dwelling.
- c. The requested accommodation will not impose an "undue financial or administrative burden" on the city, as defined in fair housing laws and interpretive case law.
- d. The requested accommodation will not result in a "fundamental alteration" to the purpose of the zoning code, as defined in fair housing laws and interpretive case law.
- e. The requested accommodation will not, under the specific facts of the case, result in a direct threat to the health or safety of other individuals or substantial physical damage to the property of others.

11. Alternative Reasonable Accommodations: In making these findings, the review authority may approve alternative reasonable accommodations which provide an equivalent level of benefit to the applicant.

12. Conditions of Approval: In approving a request for reasonable accommodation, the review authority may impose conditions of approval to ensure that the reasonable accommodation will comply with the requirements of this Zoning code.

13. Appeals: Procedures and requirements of section 9-1C-5-G Appeals must apply to a reasonable accommodation request.

14. Post Decision Procedures: Procedures and requirements of section 9-1C-5-H Post Decision Procedures will apply to a reasonable accommodations request.

K. Development Agreements:

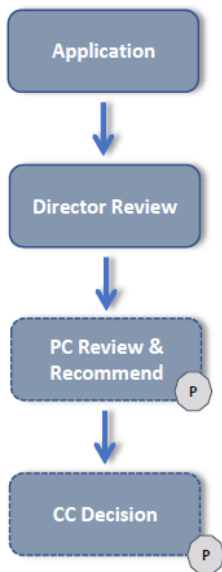
1. Use: The following provides procedures for the review, approval, and amendment of development agreements, consistent with Government Code section 65864. A development agreement is a legislative act that must be approved by ordinance and subject to referendum.

2. Initiation: Consideration of a development agreement may be initiated by:

- a. Property owner(s) or other persons having a legal or equitable interest in the property proposed to be subject to the agreement or an authorized agent of the owner(s).
- b. A resolution of intention by the council.

3. Fully Effectuate: The provisions of any development agreement executed in compliance with this zoning code must fully effectuate and be consistent with this section, Government Code section 65864, and the development agreement itself.

4. Discrepancies: If a discrepancy between the meanings of these documents arises, reference must be made to the following documents, and in the following order:



Development Agreement Process

- a. The terms of the development agreement itself.
 - b. The provisions of this Zoning Code.
 - c. The provisions of state law.
5. Size of Property: The property proposed to be subject to the agreement must be not less than one (1) acre in size.
6. Pre-Application Meeting: An applicant seeking a development agreement must participate in a pre-application meeting pursuant to section 9-1C-5-A Pre-Application Meeting.
7. Application: An application for a development agreement must be filed and reviewed in compliance with section 9-1C-5-B Application.
8. Approval Authority: The city council acts on development agreements.
9. Content of Development Agreement.
- a. Mandatory provisions: A development agreement entered into in compliance with this Zoning Code must contain the mandatory provisions specified by Government Code section 65865.2.
 - b. Permissive provisions: A development agreement entered into in compliance with this Zoning Code may contain the permissive provisions specified by Government Code section 65865.2.
10. Procedure:
- a. Director Action:
 - (1) The director will receive, review, and process an application for a development agreement. The director may call upon all other departments of the city to

assist in the review and processing of a development agreement application.

(2) The director will set the application, together with recommendations, for a public hearing before the planning commission.

b. Planning Commission Action: The planning commission will serve as the planning agency on development agreement applications in compliance with state law.

(1) Public Hearing Required: Every application for a development agreement must be set for a public hearing before the planning commission by the director, pursuant to section 9-1C-5-D Public Hearings.

(2) Notice: Notice for a development agreement hearing will occur pursuant to section 9-1C-5-E Notice.

(3) Decision: After conducting a public hearing on any proposed development agreement, the commission will take one (1) of the following courses of action based upon the findings specified in section 9-1C-6-K-11 Findings of Fact: recommend the city council approve the requested zoning development agreement, recommend the city council conditionally approve the proposed development agreement, or recommend the city council deny the requested development agreement.

c. City Council Action: Upon receipt of the planning commission's recommendation, the city clerk will set the application for public hearing.

(1) Public Hearing Required: Every application for a development agreement must be set for a public hearing before the city council pursuant to section 9-1C-5-D Public Hearings.

(2) Notice: Notice for a development agreement hearing must occur pursuant to section 9-1C-5-E Notice.

(3) Decision: After conducting a hearing on any proposed development agreement, the city council will take one of the following courses of action based upon the findings specified in subsection 9-1C-6-K-11 Findings of Fact: approve the requested development agreement, conditionally approve the proposed development agreement, or deny the requested development agreement.

11. Findings of Fact: The city council may approve a development agreement only if all the following findings of fact are made:

a. The development agreement is in conformance with General Plan, and any applicable specific plan, unless in the development agreement is approved in conjunction with appropriate entitlements.

b. The development agreement would not be detrimental to the health, safety, and general welfare of persons residing in the immediate area, nor be detrimental or injurious to property or persons in the general neighborhood or to the general welfare of the residents of Temple City.

c. If the development agreement includes a subdivision, the agreement must provide that any tentative map prepared for the subdivision will comply with the provisions of Government Code section 66473.7.

12. Execution and Recordation:

a. The city will not execute any development agreement until on or after the date upon which the ordinance approving the agreement and enacted pursuant to section 9-1C-6-K-10 Procedure becomes effective.

b. An executed development agreement must be recorded in the office of the Recorder of the County of Los Angeles no later than fourteen (14) days after it is executed.

13. Environmental Review: The approval or conditional approval of a development agreement must be deemed a discretionary act for the purposes of CEQA.

14. Enforceability: Unless amended, canceled, modified, or suspended, as provided by this section, a development agreement must be enforceable by parties included in the agreement notwithstanding any change in the general plan, any applicable specific plan, or other zoning, subdivision, or building regulation adopted by the city, which alters or amends the rules, regulations, and policies of the development agreement.

15. Periodic Review:

a. Every development agreement approved and executed pursuant to this section will be periodically reviewed, once every twelve (12) months, during the term of the agreement following the date of its execution.

b. If, as a result of periodic review pursuant to this section, the city council finds and determines, on the basis of substantial evidence, that the applicant or its successor in interest has not complied in good faith with the terms or conditions of the agreement, the city council may terminate or modify the agreement following a public hearing pursuant to section 9-1C-5-D Public Hearing and section 9-1C-5-E Notice.

16. Amendment: A development agreement may be amended, or canceled in whole or in part, by mutual consent of the parties to the agreement or their successors in interest following a public hearing pursuant to section 9-1C-5-D Public Hearing and section 9-1C-5-E Notice.

17. Modification or Suspension: If state or federal laws or regulations, enacted after a development agreement has been entered into, prevent or preclude compliance with one or more provisions of the development agreement, such provisions of the agreement will be modified or suspended as may be necessary to comply with such state or federal laws or regulations.

18. Effect of Development Agreement: Unless otherwise provided by the development agreement, rules, regulations and official policies governing permitted uses of the land, governing density, and governing design, improvement and construction standards and specifications, applicable to development of the property subject to a development agreement, are the rules, regulations and official policies in force at the time of execution of the agreement. A development agreement does not prevent the city, in subsequent actions applicable to the property, from applying new rules, regulations and policies which do not conflict with those rules, regulations and policies applicable to the property under the development agreement, nor does a development agreement prevent the city from denying or conditionally approving any subsequent development project application on the basis of such existing or new rules, regulations and policies.

L. Bonuses and Concessions for Affordable Housing:

1. Purpose: This section establishes procedures to implement state law as set forth in Government Code sections 65915 to 65918 for affordable housing. The incentives in this section are used by the city as a means of meeting its commitment to encourage the provision of affordable housing to all economic groups living within the community.

2. Application: An application for any bonus or concession for affordable housing must be filed with an application for a major site plan review.

3. Applicability: The provisions of this section apply only to multi-family residential and mixed-use development projects consisting of five (5) or more dwelling units not including units granted as a density bonus.

4. Approval Authority: The city council acts on bonuses and concessions for affordable housing and may, unless otherwise expressly stated in this section:

a. Approve the bonus or concession described in the application.

b. Deny the bonus or concession described in the application.

c. Approve one or more bonuses or concessions and deny one (1) or more other bonuses and concessions, if more than one (1) bonus or concession is described in the application.

5. Public Hearing: A public hearing for an affordable housing bonus or concession will be held pursuant to section 9-1C-5-D Public Hearings.

6. Notice: Notice for an affordable housing bonus or concession public hearing must occur in compliance with section 9-1C-5-E Notice.

7. Post Decision Procedures: Procedures and requirements of section 9-1C-5-H Post Decision Procedures will apply to an affordable housing bonus or concession.

8. Density Bonus for Affordable Housing:

a. Eligibility: A density bonus will be granted only if an applicant seeks and agrees to construct a development with at least one (1) of the following attributes:

- (1) At least ten percent (10%) of the total dwelling units for lower income households, as defined in section 50079.5 of the Health and Safety Code.
- (2) At least five percent (5%) of the total dwelling units for very low-income households, as defined in section 50105 of the Health and Safety Code.

(3) Senior citizen housing, as defined in sections 51.3 and 51.12 of the Civil Code, or mobile homes that limits residency based on age requirements for housing for older persons pursuant to section 798.76 or 799.5 of the Civil Code.

(4) At least ten percent (10%) of the total dwelling units in a common interest development, as defined in section 4100 of the Civil Code, for persons and families of moderate income, as defined in section 50093 of the Health and Safety Code, provided that all units in the development are offered to the public for purchase.

b. Allowance: The number of total dwelling units, not including units granted as a density bonus, will be used in calculating the number of affordable dwelling units required for a density bonus.

- (1) The density bonus for providing dwelling units affordable to low income households will be calculated as follows:

Percentage Low Income Units	Percentage Density Bonus
10	20
11	21.5
12	23
13	24.5
14	26
15	27.5
17	30.5
18	32
19	33.5
20	35

- (2) The density bonus for providing dwelling units affordable to very low-income households will be calculated as follows:

Percentage Very Low-Income Units	Percentage Density Bonus
5	20
6	22.5
7	25
8	27.5
9	30
10	32.5
11	35

- (3) The density bonus for providing dwelling units in common interest development affordable to moderate income households will be calculated as follows:

Percentage Moderate-Income Units	Percentage Density Bonus
10	5
11	6
12	7
13	8
14	9
15	10
16	11
17	12
18	13
19	14
20	15
21	16
22	17
23	18
24	19
25	20
26	21
27	22
28	23
29	24
30	25
31	26
32	27
33	28
34	29

35	30
36	31
37	32
38	33
39	34
40	35

(4) The density bonus for a senior housing development with thirty-five (35) or more dwelling units dedicated for occupancy by persons aged fifty-five (55) and older and those residing with them must be twenty percent (20%).

(5) Bonuses Not Combined: The density bonuses that are available to a development under this section must not be combined.

c. Approval Authority: A density bonus is not considered discretionary; however, projects that include a request for a density bonus will be subject to a major site plan review by the city council and the hearing, noticing, appeal, and post decision procedure requirements pursuant to section 9-1C-1-6-C, Major Site Plan Review.

9. Density Bonus for Donation of Land:

a. Eligibility: An applicant for a tentative subdivision map, parcel map, or other residential development approval who donates land to the city or to the city-approved affordable housing developer which is suitable for the development of dwelling units affordable to very low-income households will be entitled to a bonus in residential density for the entire development above the density otherwise allowable under this Zoning Code and the land use element of the General Plan.

b. Allowance: The density bonus for donation of land for development of dwelling units affordable to very low-income households will be based on the number of such affordable dwelling units that can be developed on the donated land as a percentage of the otherwise maximum residential density allowed for the development, calculated as follows:

Percentage Very Low Income	Percentage Density Bonus
10	15
11	16
12	17
13	18
14	19
15	20
16	21
17	22
18	23
19	24
20	25
21	26
22	27
23	28
24	29
25	30
26	31
27	32
28	33
29	34
30	35

c. Bonuses May Be Combined: A density bonus for the donation of land may be combined with a density bonus granted under section 9-1C-6-L-9, Density Bonus for Affordable Housing, of this section up to a maximum combined density bonus of thirty-five percent (35%).

d. Requirements for Density Bonus: The donation of land must meet all the following requirements to be eligible for a density bonus:

(1) The applicant must donate and transfer the land no later than the date of approval of the final tract or parcel map, or application for the construction of residential units.

(2) The developable acreage and zoning classification of the land being transferred must be sufficient to permit construction of units affordable to very low-income households in an amount not less than ten percent (10%) of the number of residential units of the proposed development.

(3) The transferred land must be at least one (1) acre in size or of sufficient size to permit development of at least forty (40) dwelling units, has the appropriate General Plan designation, is appropriately zoned for development as affordable housing, and is or will be served by adequate public facilities and infrastructure.

(4) The transferred land must be subject to development standards that would allow feasible development of the affordable units. No later than the date of approval of the final subdivision map, parcel map, or of the residential development, the transferred land must have all the permits and approvals, other than building permits, necessary for development of the very low-income housing units on the transferred land.

(5) The transferred land and the affordable units must be subject to a deed restriction approved by the city attorney ensuring continued affordability of the units, consistent with section 9-1C-6-L-15, Enforcement of Affordability and Eligibility, of this section.

(6) The land must be transferred to the city of Temple City or to a housing developer approved by the City of Temple City.

(7) The transferred land must be located within the boundary of the proposed development or, with approval of the city council, within one-fourth (1/4) mile of the boundary of the proposed development.

(8) A bonus must not be granted unless a source of funding for the very low-income units has been identified not later than the date of approval of the final parcel or tract map or application for the construction of residential units.

10. Concessions and Other Incentives:

a. Eligibility and Allowance: An applicant who utilizes the density bonus provisions of this section may request one (1) or more concessions or other incentives as follows:

(1) One (1) concession or other incentive for developments that dedicate at least five percent (5%) of the dwelling units for affordable occupancy by very low income households, ten percent (10%) of the dwelling units for affordable occupancy by low income households, or ten percent (10%) of the dwelling units for affordable occupancy by moderate income households when all of the units in the development are available for sale to the public, including the affordable units.

(2) Two (2) concessions or other incentives for developments that dedicate at least ten percent (10%) of the dwelling units for affordable occupancy by very low income households, twenty percent (20%) of the dwelling units for affordable occupancy by low income households, or twenty percent (20%) of the dwelling units for affordable occupancy by moderate income households when all of the units in the development are available for sale to the public, including the affordable units.

(3) Three concessions or other incentives for developments that dedicate at least fifteen percent (15%) of the dwelling units for affordable occupancy by very low income households, thirty percent (30%) of the dwelling units for affordable occupancy by low income households, or thirty percent (30%) of the dwelling units for affordable occupancy by moderate income households when all of the units in the development are available for sale to the public, including the affordable units.

b. Types of Concessions or Other Incentives: An affordable housing concession or other incentive must include the following:

(1) A modification in site development standards, zoning code requirements, or architectural design requirements including, but not limited to, a reduction in setback and square footage requirements and in the ratio of vehicular parking spaces that would otherwise be required that results in identifiable, financially sufficient, and actual cost reductions, provided the modified provisions meet the minimum building standards approved by the California Building Standards Commission as provided in Part 2.5 (commencing with section 18901) of Division 13 of the Health and Safety Code.

(2) Approval of mixed-use zoning if commercial, office, industrial, or other land uses will reduce the cost of the residential development and if the commercial, office, industrial, or other land uses are compatible with the residential development and existing and planned development near the proposed mixed-use project.

(3) Other regulatory concessions or other incentives proposed by the city or the applicant that result in identifiable, financially sufficient, and actual cost reductions.

c. Decision and Findings of Fact: The city council must grant a concession or other incentive requested by the applicant unless the city council makes a written finding, based on substantial evidence, of any of the following:

(1) The concession or other incentive is not required to provide for affordable housing costs, as defined in section 50052.5 of the Health and Safety Code.

(2) The concession or other incentive would have a specific adverse impact, as defined in 65589.5 of the California Government Code, upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low- and moderate-income households.

(3) The concession or other incentive would be contrary to state or federal law.

11. Waiver of Development Standards:

a. Eligibility and Allowance: If compliance with a development standard would physically preclude construction of a residential or mixed-use project utilizing a density bonus, and any concession or other incentive pursuant to this section, the applicant may submit a proposal for waiver or reduction of the development standard.

b. Findings of Fact: A waiver of development standard permit must be approved upon making all the following findings of fact:

(1) The waiver or reduction in a development standard is required for construction of the development project at the density to which the project is entitled and with all concessions or other incentives approved for the project.

(2) The waiver or reduction in a development standard will not have a specific adverse impact on public health, public safety, or the physical environment, and will not have an adverse impact on a property that is listed in the California register of historical resources. A specific adverse impact is a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.

(3) The waiver or reduction in a development standard is necessary because application of the development standards would physically preclude construction of a project utilizing a density bonus, concession or other incentive.

12. Child Daycare Center Bonus or Concession:

a. Eligibility and Allowance: An application for a development project that complies with the density bonus requirement of this section and includes a child daycare center that will be located on the premises as part of the project, or at a location adjacent to the project, may request one additional bonus or concession as follows:

(1) Additional net floor area for dwelling units that is equal to or greater than the net floor area in the child daycare center.

(2) A concession that contributes significantly to the economic feasibility of the construction of the child daycare center.

b. Findings of Fact: A child daycare bonus or concession must be approved upon making all the following findings of fact:

(1) The bonus or concession would contribute significantly to the economic feasibility of the construction of the child daycare center.

(2) The bonus or concession would not have a specific adverse impact on public health, public safety, or the physical environment, and would not have an adverse impact on a property that is listed in the California register of historical resources. A specific adverse impact is a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.

c. Conditions of Approval: The child daycare center must comply with conditions of approval as follows:

(1) The child daycare center must remain in operation for a period of time that is equal to or longer than the period during which the dwelling units in the development that are dedicated for affordable occupancy are required to remain affordable.

(2) Of the children who attend the child daycare center, the children from households of very low income, low income, or moderate income must equal a percentage that is equal to or greater than the percentage of dwelling units in the development that are dedicated for affordable occupancy by households of very low, low or moderate income.

13. Alternative Parking Standards:

a. Eligibility and Allowance: An applicant that is entitled to a density bonus may request the following alternative parking standards for the development:

(1) Zero (0) to one (1) bedroom: one (1) onsite parking space per dwelling unit.

(2) Two (2) to three (3) bedrooms: two (2) onsite parking spaces per dwelling unit.

(3) Four (4) and more bedrooms: two and one-half (2-1/2) parking spaces per dwelling unit.

(4) Five tenths (0.5) spaces per bedroom if a development includes at least twenty percent (20%) low income units or eleven percent (11%) very low-income units and is located within one-half (1/2) mile of a major transit stop, as defined in subdivision (b) of section 21155 of the Public Resources Code, and there is unobstructed access to the major transit stop from the development.

b. Affordable Rental Units: If a development consists solely of rental units, exclusive of a manager's unit or units, with an affordable housing cost to lower income families, as provided in section 50052.5 of the Health and Safety Code, then, upon the request of the applicant, the maximum parking standard, inclusive of handicapped and guest parking must not exceed:

(1) Five tenths (0.5) spaces per unit, if the development is located within one-half (1/2) mile of a major transit stop, as defined in subdivision (b) of section 21155 of the Public Resources Code, and there is unobstructed access to the major transit stop from the development.

(2) Five tenths (0.5) spaces per unit If the development is a for-rent housing development for individuals who are sixty-two (62) years of age or older that complies with sections 51.2 and 51.3 of the California Civil Code. The development must have either paratransit service or unobstructed access, within one-half (1/2) mile, to fixed bus route service that operates at least eight (8) times per day.

(3) 0.3 spaces per unit if the development is a special needs housing development, as defined in section 51312 of the Health and Safety Code. The development must have either paratransit service or unobstructed access, within one-half (1/2) mile, to fixed bus route service that operates at least eight (8) times per day.

- c. If the total number of parking spaces required for the development is other than a whole number, the number will be rounded up to the next whole number.
- d. A development may provide onsite parking through tandem parking or uncovered parking on the development site.
- e. This section does not preclude the city from reducing or eliminating a parking requirement for development projects of any type in any location.
- f. If the city or an independent consultant has conducted an area-wide or jurisdiction-wide parking study in the last seven years, the city may impose a higher standard not to exceed the standard described in 9-1C-6.L.14.a, based upon substantial evidence found in the parking study that includes, but is not limited to:

- (1) An analysis of parking availability.
- (2) Differing levels of transit access.
- (3) Walkability access to transit services.
- (4) The potential for shared parking.
- (5) The effect of parking requirements on the cost of market-rate and subsidized developments.
- (6) The lower rates of car ownership for low- and very-low income individuals, including seniors and special needs individuals.

(7) The city must pay the costs of any new study and must make findings, based on a parking study completed in conformity with this section, supporting the need for the higher parking ratio.

14. Enforcement of Affordability and Eligibility: Before issuance of a building permit for a development with a density bonus for provision of rental units affordable, as defined in the Health And Safety Code sections 50053 and 50052.5, to low and/or very low income households, a covenant or other document approved by the city attorney will be recorded and must ensure that the dwelling units affordable to low and/or very low income households are at all times rented or sold at a price affordable to such households with the applicable income level for at least fifty-five (55) years, all in a manner consistent with the applicable provisions of Government Code section 65915(c).

15. Recapture of Financial Interest: A covenant or other document satisfactory to the city attorney must be recorded before issuance of a building permit, which must ensure that for-sale very low, low, or moderate income density bonus units are offered and initially occupied by persons or families at a very low, low, or moderate income level, as defined in section 50052.5 and 50053 of the state Health and Safety Code. Very low, low, or moderate-income units may be offered for subsequent sale to an above very low, low, or moderate-income purchaser; provided that the sale will result in a recapture by the city, as follows:

- a. Upon resale, the seller of the unit must retain the value of any improvements, the down payment, and the seller's proportionate share of appreciation. The city will recapture any initial subsidy and its proportionate share of appreciation.
- b. The city's initial subsidy must be equal to the fair market value of the home at the time of 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 the resale will be used as the initial market value.
- c. The city's proportionate share will be the ratio of the city's initial subsidy to the fair market value of the home at the time of initial sale.
- d. The city's proportionate share must be used within five (5) years for any purposes that promote homeownership, as described in subdivision (e) of section 33334.2 of the state Health and Safety Code.

16. Ineligibility: An applicant will be ineligible for a density bonus or any other incentives or concessions under this section if a housing development or condominium project is proposed on any property that includes a parcel or parcels on which rental dwelling units are or, if the dwelling units have been vacated or demolished in the five (5)-year period preceding the application, have been subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of lower or very low income; subject to any other form of rent or price control through a public entity's valid exercise of its police power; or occupied by lower or very low income households, unless the proposed housing development replaces those units, consistent with California Government Code section 65915(c)(3).

17. Forfeiture of Funds: Any individual who rents out a dwelling unit in violation of this section will be required to forfeit all rents above the applicable affordable rate and any individual who sells a unit in violation of this section will be required to forfeit all profits from the sale exceeding the difference between the sale price and the applicable affordable sales price. Recovered funds must be deposited in a city fund that is intended to support development of affordable housing in the community.

18. Implementation: The city manager or the city manager's designee may adopt administrative procedures for implementation of this section. (Ord. 13-972; amd. Ord. 19-1036; Ord. 20-1040U; Ord. 20-1048)

9-1C-7: ENFORCEMENT:

A. Violations:

- 1. Any person violating the provisions or failing to comply with any of the requirements of this zoning code will be guilty of a misdemeanor, except as specified in section 9-1C-6-M-4 Infractions.
- 2. Any person convicted of a misdemeanor, under the provisions of this Zoning Code, will be punishable by a fine of not more than five hundred dollars (\$500.00), or by imprisonment in the city or county jail for a period not exceeding six (6) months, or by both such fine and imprisonment.
- 3. Each such person will be guilty of a separate offense for each and every day during any portion of which any violation of any provision of this zoning code is committed, continued, or permitted by such person and will be punishable accordingly.
- 4. In addition to the penalties herein provided, any condition caused or permitted to exist in violation of any of the provisions of this Code will be deemed a public nuisance and may be abated in the manner provided by law as such. Every day such condition continues will be regarded as a new and separate offense.

B. Abatement:

- 1. Any building or structure erected, built, moved, maintained or used, including the use of any property, contrary to the provisions of this Zoning Code following the effective date of this Zoning Code is hereby declared to be unlawful and a public nuisance.
- 2. The city attorney must, upon order of the city council, commence proceedings for the abatement and/or removal thereof, in the manner provided by law; the city attorney will take such steps as may be necessary to abate and remove such building, structure or use and restrain and enjoin any person from erecting, building, moving, or maintaining any such building or structure, or using any property contrary to any of the provisions of this chapter.

C. Cumulative Remedies: All remedies provided for in this chapter will be cumulative and not exclusive.

D. Infractions: Pursuant to the provisions of Government Code section 36900, the city manager or other designated city official may enforce the first and second

violations of this code as "infractions", while any subsequent violations will be deemed and enforced as "misdemeanors".

E. Infraction Assessment:

1. A violation of any provisions of this Zoning Code expressly enforced as an infraction will be punishable by a fine not to exceed that allowable by California state law, as set forth by city council resolution.
2. Failure to pay any penalty assessment imposed pursuant to the provisions of this Zoning Code will constitute a separate misdemeanor violation. (Ord. 19-1036)

ARTICLE D. NONCONFORMITIES

SECTION:

9-1D-1: General Nonconforming Provisions

9-1D-2: Nonconforming Lots

9-1D-3: Nonconforming Structures

9-1D-4: Nonconforming Uses

9-1D-5: Other Specific Nonconforming Provisions

9-1D-1: GENERAL NONCONFORMING PROVISIONS:

A. Establishment of Legal Nonconforming Status:

1. The provisions of this article will regulate the continuation, termination, and modification of lots, structures, and uses which were lawfully established, but which no longer conform to the provisions of this Zoning Code due to a change in zone boundaries or a change in the regulations for the zone in which it is located. A mere change in ownership or tenancy without any change in use, occupancy, or development will not affect any of the legal nonconforming rights, privileges, and responsibilities provided under this article.
2. Lots, structures, and uses not having previously acquired proper permits are illegal and subject to immediate abatement.
3. Any nonconforming situation that becomes specifically authorized under the terms of some approval pursuant to this Zoning Code, other than approval of an extension, expansion, change, or early termination of nonconformity, will henceforth be governed by the terms of such approval and will no longer be considered to be a nonconformity unless and until such approval expires or is revoked.

B. Continuation and Maintenance:

1. Continuation: Except as otherwise provided herein, any lot, structure, or use legally in place on the effective date of any ordinance creating the nonconformity may continue as a legal nonconforming lot, structure, or use, respectively.
2. Maintenance: Routine maintenance and repairs of lots and structures which do not increase the nonconformity may be performed.

C. Determination, Extension, and Abatement Procedures:

1. Authority: The planning manager will be the designated review authority for determining that a lot, structure, or use is nonconforming, and the planning commission will be the designated review authority for action on the abatement procedures and extensions of the nonconforming lots, structures, or uses.
2. Notice and Hearing: Once the planning manager has determined that a lot, structure, or use is nonconforming, the planning manager will provide required notice for hearing and action by the planning commission. The purpose of the hearing is to determine whether the nonconformity should be abated, given a specific term prior to abatement, or granted a time extension. Notice and hearing will be performed and conducted pursuant to Sections 9-1C-5-D, Public Hearings and 9-1C-5-E, Hearings.
3. Decision and Findings: The Planning Commission will base its decision as to the length of the permitted amortization period on any competent evidence presented, included but not limited to the depreciation schedule attached to the owner's latest federal income tax return. Findings will be made as to whether or not the balancing of the public interest and the request by the owner for continuance, alteration, or expansion of the nonconformity of the subject property requires a deviation from the city's development standards. Findings will be made in writing and provided to the property owner within ten (10) days after the decision is rendered.
4. Appeal: Actions taken by the Planning Commission may be appealed to the Council in accordance with provisions of Section 9-1C-5-G, Appeals.
5. Extension of Time: The Review Authority, at its discretion, may grant an extension of time for the abatement of a nonconformity where it finds that an unreasonable hardship would otherwise be imposed on the property or business owner.
6. Revocation of Nonconforming Use or Structure: The city may revoke the right to continue a nonconforming use or structure. Revocation procedures, including notice and hearing, will be in accordance with the provisions of Section 9-1C-5-H-8, Permit Modifications and Revocations section.
7. No Reversion to Nonconformance: When any nonconformity is eliminated or brought into conformance with the current regulations of this zoning code, the nonconforming rights and privileges with respect to that nonconformity are terminated and will not be restored. (Ord. 19-1036)

9-1D-2: NONCONFORMING LOTS:

- A. Continuation of Legal Nonconforming Lots: Any lawfully created lot which becomes nonconforming with regard to lot area, street frontage, lot width, lot depth, or accessibility may continue indefinitely with such nonconformity and may be developed and used as if it were a conforming lot.
- B. Modification of Legal Nonconforming Lots: Legal nonconforming lots may not be modified in any manner that increases the degree of nonconformity. Where feasible, parcel modifications (through lot merger or lot line adjustment) are encouraged to eliminate or minimize the degree of nonconformity. (Ord. 19-1036)

9-1D-3: NONCONFORMING STRUCTURES:

A. Continuation of Legal Nonconforming Structures:

1. Continuation of Structure: Any legally established nonconforming structure that does not conform to the provisions of this Zoning Code with regard to maximum permitted height, minimum required setback, lot coverage, floor area ratio, and/or maximum permitted encroachment into required yard areas may be continued indefinitely.
2. Exceptions: The following are the exceptions to the indefinite continuation of a legal nonconforming structure:
 - a. Residential Structures: Any increase in the number of residential units for buildings designed and occupied for residential use will be prohibited.
 - b. Utilities: Any new or replacement utility/mechanical facilities, equipment, or construction will conform to the maximum extent feasible, as determined by the planning manager.
 - c. Encroachments in Commercial Zones: Within the commercial zones, any nonconforming encroachment into required yards may be required to be removed or reduced upon review by the review authority when an expansion in floor area which is greater than fifty percent (50%) of the existing floor area is proposed for any structure maintaining a nonconforming encroachment; or when an expansion in floor area is proposed anywhere within an integrated development which is greater than fifty percent (50%) of the total floor area of all structures within the integrated development.
 - d. Trash Facilities, Outdoor Storage, And Display: Trash areas or facilities, outdoor storage areas, and outdoor display areas will be made fully conforming at the

time of any expansion or intensification of use on the site.

3. Modification or Expansion of Legal Nonconforming Structure:

a. A legal nonconforming structure will not be modified in a manner that expands, extends, or enlarges the use in any manner beyond its existing scope upon the date the nonconformity was created, except as follows:

(1) The modifications are, in and of themselves, in conformance with the provisions of this Zoning Code.

(2) The modifications are limited to minor alterations, improvements, or repairs that do not increase the degree of nonconformity present and do not constitute or tend to produce an expansion or intensification of a nonconforming use.

(3) The modifications are required by other laws.

(4) The modifications are incidental to the public acquisition of a portion of a site, no greater degree of nonconformity will be created other than that caused as a result of the public acquisition, and the changed development will conform to current regulations to the maximum extent feasible.

b. No change made to any development or use will be construed as automatically permitting an extension of any time limit for the termination of a nonconformity.

4. Destruction of Legal Nonconforming Structure: A nonconforming structure(s) involuntarily damaged or partially destroyed by fire, act of nature, or act of a public enemy may be repaired or rebuilt and re-occupied only as follows:

a. If the cost of repairing or replacing the damaged portion of the structure(s) does not exceed fifty percent (50%) of its appraised value, based on an appraisal which was prepared within the last twelve (12) months by a licensed appraiser, the structure may be restored, provided the reconstruction meets current Building Code requirements and the reconstruction begins within twelve (12) months of the date of damage, unless otherwise allowed by the planning manager, and is diligently pursued to completion.

b. If the cost of repairing or replacing the damaged portion of the structure(s) does exceed fifty percent (50%) of its appraised value as determined by an appraisal which was prepared within the last twelve (12) months by a licensed appraiser, the structure may not be restored.

c. Discontinuance of Legal Nonconforming Structure. If any legal nonconforming structure is abandoned or the use thereof discontinued for a period of one hundred eighty (180) consecutive days or more, subsequent development of the land will be in conformity with the provisions of this Zoning Code. Maintenance of a valid business license will of itself not be considered a continuation of the use.

d. Off-Site Relocation. When a structure is relocated to another lot, it will be made conforming in all respects with the provisions of this Zoning Code and all other applicable laws and regulations. (Ord. 19-1036)

9-1D-4: NONCONFORMING USES:

A. Continuation of Legal Nonconforming Uses: Except as otherwise listed below, a legal nonconforming use may continue indefinitely.

1. Nonconforming, single-family uses south of Lower Azusa Road and west of Ellis Lane and east of Linden Lane which are zoned as Low Mixed Use but are developed with single-family uses are considered nonconforming uses and may continue on the property until a development plan for the property consistent with the General Plan designation of the property is approved. Existing R-1 structures may be repaired and reestablished if damaged subject to compliance with standards provided in the R-1 Zone.

2. Nonconforming multi-family uses in the R-1 zone may not add additional units to the property. Additional living area may be expanded for units of non-conforming multi-family.

3. Nonconforming use eligible for Conditional Use Permit or other approval. Any nonconforming use that is eligible to be considered for a Conditional Use Permit or other discretionary approval under this Zoning Code is considered a nonconforming use unless and until such permit or other such approval is granted.

B. Modifications and Extensions to Legal Nonconforming Uses:

1. A legal nonconforming use will not be modified in any manner that expands, extends, or enlarges the use beyond its existing scope upon the date the nonconformity was created, except as specified below.

a. The changes are limited to minor alterations, improvements, or repairs that do not increase the degree of nonconformity present and do not constitute or tend to produce an expansion or intensification of a nonconforming use.

b. The changes are required by other laws.

c. The changes are incident to the public acquisition of a portion of a site, no greater degree of nonconformity will be created other than that caused as a result of the public acquisition, and the changed development will conform to current regulations to the maximum extent feasible.

2. No change made to any development or use will be construed as automatically permitting an extension of any time limit for the termination of a nonconformity.

C. Discontinuance of Legal Nonconforming Use:

1. If any legal nonconforming use is discontinued for a period of one hundred eighty (180) consecutive days or more, subsequent use of the land will be in conformity with the provisions of this Zoning Code. Maintenance of a valid business license will of itself not be considered a continuation of the use.

2. This section will not apply to any use for which a different period of discontinuance or abandonment is specified under other provisions of this Zoning Code. (Ord. 19-1036)

9-1D-5: OTHER SPECIFIC NONCONFORMING PROVISIONS:

A. Nonconformities Regarding Parking and Loading:

1. Parking Spaces and Improvements: A use that does not conform with the parking standards of the zoning district in which it is located will not be deemed a nonconforming use solely for these reasons.

2. Loading Spaces: Any nonconformity with respect to loading areas may continue indefinitely, except that with any change, expansion, or intensification of use, the additional loading areas required for such change, expansion, or intensification will be fully conforming.

3. Parking Lot Landscaping: Upon a review for any expansion, intensification, or reconfiguration of an existing parking lot, the designated Review Authority may require that any nonconformity with respect to interior landscaping and landscaped yards along streets and alleys for parking lots be made conforming to the fullest extent feasible.

B. Nonconformities Regarding Garages:

1. Any lawfully created use that becomes nonconforming with regard to garages, including but not limited to the number of parking spaces, may continue indefinitely with such nonconformity if such use continues as permitted. However, upon any change in land use, occupancy, or expansion of the use or structure, adequate off-street parking will be provided in conformance with the requirements set forth in Article E, Off-Street Parking and Loading.

2. Garages that have illegally converted to habitable rooms are strictly prohibited. This section does not apply to legal accessory dwelling units.

C. Nonconformities Regarding Landscaping: Any lawfully created use that becomes nonconforming with regard to landscaping, including, but not limited to, site coverage, parking lot coverage, distribution, installation, or maintenance, may continue indefinitely with such nonconformity if such use continues as permitted. However, upon performing any improvements to the lot exceeding fifty percent (50%) of the total appraised value of the existing property, as determined by a licensed appraiser, landscaping will be provided in conformance with the requirements set forth in Title 9, Chapter 1 (Zoning Code).

D. Nonconformities Regarding Fencing Materials:

1. Legally established nonconforming fencing material will be allowed to continue. Where the nonconforming fencing material is to be replaced with a new fencing material, it will be subject to the requirements in the zoning district sections. However, any legal nonconforming chain-link fencing in residential zones will be subject to abatement within one (1) year of the date that such materials were rendered nonconforming.

2. Any fences and landscaped buffers that are required along property lines will be provided at the time of any expansion or intensification of a nonresidential use.

E. Nonconformities Regarding Signs: Legally established nonconforming signs will be allowed to continue, subject to the compliance with Section 9-1F-16, Nonconforming Signs.

F. Nonconforming Environmental Effects:

1. Off-Site Impacts: Any nonconformity with respect to environmental effects upon surrounding property (such as lighting or noise) will be made conforming within three (3) years after the date of becoming nonconforming.

2. On-Site Impacts: Any nonconformity with respect to an environmental effect upon the premises where the source of the effect is located may continue indefinitely.

G. Nonconformities Regarding Safety and Access:

1. Corner Cutback Areas: Nonconforming obstructions to the required clear visibility triangle, including landscaping, fencing, walls, signage, artwork, and similar features but specifically excluding buildings, will be removed or made conforming within one (1) year after the date of becoming nonconforming. See section 9-1N-2 (Corner Cutback Areas).

2. Access: Nonconforming driveways or other vehicular access arrangements may continue indefinitely, except that with any expansion or intensification of use, the access serving such expansion or intensification will be made fully conforming.

H. Nonconformities Not Requiring Capital Expenditure or Loss to Conform: Notwithstanding any other provision of this chapter, any nonconformity which can be made conforming without requiring that a capital expenditure be made, or a capital loss incurred, will be made conforming within one (1) year after the date of becoming nonconforming. (Ord. 19-1036)

ARTICLE E. OFF-STREET PARKING REQUIRED

SECTION:

9-1E-1: Parking Spaces Required

9-1E-2: Parking Space Standards

9-1E-3: Landscape Standards For Parking Lots

9-1E-4: Parking Design Criteria

9-1E-5: Alternative Parking Strategies

9-1E-6: Loading

9-1E-1: PARKING SPACES REQUIRED:

A. Off-Street Parking Space Requirements:

1. Unless off-street parking reductions are allowed in compliance with the Zoning Code, off-street parking spaces will be provided in compliance with Table 9-1E-1, Off-Street Parking Requirements. These standards will be considered the minimum and maximum required to preserve the public health, safety, and welfare of the community. An increase or decrease in the parking requirements may be determined circumstances where these requirements are inadequate for a specific project. These cases will be determined through a parking study as outlined in this article.

2. Calculation/rounding of quantities. When the calculation of the required number of off-street parking spaces results in a fraction greater than or equal to 0.50 of a space, the total number of spaces will be rounded up to the nearest whole number. If the fraction is less than 0.50 of a space, the total number of spaces will be rounded down to the nearest whole number. For multiple uses, the parking number should be added together after rounding.

3. Change Of Use: No additional parking will be required when a new use has the same parking requirement as the previous use, and the current number of on-site parking spaces is less than the minimum required by the code. This applies even in cases where the cumulative number of parking spaces in a shopping center exceeds the minimum required by the code.

B. Uses Not Listed: The number of parking spaces required for uses not specifically listed in Table 9-1E-1 will be determined by the planning manager based on common functional, product, or compatibility characteristics and activities with the uses listed in Table 9-1E-1.

C. Parking Requirement Determined by Parking Study: In the event the proposed land use is for a multi-tenant development, a mixed use development, a use in the Downtown Core zone utilizing public parking, or involves a Specific Plan or Planned Development Permit, the planning manager may authorize the preparation of a parking study to determine the required number of parking spaces as an alternative to the number of off-street parking as outlined in Table 9-1E-1 and other applicable provisions of this article, subject to the following conditions:

1. Parking determined by a parking study will be approved, modified and/or denied by the commission pursuant to a conditional use permit as authorized and processed under the provisions of this article.

2. The city has the right to select a consultant, which will be paid for by the applicant.

3. The study will have been undertaken and completed by a traffic engineer registered by the State of California and will bear the stamp of that engineer.

D. Multiple Tenants - Commercial Sites: Except as otherwise provided in this article, for each separate use, a site with multi-tenants, or a combination of principal uses in any one facility, the development will provide the aggregate number of parking spaces required for each separate use, unless a parking study has been prepared and approved pursuant to this article or except as provided for in off-site shared parking.

E. Mixed-Use with Residential:

1. The number of parking stalls will be as outlined in Table 9-1E-1.

2. Any required guest parking for the residential uses may be provided through the required commercial parking, so long as it is not time restricted and allowed overnight.

3. The parking for the residential use which is required to be in a fully enclosed garage pursuant to Table 9-1E-1 may be provided within an underground or aboveground parking structure rather than a garage.

4. Except for guest parking, parking for the residential uses will be provided and maintained separate and secure from the on-site commercial parking.

F. Off-Street Parking Space Requirements: The following minimum and maximum number of off-street parking spaces will be provided as indicated in Table 9-1E-1 for each of the following uses.

Table 9-1E-1

Off-Street Parking Requirements

Use Type	Auto Min.	Auto Max	Bicycle
Residential Uses			
Dwelling, Artist studio/live work unit	1 per 333 sq. ft.		
Group living (6 or less residents)	2 spaces per unit		
Dwelling, Multi-family	2 per unit & 1 guest space per 5 units for guests		2 per 5 units
Dwelling, Multi-family within Mixed-Use development	1.5 per unit & 1 guest space per 10 units	2 per unit & 1 guest space per 10 units	2 per 5 units
Dwelling, Single-family	2 spaces per unit in a garage		
Accessory Dwelling Unit	See Section 9-1T-13		
Public and Institutional Uses			
Business/trade/vocational school	1 per 285 sq. ft. & 2 drop off spaces	125% of minimum	1 per 1,250 sq. ft.
Church, temple, and other places of worship	1 per 5 fixed seats or 1 per 50 sq. ft.	125% of minimum	1 per 1,250 sq. ft.
College/university	1 per 3 students & 1 per 3 employees	125% of minimum	1 per 2 students & 1 per 10 employees
Community center	1 per 400 sq. ft.	125% of minimum	1 per 1,250 sq. ft.
Daycare, adult	1 per 500 sq. ft.	125% of minimum	1 per 10 employees
Child daycare, large (8 - 14 children)	1 per 500 sq. ft.	125% of minimum	1 per 10 employees
Government offices	1 per 333 sq. ft.	125% of minimum	1 per 1,250 sq. ft.
Library or museum	1 per 500 sq. ft.	125% of minimum	1 per 1,250 sq. ft.
Lodges, social clubs, senior citizen or youth center	1 per 100 sq. ft.	125% of minimum	1 per 1,250 sq. ft.
Pre-school (private)	Set by CUP	Set by CUP	Set by CUP
Elementary or middle school	1 parking space for each employee and each faculty member.		
High school	1 parking space for each 5 students and 1 parking space for each faculty member and employee.		
Commercial Uses			
Auto-Oriented Businesses			
Automobile repair and specialty maintenance shops	1 per 250 square feet.		
Automobile, RV, trailer and/or boat sales (new or used)	1 per 1,000 square feet.		
Car Wash	2 spaces per 1,000 sq. ft.; shared parking is allowed without a minor conditional use permit.		
Fuel/service station	1 per 200 sq. ft. of office & 1 per service bay		
Office			
Professional services (such as accounting, advertising, architecture, artist studio, bookkeeping, business headquarters, computer programming, consulting, contracting, engineering, insurance, law, marketing, photography, professional care providers, psychiatry, psychology, real estate, tax preparation)	1 per 250 sq. ft.	125% of minimum	1 per 2,500 sq. ft.

Office, General	1 per 250 sq. ft.	125% of minimum	1 per 2,500 sq. ft.
Office, Medical, Chiropractic or acupuncture	1 per 200 sq. ft.	125% of minimum	1 per 2,500 sq. ft.
Veterinary clinic, general services, and animal care	1 per 333 sq. ft.	125% of minimum	1 per 2,500 sq. ft.
Personal Services			
Bank or financial institution	1 per 250 sq. ft.	125% of minimum	1 per 2,500 sq. ft.
Personal services (barber/beauty shop, diet/nutrition center, locksmith, mailbox rental, nail/manicure shop, bicycle sales/repair, tailor, shoe repair, tanning salon, travel agent)	1 per 333 sq. ft.	125% of minimum	1 per 2,500 sq. ft.
Health/Wellness club, gym, studio, or indoor recreation	1 per 200 for large scale clubs 1 per 333 sq. ft. for small studios	125% of minimum	1 per 2,500 sq. ft.
Laundromat/Dry Cleaners - except central cleaning facilities	1 per 333 sq. ft.	125% of minimum	1 per 2,500 sq. ft.
Tattoo parlor	1 per 333 sq. ft.	125% of minimum	1 per 2,500 sq. ft.
Art or Music Studio	1 per 100 sq. ft. of instructional area	125% of minimum	
Tutoring Facility	1 per 250 sq. ft.	125% of minimum	1 per 2,500 sq. ft.
Restaurant & Food Service			
Banquet facility	1 per 100 sq. ft.	125% of minimum	1 per 2,500 sq. ft.
Bar/Lounge	1 per 100 sq. ft.	125% of minimum	1 per 2,500 sq. ft.
Restaurant (with or without ancillary alcohol services)	1 per 100 sq. ft.	125% of minimum	1 per 2,500 sq. ft.
Restaurant, fast food	Up to 1,500 sq. ft.: 1 per 250 sq. ft. 1,501 to 1,999: 1 per 250 sq. ft. & 3 per each 100 sq. ft. in excess of 1,500. Max of 20. 2,000 or more: 1 per 100 sq. ft.	125% of minimum	1 per 2,500 sq. ft.
Restaurant with dancing and/or other entertainment	1 per 100 sq. ft.	125% of minimum	1 per 2,500 sq. ft.
Restaurant with drive through facility	1 per 100 sq. ft.	125% of minimum	1 per 2,500 sq. ft.
Retail			
Bridal Shop	1 per 333 sq. ft.	125% of minimum	1 per 2,500 sq. ft.
Flower or newspaper stand - not accessory to another use	1 per 333 sq. ft.	125% of minimum	1 per 2,500 sq. ft.
Public food market	Set by CUP	Set by CUP	Set by CUP
Retail sales (under 6,000 sf)	1 per 333 sq. ft.	125% of minimum	1 per 2,500 sq. ft.
Retail sales (6,000 - 90,000 sf)	1 per 333 sq. ft.	125% of minimum	1 per 2,500 sq. ft.
Retail sales (90,000 - 150,000 sf)	1 per 250 sq. ft.	125% of minimum	1 per 2,500 sq. ft.
Retail sales (above 150,000 sf)	1 per 250 sq. ft.	125% of minimum	1 per 2,500 sq. ft.
Industrial			
Manufacturing and Assembly	1 per 1000 sq. ft.	150% of minimum	
Warehouse	1 per 1,500 sq. ft.	150% of minimum	
Wholesale	1 per 1000 sq. ft.	150% of minimum	
Other			
Cinema/multi-plex or stage theater	1 per 5 fixed seats	125% of minimum	1 per 2,500 sq. ft.
Arcade/Internet Café/Electronic Gaming	1 per 2 machines	125% of minimum	
Karaoke	1 per 100 sq. ft.	125% of minimum	

Hospital/medical facility	3 per bed	125% of minimum	2 per 2,500 sq. ft.
Hotel/motel	1 per room	125% of minimum	3 per 2,500 sq. ft.

G. Building Regulations: Concessions regarding off street parking requirements or site development standards will not include building regulations adopted pursuant to this code or that are otherwise imposed by state or federal law.

H. Authority: The city retains exclusive authority to enter into a parking concession agreement. The city may choose to enter or reject a parking concession agreement based on an individualized analysis of the off-site parking facility at issue. (Ord. 19-1036; amd. Ord. 20-1047; Ord. 21-1056, 5-4-2021)

9-1E-2: PARKING SPACE STANDARDS:

A. Minimum dimensions for parking spaces are shown in Table 9-1E-2.

Table 9-1E-2				
Off-Street Vehicle Parking Space Dimensions				
	Size of Parking Stall (min.)		Aisle Width	
	Width	Length	One-way	Two-way
Standard Dimensions				
Parallel	9 ft.	24 ft.	13 ft.	20 ft.
30-Degree	9 ft.	17 ft.	15 ft.	20 ft.
45-Degree	9 ft.	19 ft.	18 ft.	22 ft.
60-Degree	9 ft.	20 ft.	25 ft.	26 ft.
90-Degree	8 ft., 6 in.	18 ft.	— ¹	25 ft.
Compact	8 ft.	15 ft.	See Standard Dimensions	
Tandem (1 space)	10 ft.	20 ft.	See Standard Dimensions	
Residential Garage	10 ft.	20 ft.	--	--
Motorcycle	4 ft.	7 ft.	--	--
Bicycle	2 ft.	6 ft.	--	--

B. Vertical Obstructions: The width of all parking spaces must comply with the minimum requirements of this Section and provide a minimum of one foot of additional clearance on each side of the parking space next to a vertical obstruction exceeding six inches (6") in height.

C. Driveway Width: All driveways must meet the minimum and maximum widths shown in Table 9-1E-3. For single family houses, the maximum driveway width is limited to ten feet (10') when a one car garage is located at or near the front setback or the garage is located to the rear of the lot and twenty feet (20') when a two (2) car garage is located at or near the front setback.

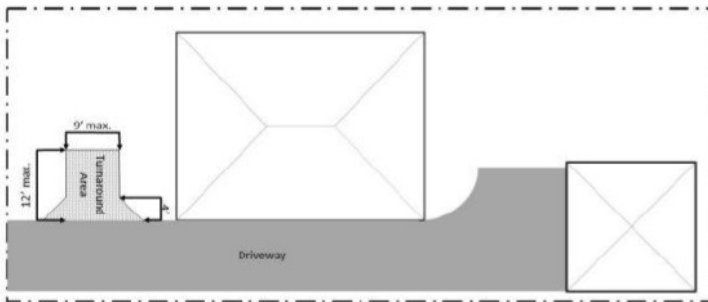
Table 9-1E-3		
Driveway Widths		
	Driveway Width (feet)	
	Min.	Max.
Single Family Residential	8 ft.	10 ft. - 20 ft.
Multi-family Residential		
Lots with two units	10 ft.	16 ft. (12 ft. of hardscape)
Lots with 25 or fewer spaces	10 ft.	--
Lots with 26 or more spaces		
One-way	10 ft.	--
Two-way	20 ft.	--
Non-Residential		
Lots with 14 or fewer spaces	12 ft.	--
Lots with 15 or more spaces		
One-way	12 ft.	--
Two-way	20 ft.	--

D. Residential Driveway Requirements:

- All driveways will be clear and unobstructed for a height of twelve feet (12') above ground.
- Driveways must lead to an approved off-street parking structure, garage or carport. Where driveways no longer lead to an off-street parking structure, garage or carport, the driveway approach, curb and gutter will be replaced to match the adjacent improvements to the satisfaction of the city engineer and the paved parking surface will be replaced with landscaping.
- Automobiles, recreational vehicles, boats, trailers, or similar vehicles parked in any front yard area of any R zoned lot must be parked on a paved driveway area leading directly to a legal parking area or garage.
- Recreational vehicles, boats, trailers, or the like must not be parking in the front yard setback area for a period of more than one (1) week.
- Recreational vehicles, boats, and the like more than six and one-half feet (6.5') in height and stored in a driveway behind the front yard setback must be screened with a six-foot (6') fence or gate.
- A circular type driveway may be constructed provided:
 - The lot on which the circular driveway is proposed is at least ninety feet (90') in width;
 - On lots with more than one (1) street frontage, the circular driveway is located on the street frontage which is ninety feet (90') or greater;

- c. The lot on which the driveway is proposed is in the R-1 zone;
 - d. The driveway has, or connects with a driveway which has, direct access to a legal parking area or structure;
 - e. The entire width of the driveway, at some point thereon, is located entirely behind the required setback area;
 - f. The driveway does exceed the requirements found in Table 9-1E-3;
 - g. There is a minimum of thirty feet (30') of full height curb between the two (2) driveway approaches, measured at their nearest points.
7. R-1 zoned properties or properties with single-family uses along Temple City Boulevard, Rosemead Boulevard, Baldwin Avenue, Santa Anita Avenue, streets where the posted maximum speed limit is thirty-five (35) miles per hour or greater, or other locations as determined by the community development director, where the existing garage and driveway location makes it infeasible for a vehicle to enter the street in a forward facing direction may provide a turnaround area nine feet (9') in width, twelve feet (12') in depth, and with four-foot (4') right triangles adjacent to the turnaround area and the driveway (see diagram below labeled "Turnaround Area Diagram").
- a. The paving in the turnaround area shall be decorative concrete pavers, turf block, or similarly high-quality options approved by the community development director.
 - b. This turnaround area shall not be used for vehicular parking.
 - c. The turnaround area shall not be combined with walkways in such a manner as to allow for the creation of a parking space sized area in the front yard.
 - d. Properties where new development is proposing a garage in the rear shall provide a turnaround area in the rear portion of the lot to limit the amount of paving in the front yard.

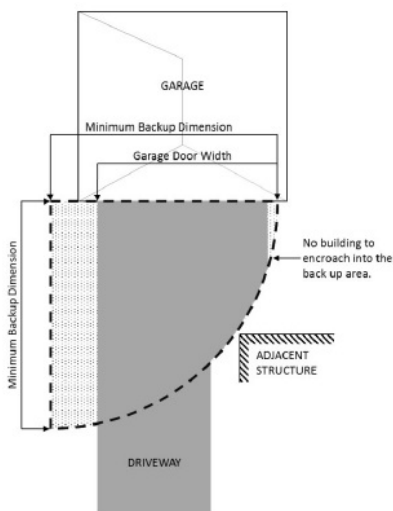
Turnaround Area Diagram



8. Residential Backup Space: The backup space for single-family uses shall be a function of the width of the garage door opening. The backup dimension shall comply with the requirements in Table 9-1E-4, "Minimum Backup Dimension and Garage Door Width", of this section. For the purposes of this section, "garage door width" shall be defined as the clear opening between structural elements. The measurement for backup space shall follow the "Minimum Backup Dimension and Garage Door Diagram", of this section. The backup space for a single-family use may protrude into the sidewalk and parkway portions of the public right-of-way, but not the street.

Table 9-1E-4		
MINIMUM BACKUP DIMENSION AND GARAGE DOOR WIDTH		
2 Spaces	1 Space	Minimum Backup Dimension
20 feet	12 feet	20 feet
19 feet	10 feet	22 feet
18 feet	9 feet	24 feet
16 feet	8 feet	28 feet

Minimum Backup Dimension and Garage Door Diagram



E. Non-Residential Driveway Requirements:

1. Driveway widths will be a minimum of sixteen feet (16') and a maximum of thirty feet (30').
2. Where separate driveways are provided for ingress and egress, the minimum width for each will be twelve feet (12') and the maximum width for each will be twenty feet (20'), and the direction of travel will be clearly indicated on the site by permanent identification.
3. All driveways will be clear and unobstructed for a height of twelve feet (12') above ground.

4. Driveways must lead to an approved parking lot, off-street parking structure, garage or carport. Where driveways no longer lead to an off-street parking structure, garage or carport, the driveway approach, curb and gutter will be replaced to match the adjacent improvements to the satisfaction of the City Engineer and the paved parking surface will be replaced with landscaping.

5. The minimum separation distance of any two (2) driveways not on the same property will be twenty feet (20'). For two (2)-way driveways on the same property, the minimum distance will be fifty feet (50').

6. All driveway access will be from a dedicated street or alley. When alley access is available, the access must be taken from the alley unless approval is granted by the director.

7. On sites with less than eighty feet (80') of frontage, no more than one (1) driveway will be permitted. On sites with eighty feet (80') or more of frontage, additional driveways may be approved through the Site Plan and Design Review process. On sites that front arterial streets with less than two hundred feet (200') of frontage, no more than one (1) driveway will be permitted. On sites with two hundred feet (200') or more of frontage, additional driveways may be approved through the Site Plan and Design Review process.

F. Parking Lot Location:

1. Except as otherwise allowed herein, all required off-street parking spaces will always be accessible from a street.
2. All required off-street parking spaces will be located on the same lot or within the same development as the use and/or development requiring such spaces, except where off-site parking is provided as outlined in Section 9-1E-6 Subsection B, Off-site Shared Parking.

G. Entrance Driveway and Parking Grades:

1. Driveways will not exceed a maximum grade of plus twelve percent (12%) or minus six percent (-6%) measured along the driveway centerline, unless approved by City Engineer. Where there is a change in the slope of the driveway, it will be demonstrated that vehicles will be able to pass over the change in slope without interference with the vehicle's undercarriage.

2. Parking spaces and abutting access aisles will have a maximum grade of five percent, measured in any direction.

H. Compact Parking:

1. A maximum of fifteen percent (15%) of non-residential off-street parking spaces may be compact car parking spaces.
2. Existing parking lots or properties with approved compact parking spaces can remain. Compact parking spaces may remain if the parking lot is restriped.
3. Compact parking spaces will be distributed throughout the parking lot, with a maximum of four spaces in any one (1) location. Where compact parking is provided strictly for employee parking, all such parking may be in a single area of the parking lot.
4. For developments characterized by distinct, segmented parking areas, the maximum allowed percentage of compact stalls will apply to each area or segment of the parking lot. Compact spaces will not be located adjacent to retaining walls or other formidable barriers which prevent adequate vehicle overhang.
5. Each compact space will be clearly labeled "COMPACT." Signs may be painted on the pavement or curb and will be a minimum of one-foot (1') high letters when painted on the pavement or six-inch (6") high letters when painted on the curb.

I. Tandem Parking for Residential:

1. For multi-family development projects, tandem spaces will not constitute more than thirty percent (30%) of all required spaces within a development and will be allowed only for studio, one (1)- and two (2)-bedroom units.
2. Tandem spaces must be assigned to the same residential unit.
3. Each required parking space in a garage must be no less than ten feet (10') wide and twenty feet (20') long. Tandem parking can be used for the third and additional parking spaces.
4. The minimum dimensions for a tandem space will be as provided in Table 9-1E-2. Adequate maneuvering room for both vehicles and pedestrians will be provided around the tandem spaces as necessary.

J. Tandem Parking for Non-Residential:

1. For non-residential development projects, no more than seventy-five percent (75%) can be two (2) tandem spaces and fifty percent (50%) can be three (3) tandem spaces. A full-time attendant on duty will be required.
2. The minimum dimensions for a tandem space will be as provided in Table 9-1E-2. Adequate maneuvering room for both vehicles and pedestrians will be provided around the tandem spaces as necessary.

K. Markings of Spaces:

1. All signing and striping installations will be in conformance with the city's current standards or as otherwise deemed necessary by the city engineer to ensure safe and efficient traffic flow in or about any parking facility. Painted curbs (i.e. loading, passenger drop-off), cannot constitute a required parking space.
2. Vehicular parking spaces will be clearly outlined with four-inch (4") wide lines painted on the surface of the parking facility. Compact and carpool spaces will be clearly identified for compact vehicle and carpool usage respectively.
3. Parking spaces for the disabled will be striped and marked according to the applicable state standards.

L. Electric Vehicles:

1. The city recognizes the importance of encouraging and accommodating the use of electric and other alternative fuel vehicles as a means of reducing regional air pollutant emissions. Therefore, this section establishes guidelines for providing parking facilities that support the use of such vehicles. As part of the site plan process, special parking facilities will be provided to accommodate electric or other alternative fuel vehicles.
2. Generally, such facilities should be provided where more than one hundred (100) parking spaces are required per this chapter, or whenever the redesign of an existing parking lot with two hundred fifty (250) or more spaces is proposed.
3. Where electric vehicle recharging facilities are provided, the following development standards will apply:
 - a. At least one (1) separate meter panel for the sole purpose of electric vehicle recharging must be provided and sized to handle the required electric vehicle recharging spaces.
 - b. Photovoltaic or similar solar power facilities are encouraged to be integrated into the facility.
 - c. Service equipment, new or existing, of enough size and ampere capacity to accommodate the additional meter panels must be installed.
 - d. Overhead lighting must be adequate to allow proper and safe utilization of the recharging equipment. (Ord. 19-1036; amd. Ord. 20-1047)

9-1E-3: LANDSCAPE STANDARDS FOR PARKING LOTS:

A. Landscaping Requirements:

1. A minimum of ten percent (10%) of the parking lot area must be landscaped.
2. On lots less than or equal to one hundred fifty feet (150') in width, the parking lot must have a ten feet (10') minimum landscape perimeter. On lots greater than

or equal to one hundred fifty feet (150') in width, the perimeter landscape planter shall be ten feet (10') in width on lots. On lots less than or equal to sixty feet (60'), the director may grant a perimeter less than five feet (5').

3. Areas containing plant materials will be bordered by a concrete curb at least six inches (6") high and six inches (6") wide and provided with an automatic irrigation system. Alternative barrier designs may be approved by the planning manager. End stalls adjacent to parking spaces or other obstructions will incorporate an additional curbing width of six inches (6").

4. Parking lot landscaping will be located so that pedestrians are not required to cross landscaped areas to reach building entrances from parked cars. This should be achieved through proper orientation of the landscaped fingers and islands.

5. Planting areas will be as evenly distributed as possible throughout the entire area.

6. The perimeter of a parking area must provide a perimeter landscaped strip at least five feet (5') wide (inside dimension) where the facility is adjacent to the street or adjacent to the side or rear property line. The perimeter landscaped strip may be located within a required setback area. Trees will be provided at the rate of one for each twenty (20) lineal feet of landscaped area.

7. A solid masonry wall and landscaping will be provided, and maintained, along the property line adjacent to residential uses.

8. Trees will be planted and maintained in all parking lots at a minimum ratio of one (1) tree for every six (6) parking spaces. Trees will be planted and maintained throughout the parking facility to ensure that, within fifteen (15) years after establishment of the parking facility, at least forty percent (40%) of the parking facility will be shaded.

9. Tree planters must be a minimum dimension of four feet by four feet (4' x 4').

B. Parking Lot Storm Water Management:

1. For new developments with twenty-five (25) or more parking spaces, at least fifty percent (50%) of the required parking lot landscaping will be provided as a vegetated swale, vegetated filter strip, rain gardens, or detention basins with bio-filtration within the parking lot.

2. Parking lot drainage will be designed such that all surface runoff (both piped and overland flow) is conveyed through a vegetated swale, vegetated filter strip, rain gardens, or detention basins with biofiltration. The parking lot will provide appropriate curb cuts to allow water to freely enter and exit parking lot swales.

3. All landscaped islands will be situated below the grade of the parking spaces and driving aisles such that stormwater runoff flow is directed to and trapped by such islands.

C. Maintenance of Parking Facilities: All parking facilities, including curbs, directional markings, handicapped symbols, landscaping, irrigation, pavement, signs, striping, and wheel stops, will be permanently maintained in good repair, free of litter and debris, potholes, obstructions, and stored material. (Ord. 19-1036)

9-1E-4: PARKING DESIGN CRITERIA:

A. Surface Parking Lots:

1. Parking lots must be designed to maximize the amount of runoff directed to permeable areas and/or maximize stormwater storage for reuse or infiltration. Projects must use natural drainage, detention ponds, infiltration pits, and bioswales to promote infiltration and reduce or prevent off-site runoff.

2. Grading must be coordinated with the drainage methods of adjacent properties and minimize differences in pad heights between the subject property and adjacent properties.

3. Decorative paving and/or brickwork, as well as abutting shrubs or vines, are encouraged on driveways to reduce the visual impact.

4. Concrete areas of driveways should be minimized as much as possible. The use of pervious surfaces, such as pervious concrete or grasscrete, is encouraged on driveways.

5. Maximize permeable areas to allow percolation of runoff through such means as biofilters, green strips, and swales.

B. Parking Structures:

1. Parking facilities should be designed in a similar architectural style, using the same materials and treatments as surrounding buildings and structures, particularly if part of a larger development project.

2. The façade of parking structures should include vertical and horizontal articulation to break up the façade and provide a visual separation between each floor.

3. Projecting elements, awnings, signs, or other features should be used to visually delineate pedestrian entrances into parking structures.

C. Parking Structures: Bicycle parking and storage facilities, including bike racks and storage lockers, should be in well-lit, highly visible areas near building entrances.

D. Landscaping:

1. Preserve existing mature trees where feasible.

2. Trees and shrubs should be selected to minimize root problems and be located and spaced to allow for mature, long-term growth.

3. Hardscape palettes should match the architecture of the structure.

4. Landscaping must be provided along all parking lot perimeter edges.

5. Drought tolerant and native plants should be used for planting. Drought tolerant landscaping includes native water conserving plants. (Ord. 19-1036)

9-1E-5: ALTERNATIVE PARKING STRATEGIES:

Alternative parking strategies ensure that the city's off-street parking supply adequately serves the parking demand and that the supply of off-street parking is representative of the uses in the city. The following strategies are encouraged where appropriate, throughout the city.

A. Shared and Joint Use of Off-Street Parking:

1. The planning manager will review and approve any proposal shared, joint use, or off-site parking arrangements, unless such parking is included in an application requiring approval of the planning commission.

2. Circumstances and requirements for allowing shared parking arrangements. Where it can be demonstrated that two (2) or more land uses can effectively share common parking facilities due to the nature of the uses and distinctly different demand for parking, or where off-site parking is proposed to meet parking requirements, then an application may be filed for such parking arrangement.

3. The building or use for which an application is being made for authority to share and utilize the existing off-street parking facilities provided by another building or use will be located within five hundred feet (500') of such parking facilities.

4. To grant a request for shared/joint use or off-site parking, the planning manager will determine the following:

a. There are clear and convincing evidence that peak-hour parking demand from all uses does not coincide and/or the uses are such that the hours of operation are different for the various businesses or uses.

b. There is adequate parking provided for all participating users.

c. Adjacent or nearby properties will not be adversely affected by the shared/joint use or off-site parking.

d. The parking arrangement is consistent with the General Plan and all requirements of this Code.

5. The planning manager may require a parking study to be prepared that identifies the parking demand of all subject land uses and that clearly demonstrates how and why parking facilities can be shared. The will parking study must be prepared by a registered traffic engineer that specifically analyzes the parking demand for each use proposing to share the parking, each use's hours of operation, and other related issues of all involved uses.

6. A legal agreement will be signed by all parties using shared/joint use parking facilities. Such agreement will be approved by the City Attorney and Community Development Director and recorded with the Los Angeles County Recorder and will continue to be valid upon change of ownership.

7. In the event of a change in use, a new application will be filed, or the existing agreement amended with approval of the Planning Manager.

B. Off-Site Shared Parking: Off-site shared parking for non-residential uses will comply with the following standards:

1. Distance. Off-site parking will be located no more than one thousand feet (1,000') from the use it is intended to serve.

2. Lease agreement required. Required nonresidential parking may be located off-site from the use which it serves, subject to the approval of the planning manager of a lease agreement providing that the off-site parking will be available when the use commences and continuing so long as the use is in effect.

3. Notification of pending termination of lease required. The lease will contain a provision requiring that the planning manager be notified in writing at least thirty (30) days before termination of the lease.

4. Recorded lease required. A certificate of occupancy for the use will not be issued until the lease has been recorded with the county recorder and a copy filed with the planning manager.

5. Recorded covenant required. When the off-site parking is provided on a lot that is not contiguous with the lot where the use is located, and both are owned by the same entity, a covenant will be recorded that ties the lot providing the parking to the lot where the use requiring the parking is located.

C. Car Sharing:

1. Multi-family Residential and Commercial Uses: Any multi-family residential guest or commercial parking space may be voluntarily converted to a car-sharing space for up to a maximum of twenty-five percent (25%) of the required multi-family residential guest or commercial parking space of a development.

2. The car-share spaces will be made available, at no cost, to a certified car-share organization for purposes of providing car-share services for its car-share service subscribers.

3. When provided for a mixed-use or commercial development, the car-sharing service will be made available to the general public.

4. An applicant may request to provide dedicated ride or car-sharing parking and/or loading spaces as a means of satisfying off-street parking requirements, subject to the following requirements:

a. Multi-Family Residential Uses. One (1) dedicated ride or car sharing parking and/or loading space may replace four (4) guest parking spaces for a stand-alone multi-family residential or mixed-use development, for up to fifty percent (50%) of the required guest parking spaces for multi-family residential uses or the residential portion of a mixed-use building that include a minimum of ten (10) dwelling units.

b. Commercial Uses. One (1) dedicated ride or car sharing parking and/or loading space may replace two (2) required parking spaces for commercial uses for up to fifteen percent (15%) of the required parking spaces for commercial uses that include a minimum of six thousand (6,000) square feet of gross floor area.

c. Distance. Ride or car-sharing parking and/or loading spaces will be located no more than five hundred feet (500') from the use that is intended to serve.

d. Pedestrian Access. A pedestrian way that complies with all applicable ADA requirements, and is not more than five hundred feet (500') in length, will be provided from the off-site parking area to the use it serves.

D. Tandem and Valet Parking: An off-street parking program utilizing limited valet and tandem parking may be allowed for all commercial uses listed under the commercial use classification in Table 9-1E-1, Off-Street Parking Requirements, and the non-residential portions of mixed-use projects in accordance with the following:

1. Spaces. The development served will provide fifteen (15) or more parking spaces;

2. Maximum Amount. No more than twenty percent (20%) of the total number of spaces will be designated as tandem; and

3. Attendant Required. A valet parking attendant must be on duty during hours of operation.

E. Bicycle Parking: An applicant will provide bicycle parking in excess of the amount required by 9-1E-1, Off-Street Parking Requirements in exchange for a limited reduction in automobile parking spaces, in accordance with the following:

1. Spaces. The development served will provide fifteen (15) or more car parking spaces.

2. Multi-Family Residential Uses. A bicycle parking rack, corral, or other bicycle parking facility with a capacity to park ten (10) bicycles may replace one guest automobile parking space, for a maximum of two (2) parking spaces.

3. Commercial Uses. A bicycle parking rack, corral, or other bicycle parking facility with a capacity to park ten (10) bicycles may replace one (1) automobile parking space, for a maximum of two (2) parking spaces. A minimum of two (2) showers and two (2) lockers will be provided.

F. Bus Stop Improvements:

1. Bus stop improvements, including bus pullouts, bus pads, and right-of-way for bus benches and shelters will be required for developments located along arterials where public transit exists or is anticipated to exist within five (5) years.

2. Bus stop location and improvements will be determined according to a) frequency and relative impact of blocked traffic due to stopped buses; and b) level of transit ridership at the project location. (Ord. 19-1036)

9-1E-6: LOADING:

A. Loading Dock Access:

1. Developments zoned commercial and industrial buildings with truck-height loading docks, will be designed with the at least one (1) driveway approach capable of accommodating a forty-eight (48)-foot wheel track turning radius.

2. Developments will be designed to prevent truck back-up maneuvering within public right-of-way. At least one (1) on-site maneuvering area which provides a forty-eight (48)-foot turning radius wheel track through the parking area or a circulation pattern which does not require a truck to turn around on site.

3. If an industrially or commercially zoned property is designed with a raised loading dock and/or truck wells, each dock or well will be provided with at least one (1) back-up area to the dock or well in accordance with Table 9-1E-5. The dock approach may not be encumbered by parking stalls or physical obstructions and will be measured perpendicular to the dock or door. The minimum dock and overhead clearance is twelve feet (12').

4. The driveway aisle between parking stalls may be used for the approach, provided the forty-eight foot (48') wheel track turning radius is maintained.

5. Parking aisles and access driveways adjacent to loading doors without dock high approaches or truck wells will have a minimum width of eight feet (8') plus the aisle width required in this chapter, except for ninety (90)-degree parking in which the parking aisle will have a minimum thirty-two foot (32') width.

TABLE 9-1E-5	
LOADING DOCK ACCESS	
Berth or Aisle Width (Feet)	Dock Approach (Feet)
10	120
12	117
14	113

6. The director may allow an exception to the loading dock access requirements if the director finds the following:
- Dimensions of the lot are not adequate to accommodate on-site turnaround.
 - Access is located to minimize conflicts with intersections, minimum one hundred feet (100') from intersection.
 - Access is onto a minor street with low traffic volume.
 - Street geometry is adequate to accommodate truck back-up maneuvering of the largest anticipated vehicle, minimum forty feet (40') between the end of the loading space nearest to the street and the curb on the opposite side of the street.
- B. Off-Street Loading Spaces:
- Off-street loading spaces will be provided at a rate in accordance with Table 9-1E-6. The loading spaces will be not less than twelve feet (12') in width, forty feet (40') in length, and with fourteen feet (14') of vertical clearance.
 - Loading docks located less than one hundred feet (100') to residential properties will be housed in an enclosed structure to minimize noise impacts.

TABLE 9-1E-6	
MINIMUM LOADING SPACES	
Total square feet of building space (gross floor area)	Loading Spaces Required
Commercial and industrial buildings	
20,000 and under	1
20,001-50,000	2
50,001 and over	3
Hospitals, institutions, hotels, office buildings	
50,000 and under	1
50,001-100,000	2
100,001 and over	3

- The director may allow an exception to the off-street loading requirements if it is demonstrated that there is not adequate space on the lot to reasonably accommodate the minimum number or dimensions of loading spaces.
- C. Loading Design Criteria:
- Loading and service access areas, utilities, and trash and recycling receptacles should be located on the rear portion of a parcel or development, screened from the public right-of-way, open space, and adjacent properties. Loading and service areas should not be a hazard to or conflict with the movement of automobiles, pedestrians, or bicycles. Off-street loading areas will be located as far as possible from the residential units and will be completely screened from view from the residential portion of the project. Loading areas will not be located within required setbacks.
 - Areas for the collection and storage of refuse and recyclable materials will be located on the site in locations that are convenient for both the residential and nonresidential uses. There will be separate refuse and recycling trash collection areas for the residential and non-residential uses. Trash collection areas will be located and screened so that noise and odors do not affect residential units.
 - If the loading of furniture and household goods for residential units occurs on the street, it will be limited to the hours of 9:00 a.m. to 2:00 p.m. and 7:00 p.m. to 10:00 p.m. on weekdays and 9:00 a.m. to 10:00 p.m. on weekends. (Ord. 19-1036)

ARTICLE F. SIGNS

SECTION:

- 9-1F-1: Purpose
- 9-1F-2: Applicability
- 9-1F-3: Definitions
- 9-1F-4: General Provisions
- 9-1F-5: Exempt Signs
- 9-1F-6: Prohibited Signs
- 9-1F-7: Standards For All Types Of Sign Types
- 9-1F-8: Permanent Signs By Zone - Location And Design Requirements
- 9-1F-9: Specific Types Of Permanent Signs
- 9-1F-10: Iconic Signs
- 9-1F-11: Signs For Specific Uses
- 9-1F-12: Temporary Signs
- 9-1F-13: Procedures For Sign Permits, Exemptions, And Revocations
- 9-1F-14: Comprehensive Sign Program

9-1F-15: Sign Maintenance**9-1F-16: Enforcement****9-1F-17: Nonconforming Signs****9-1F-18: Abandoned Signs****9-1F-19: Illegal Signs****9-1F-1: PURPOSE:**

The city council finds that, for the purpose of protecting and enhancing the aesthetic qualities that define and distinguish Temple City, protecting public safety and general welfare, assisting property and business owners and business tenants to benefit from their investments, and promoting economic development and investments through enhanced aesthetic appeal, proper sign regulations are an important governmental interest. Therefore, the purpose of the standards in this article is as follows:

- A. To provide each sign user the opportunity for adequate business or other identification and information while guarding against the potentially excessive and confusing proliferation of signs by appropriately regulating the time, place, and manner under which signs may be displayed.
- B. To preserve and enhance the community's appearance by regulating the type, number, size, location, quality, design, character, scale, illumination, and maintenance of signs.
- C. To encourage establishment and maintenance of well-designed signs that attract and invite rather than demand the public's attention.
- D. To encourage the design of signs that are complementary to the structures and uses to which they relate.
- E. To ensure freedom of expression for sign uses for both commercial and noncommercial speech by maintaining a content-neutral approach to sign regulation.
- F. To enhance the safety of motorists and pedestrians by minimizing the distraction of intrusive and overpowering signs, as well as to protect the life, health, property, and general welfare of city residents and visitors.
- G. To provide a review process for signs to ensure compliance with the requirements of this article. (Ord. 19-1036)

9-1F-2: APPLICABILITY:

A. Regulatory Scope: This article regulates signs, as defined in this article, that are placed on private property, in the public right-of-way, or on property owned by public agencies other than the city and over which the city has zoning authority.

B. Applicability:

1. The regulations in this article shall apply to all signs in all zones that come within the regulatory scope as defined in Subsection A, above, unless specifically exempted.

2. Sign permits shall be required in compliance with section 9-1F-13 (Procedures for Sign Permits, Exemptions, and Revocations). In addition, the provisions of Municipal Code Title 7 (Building Regulations) relating to building and electrical codes, fees, penalties, and a method of enforcement shall also apply.

3. Applications for sign permits that comply with all the applicable requirements of this article and other applicable laws shall be granted. Signs approved in conjunction with any other application shall be consistent with this article, unless otherwise approved by the city. Where approval of a conditional use permit or variance has been obtained, any applicable conditions of that approval shall supersede the requirements of this article.

C. Sign Permit Required: A sign permit shall be required for all signs unless exempt in compliance with section 9-1F-5 (Exempt Signs), including change of copy allowed under the requirements of this article. Only signs that comply with all the applicable requirements of this article shall be approved.

D. Content Consideration: Content of a noncommercial message shall not be considered when any required sign permit application is reviewed. Content of a commercial message shall be considered only to the extent required to determine whether the sign is an on-site or off-site sign. See section 9-1F-15 (Procedures for Sign Permits, Exemptions, and Revocations).

E. Nonconforming Signs: An existing legally allowed sign that does not conform to the requirements of this article shall be deemed a nonconforming sign and shall be subject to the requirements of section 9-1F-17 (Nonconforming Signs).

F. Specific Plans: Sign regulations contained in a city adopted specific plan document shall not be less restrictive than the regulations in this article. If the adopted specific plan does not provide regulations for a sign type or situation, the requirements of this article shall apply. (Ord. 19-1036)

9-1F-3: DEFINITIONS:

A-FRAME SIGN:	A portable freestanding sign that is hinged, folded, or otherwise angled at the top and widens at the bottom to form a side facing shape like the letter "A."
ABANDONED NONCONFORMING SIGN:	A nonconforming sign that is advertising a use that has ceased, or is located upon a structure that has been abandoned for more than ninety (90) days. See "Abandoned Sign." For the purposes of this definition, abandonment for the applicable ninety (90)-day period shall be deemed conclusive evidence of abandonment irrespective of the property, sign, or business owner's intent.
ABANDONED SIGN:	A sign that is advertising a use that has ceased; is located upon a structure that has been abandoned by its owner; does not identify or advertise a current bona fide business, lessor, service, owner, or product available upon the site; or that identifies or advertises an event or activity that has previously occurred. See section 9-1F-18 (Abandoned Signs) for timelines for determining abandonment.
ADDRESS SIGN:	The numeric reference of a structure or use to a street included as part of a sign.
ANIMATED SIGN:	A sign that uses movement, lighting, or special materials to depict action or create a special effect or scene. This classification includes wind-actuated and other elements (e.g., balloons, bunting, pennants, streamers, whirligigs), or other similar devices.
AWNING:	A roof-like structure usually covered in fabric (e.g., canvas) that projects from the wall of a structure to shield a doorway or window from the elements.
AWNING SIGN:	A sign painted on, printed on, or attached to the surface of an awning. This does not include signs attached to architectural projections (such as metal frames projecting from the building which take the place of a wall sign). See Figure 9-1F-3-A (Awning Sign).

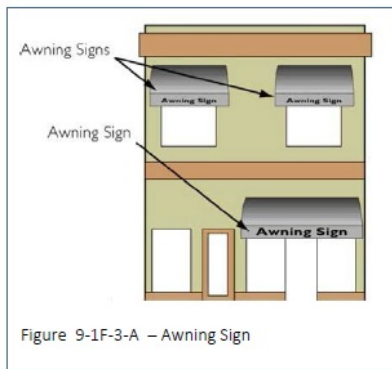


Figure 9-1F-3-A - Awning Sign

BACK-LIT AWNING:	An internally illuminated, fixed, space-frame structure with translucent, flexible, fabric reinforced covering designed in an awning form and with graphics or copy applied to the visible surface of the awning.
BANNER SIGN:	A sign made of fabric or any non-rigid material with no enclosing framework.
BILLBOARD:	A permanent structure used for the display of off-site commercial messages (see "Off-Site Signs").
BLADE/BRACKET SIGN:	A small, pedestrian-oriented sign that projects perpendicular from a structure (blade sign) or is hung beneath an awning or canopy (bracket sign). See also "Projecting Sign."
BUILDING IDENTIFICATION SIGN:	A sign which is located on, and parallel to a building wall which announces the name of the building, such as "The Empire State Building."
BUILDING MARKER:	A sign indicating the name of a building and date and incidental information about its construction which is cut into a masonry surface or made of bronze or other durable material.
CABINET SIGN:	A sign that has one or more plastic, acrylic, or similar material faces (panels) that may or may not be internally illuminated. The sign panels may be either flat or shaped ("pan face") and are attached to a metal frame (cabinet).
CANOPY:	A permanent roof-like structure of rigid or fabric materials extending from the main entrance of a structure and typically supported by posts at the corners farthest from where the canopy attaches to the structure. See also "Awning."
CANOPY SIGN:	A sign located on a permanent roof-like structure or canopy of rigid or fabric materials extending from the main entrance of a structure. See Figure 9-1F-3-B (Canopy Sign).

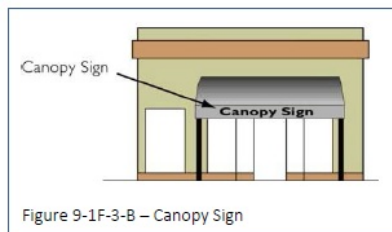


Figure 9-1F-3-B - Canopy Sign

CHANGEABLE COPY SIGN (ELECTRONIC):	A sign with changeable copy that is changed by incorporating video display, flip-disks, incandescent lamps, fluorescent lamps, fiber optics, light-emitting diodes (LED), liquid crystal displays, plasma-displays, field emission displays, or any other mechanical or light-emitting matrix to convey changing copy or images. Also considered an animated sign. See Figure 9-1F-3-C (Changeable Copy Sign).
CHANGEABLE COPY SIGN (MANUAL):	A sign with changeable copy that is manually changed, regardless of method of attachment or materials of construction. This classification includes bulletin boards and changeable copy signs on marquees. Does not include electronic message boards with lighted displays. See Figure 9-1F-3-C (Changeable Copy Signs).

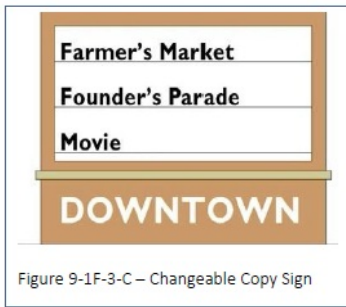


Figure 9-1F-3-C - Changeable Copy Sign

CHANNEL LETTERING:	Three-dimensional sign face lettering or logos such that the sign is on a different plane than the sign backing or structure.
COMMERCIAL MASCOT:	Animated beings, including those wearing masks or costumes, that hold signs or are used as moving signs, for the purpose of advertising an establishment within a non-residential zone. This includes sign twirlers, sign clowns, etc.
COMMERCIAL MESSAGE:	A message displayed on a sign that relates primarily to economic interests (e.g., the exchange or sale of goods or services). This definition shall automatically incorporate court rulings defining the term "commercial speech."
CONSTRUCTION SIGN:	A temporary sign erected on a parcel where construction is taking place that lasts the duration of the permit.
CONTENT NEUTRALITY:	See section 9-1F-4 (General Provisions).
COPY:	The graphic content of a sign surface in either permanent or removable letter, pictographic, symbolic, or alphabetic form.
DEPARTMENT:	The Community Development Department of the City of Temple City.
DIRECTIONAL SIGN:	
On-site directional sign:	A sign giving directions for traffic (vehicular and/or pedestrian), instructions, or facility information of an establishment upon the same property, but with no advertising copy (e.g., stop signs, parking, or exit and entrance signs). See Figure 9-1F-3-E (On-Site Directional Sign).
Off-site directional sign:	A sign giving directions to businesses, sales offices, real estate sales locations, points of interest, or other uses found to be similar by the director, that are located on a different property, but with no advertising copy. See Figure 9-1F-3-F (Off-Site Directional Sign). See section 9-1F-9 (Specific Types of Permanent Signs).

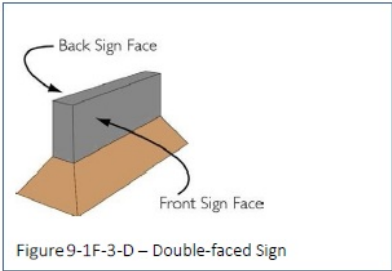


Figure 9-1F-3-D - Double- faced Sign

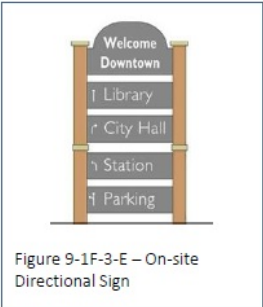


Figure 9-1F-3-E - One-site Directional Sign



Figure 9-1F-3-F - Off-site Directional Sign

DIRECTOR:	The director of the city's community development department, or the director's designee.
DIRECTORY SIGN:	A sign listing the tenants or occupants of a building or building complex.
DISPLAY SURFACE:	The area made available by the sign structure for the purpose of displaying the advertising message.
DRIVE-THROUGH BOARD:	A permanently mounted sign located adjacent to a drive-through lane and typically located next to or preceding the drive-through window.
DOUBLE-FACED SIGN:	A sign designed with the intent of providing copy (i.e., message) on both sides. See Figure 9-1F-3-D (Double-Faced Sign).
ELECTION SIGN:	A sign of a non-commercial nature made of corrugated plastic, paper, cardboard, or other temporary materials present forty-five (45) days before an election and seven (7) days after.
EMBEDDED PLAQUE/SIGN:	Commemorative or decorative plaques, dates of construction, and the like when carved in stone, concrete, or similar material or made of bronze, aluminum, or other similar durable material.
ESTABLISHMENT:	A legal, nonresidential use of land to conduct a commercial or noncommercial activity. By way of example and not limitation, "establishment" includes stores, offices, places of assembly, hospitals, manufacturing facilities, etc., but does not include home-based occupations or hobbies.
FAÇADE:	The entire building elevation, including the parapet.
FACE OF SIGN:	The area of a sign on which the copy (i.e., message) is placed.
FASCIA:	Typically, the smooth wall surface between a window and the parapet.
FLAG:	A rectangular or square piece of fabric generally with a height to width ratio ranging between one (1) to one (1) to one (1) to two (2) that is hung from a vertical or nearly vertical pole.
FLASHING SIGN:	A sign that displays an intermittent or sequential flashing light source.
FREESTANDING SIGN:	A sign supported permanently upon the ground by a structure and not attached to a building. This includes monument signs and pylon signs. See "Monument Sign" and "Pylon Sign." See Figure 9-1F-3-G (Types of Freestanding Signs).

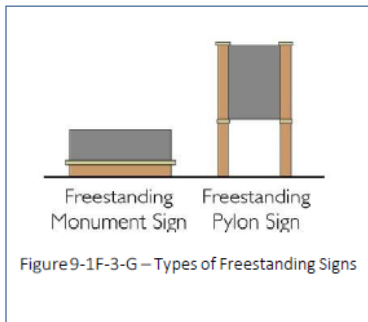


Figure 9-1F-3-G - Types of Freestanding Signs

FRONTAGE:	
Building frontage:	The building elevation that fronts on a street, alley, driveway, parking area, pedestrian plaza, walkway, courtyard, or arcade. See Figure 9-1F-3-H (Example of Building Frontages).
Building frontage, primary:	A building elevation that provides the primary source of pedestrian access to the structure.
Building frontage, rear:	A building elevation that provides public entrance opposite of the primary building frontage.
Building frontage, secondary:	A building elevation that provides the secondary source of pedestrian access to the structure.
Tenant frontage:	That portion of a multi-tenant building facade that is devoted to a single tenant.

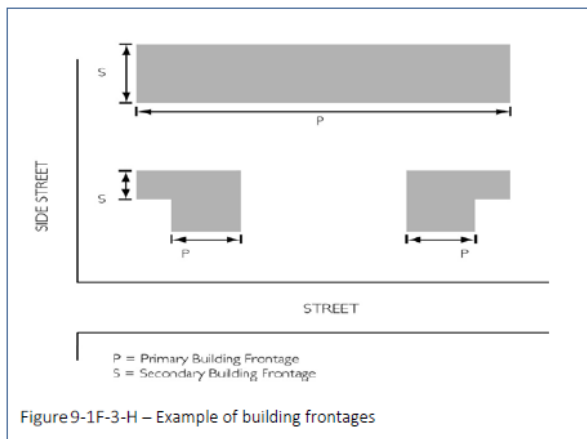


Figure 9-1F-3-H - Example of building frontages

HOLIDAY WINDOW SIGN:	Signs and decorations painted on or applied to windows pertaining to holidays and seasonal events.
ILLEGAL SIGN:	A sign installed without the prior issuance of a sign permit; or that is not in compliance with this article; or that is not a legal nonconforming sign.
ILLUMINATED SIGN:	A sign lighted with an artificial light source for the purpose of decorating, enhancing, outlining, accentuating, or brightening the sign area.
EXTERNALLY ILLUMINATED SIGN:	A sign illuminated from an exterior light source.
INDIRECTLY ILLUMINATED SIGN:	A sign whose illumination is derived entirely from an external artificial source that is arranged to illuminate the sign area only.
INTERNALLY ILLUMINATED SIGN:	A sign illuminated from an interior light source contained within the sign cabinet or individual letter, such as a luminous tube sign or LED (light-emitting diode) sign.
INCIDENTAL RESIDENTIAL SIGN:	A sign in a single-family or multi-family zone other than election signs, real estate signs, or garage or yard sale signs no more than one (1) square feet in size and made of permanent or durable materials, such as hard plastic designed for outdoor use, corrugate plastic, or metal.
INFLATED DISPLAY SIGN:	A three-dimensional object filled or activated by moving or non-moving air or other gas, located, attached, or tethered to the ground, site, merchandise, structure, or roof and used as a sign or to attract attention. This definition does not include inflated gymnasium-type jumping or sliding devices used temporarily for a non-advertising activity (e.g., children's parties, etc.).
LOGO:	An established trademark or symbol associated with a business or corporation.
LUMINOUS TUBE SIGNS:	A sign that consists of or is illuminated by exposed electrically charged gas-filled tubing (e.g., neon and argon signs) or by fiber optics.
MANSARD ROOF:	A four-sided roof characterized by two (2) slopes on each of its sides with the lower slope at a steeper angle than the upper.
MARQUEE:	A permanent roofed structure attached to and supported by the building and customarily projecting over public property.
MARQUEE/UNDER CANOPY SIGN:	An accessory sign attached to a marquee or canopy.
MONUMENT SIGN:	A freestanding sign, the structure of which is supported from finished grade, giving the appearance of having a solid base. See "Freestanding Sign."
MOVING SIGN:	A sign which has an actual or apparent moving, revolving, or rotating part, activated by electrical, mechanical or other devices or by wind movement. For the purposes of this article, time and temperature displays, and traditional barber poles are not considered moving signs.
MURAL:	An artistic image or design painted or affixed to the exterior surface of a wall.
NONCONFORMING SIGNS:	
Legal nonconforming sign:	A legal sign that lawfully existed (i.e., complied with all the applicable regulations and had all the required permits) before the effective date of this article or amendment thereto, and that does not comply with the minimum sign regulations of this article. This also includes legal signs lawfully located on sites annexed into the city after the adoption of this article.
Illegal nonconforming sign:	See section 9-1F-19 (Illegal Signs).
NONCOMMERCIAL MESSAGE:	A sign message that is not commercial in nature. See "Commercial Message" above. This definition shall automatically incorporate court rulings defining the term "noncommercial speech."
OFF-SITE SIGN:	A sign erected on a parcel that is not the location of the business or use that the sign is advertising. See also "Directional Sign."

OFF-SITE MESSAGE:	A message on a sign that advertises a business, accommodation, service, or activity not provided on the premises on which the sign is located. This classification includes billboards. The off-site/on-site distinction applies only to commercial messages.
ON-SITE MESSAGE:	A message on a sign that advertises a business, accommodation, service, or activity provided on the premises on which the sign is located. The off-site/on-site distinction applies only to commercial messages.
PAINTED WALL SIGN:	A sign painted directly onto a building surface without use of a face board (see also mural).
PARAPET:	The extension of a false front or wall above a roofline.
PEDESTRIAN-ORIENTED SIGN:	A sign that is designed for and directed toward pedestrians so that the pedestrians can easily and comfortably read the sign as they approach and stand adjacent to it. A pedestrian-oriented sign is usually read from fifteen (15) to twenty (20) feet.
PERMANENT SIGN:	A sign designed with durable materials and intended to be used in excess of sixty (60) days per calendar year.
POLE SIGN:	A sign that is supported by a single pole or similar support structure so that the bottom edge of the sign is one foot (1') or more above grade.
PORTABLE SIGN:	Any sign designed to be moved easily and not permanently affixed to the ground or to a structure or building.
PROJECTING SIGN:	A sign that projects from and is supported by a wall of a building. See Figure 9-1F-3-I (Projecting Sign). See also "Blade/Bracket Sign."

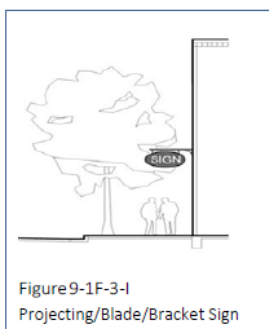


Figure 9-1F-3-I - Projecting/Blade/Bracket Sign

PROJECTION:	The distance by which a sign extends from the building it is supported by.
PUBLIC SERVICE SIGN:	Signs of utilities or other publicly regulated service providers indicating danger or similar aids to service or safety, including official advisory and signal flags.
RACEWAY:	A channel for protecting and holding electrical wires and cables, typically a rectangular metal box for the electrical components of an illuminated sign consisting of channel letters. Pre-wired channel letters are mounted to the raceway, which in turn is mounted to a building wall. One (1) set of wiring is then connected to the main circuit. The rectangular box (raceway) sets behind the attached letters and is not designed as an architectural feature. See Figure 9-1F-3-J (Electrical Raceway with Channel Letter).

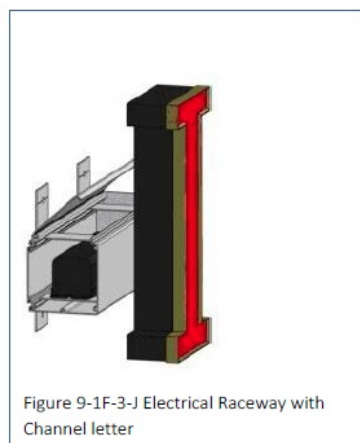


Figure 9-1F-3-J Electrical Raceway with Channel letter

REAL ESTATE SIGN:	A temporary, on-site sign which is installed at a time corresponding to the sale or lease of a unit.
-------------------	--

ROOF LINE:	The top edge of a roof or building parapet, whichever is higher, excluding any mansards, cupolas, chimneys, or minor projections.
ROOF SIGN:	A sign that is wholly erected, constructed, or placed on top of the roof of a structure including a mansard roof, and that is partially or totally supported by the structure.
SERVICE STATION/REFUELING STATION:	For purposes of this article, a commercial facility that sells gasoline, diesel, or alternative fuel for the on-site fueling of individual vehicles, with or without service-related facilities.
SIGN:	Any device, fixture, placard, or structure-including its component parts-that draws attention to an object, product, place, activity, opinion, person, establishment, institution, organization, or place of business, or that identifies or promotes the interests of any person and that is to be viewed from any public street, road, highway, right-of-way or parking area.



Figure 9-1F-3-K Examples of Sign Types

	<p>The following are not within the definition of "Sign" for regulatory purposes of this article:</p> <ul style="list-style-type: none"> a. Architectural Features: Decorative or architectural features of buildings (not including lettering, logos, trademarks, or moving parts). b. Fireworks And Other Lights: The legal use of fireworks, spotlights, candles and artificial lighting not otherwise regulated by this article. c. Interior Signs: Signs or other visual communicative devices that are located entirely within a building or other enclosed structure and are not visible from the exterior thereof or located at least ten feet (10') inward from the interior face of the window, provided the building or enclosed structure is otherwise legal. d. Legally Required Information: Public notices, registration, or licensing information, etc. e. Manufacturers' Marks: Marks on tangible products that identify the maker, seller, provider, or product, and that customarily remain attached to the product even after sale. f. Murals: located on properties with a General Plan Land Use Designation of Institutional. g. Symbols Embedded In Architecture: Symbols of noncommercial organizations or concepts including, but not limited to religious or political symbols, when they are permanently integrated into the structure or a permanent building that is otherwise legal; also includes foundation stones, corner stones, and similar devices.
SIGN AREA:	See section 9-1F-7-D (Standards for All Types of Sign Types).
SIGN HEIGHT:	See section 9-1F-7-E (Standards for All Types of Sign Types).
SIGN PROGRAM:	See section 9-1F-14 (Comprehensive Sign Program).
SIGN STRUCTURE:	The sign, and the supports, uprights, braces, and framework of the sign.
TEMPORARY SIGN:	A sign, banner, pennant, valance, or advertising display constructed of cloth, canvas, fabric, cardboard, wall board, or other light nondurable materials, with or without frames, designed to be displayed for a limited period. Typically displayed by an establishment to promote a sale, new product line, management change, service, liquidation sales, going-out-of-business sales, person running for public office, and similar special activities or events. See Figures 9-1F-3-L and 9-1F-3M (Temporary Signs).



Figure 9-1F-3-L Temporary Sign



Figure 9-1F-3-M Temporary Window Sign

TIME/TEMPERATURE SIGN:	An electronic or mechanical device that shows time and/or temperature but contains no business identification or advertising.
TRADEMARK:	A word, name or symbol which, with a distinctive type or letter style is associated with a business or business entity in the conduct of business.
VEHICLE SIGN:	A sign painted, affixed, or placed upon a vehicle or trailer and that vehicle or trailer's only function is to act as an advertising display, not as a normal business delivery or service vehicle.



Figure 9-1F-3-N Wall Mounted Sign

WALL-MOUNTED SIGN:	A sign attached to, erected against, or fastened to a wall of a building or structure, the face of which is in a single plane parallel to the plane of the building wall to which the sign is attached or fastened. See Figure 9-1F-3-N (Wall-Mounted Sign.)
WINDOW SIGN:	Any sign, whether or not temporary in nature, which is applied or attached to a window, or located within ten feet (10') of the inside of a window in a manner that it is visible from the exterior of the structure. (Ord. 19-1036)

9-1F-4: GENERAL PROVISIONS:

The rules and regulations stated in this section apply to all signs subject to compliance with this article.

A. Compliance Required: No person shall erect, re-erect, construct, maintain, enlarge, alter, change copy, repair, move, improve, remove, convert, or equip any sign or sign structure, or paint a new wall mural in the city, or cause or permit the same to be done, contrary to, or in violation of, any provision of this article.

B. Interpretations by Director: Interpretations of the requirements of this article shall be exercised considering the city's content neutrality policy. Where a particular type of sign is proposed in a permit application, and the type is neither expressly allowed nor prohibited by this article, or whenever a sign does not qualify as a "structure" as defined in the California Building Code, then the director shall approve, conditionally approve, or deny the application based on the most similar sign type that is expressly regulated by this article.

C. Content Neutrality: It is the city's policy to regulate signs in a constitutional manner that is content neutral with respect to both noncommercial and commercial messages. For the purposes of this article, a content-neutral regulation is a so-called "time, place, or manner" regulation, which, as the name suggests, does no more than place limits on when, where, and how a message may be displayed or conveyed.

D. Message Substitution: Signs authorized by this article can carry noncommercial messages in lieu of any other commercial or noncommercial messages. Substitution of messages may be made without an additional permitting process. This provision prevails over any more specific provision to the contrary within this article. The purpose of this provision is to prevent an inadvertent favoring of commercial speech over noncommercial speech, or favoring of any noncommercial message over any other noncommercial message. This provision does not create a right to increase the total amount of signs or allowable sign area on a parcel, nor does it affect the requirement that a sign structure or mounting device be properly constructed.

E. Rules for Design and Installation Aspects of Signs: Rules and regulations concerning the design and installation aspects of signs, (e.g., number, type, location, size, height, illumination, spacing orientation, etc.) stand enforceable.

F. Address Signs: Address signs do not count toward the maximum allowable sign area and are required to comply with Title 3 (Public Safety).

G. Property Owner's Consent Required: Signs shall not be displayed without the expressed written consent of the legal owner of the property or authorized representative of the property on which the sign is mounted or displayed. For purposes of this regulation, "owner" means the holder of the legal title to the property and all parties and persons holding a present right to possession, control, or use of the property.

H. Off-Site Commercial Sign Regulation: The city clearly and completely prohibits the construction, erection, or use of off-site signs displaying off-site commercial messages (i.e., billboards), other than those that legally exist in the city, or for which a valid permit has been issued and has not yet expired, as of the date on which this provision was first adopted. The city adopts this regulation in compliance with California Government Code Section 65850, California Business and Professions Code Sections 5354(a) and 5408.3 (both effective January 1, 2003). Permits shall not be issued for off-site signs displaying off-site commercial messages that violate this regulation, and the city will take immediate abatement action against such signs constructed or maintained in violation of this regulation. The council affirmatively declares that it would have adopted this regulation even if it were the only provision in this article. The council intends for this off-site sign regulation to be severable and separately enforceable even if other provisions of this article may be declared, by a court of competent jurisdiction, to be unconstitutional, invalid, or unenforceable. This provision does not prohibit agreements to relocate existing, legal off-site signs, as encouraged by California Business and Professions Code Section 5412. (Ord. 19-1036)

9-1F-5: EXEMPT SIGNS:

The signs listed in this section are exempt from the permit requirement and do not count toward the total allowable sign area limit which is otherwise applicable. However, the signs described in this section are still subject to the applicable safety codes and to all other applicable laws.

A. Address Signs: Address signs made up of numbers and/or letters twelve inches (12") high or less.

B. Bulletin Boards: Bulletin boards for any legal, noncommercial establishment, when located on the premises of the establishment and not over twelve (12) square feet in area.

C. Change of Copy: Changing the copy in approved changeable copy signs whereby such signs were in existence as of the date of adoption of this article, or approved through the Comprehensive Sign Program (Section 9-1F-14).

D. Construction Sign: Subject to the provisions of Section 9-1F-12-D (Construction Signs).

E. Flags: In residential zones the maximum length of exempted flags is five feet (5'). In non-residential zones the maximum length of exempted flags is eight feet (8').

F. Garage Sale Signs: See Municipal Code Article 4-2D (Yard Sales).

G. Holiday Window Painting: Signs and decorations painted on or applied to windows pertaining to holidays and seasonal events. All signs and decorations shall be removed within ten (10) days following the applicable holiday.

H. Incidental Residential Sign: Maximum of two (2) allowed per lot. Maximum size per sign is one square foot. May be attached to a structure or fence or a stake placed in a required setback. Not allowed in the public right-of-way or public property.

I. Names of Buildings, Commemorative Tables, and the Like (with limitations): Names of buildings, commemorative tables, and the like when carved into stone, set in concrete or similar material, or constructed out of bronze, aluminum, or other durable material.

J. Portable Parking Lot and Valet Parking Signs: One freestanding portable sign at each parking lot entrance limited to ten (10) square feet (two feet by five feet (2' x 5')) in area. A valet parking plan approved by the director shall indicate the location of the sign to ensure that the sign does not interfere with driver visibility or pedestrian movement.

K. Public Notices and Warnings: Signs displayed by a public body or officer in the performance of a public duty or by any person in compliance with a governmental requirement or legal duty or function. This section applies to and includes signs whose function is to provide legal notice or functional information such as traffic signs, public transit signs, utility company signs, public restroom signs, warning signs, and signs placed by a public agency for the purpose of guiding persons to emergency centers and places of public interest.

L. Public Signs within a Public Right-of-Way:

1. Public signs posted by or for government agencies in order to provide public information, identify public property, post legal notices, or direct or regulate traffic of any kind.
2. Bus or train stop signs posted by public transit agencies.
3. Public utility signs that convey information about its lines, pipes, poles, or other facilities.
4. Emergency warning signs posted by a governmental agency, public utility, or contractor doing authorized work in the public right-of-way.

M. Time or Temperature Signs: A time or temperature sign does not count towards the otherwise applicable limits as to number, area, or size of signs for the property on which it is located, provided that the sign:

1. Shall have a maximum area of thirty-six (36) square feet and shall comply with the height requirements established in 9-1F-8 Table (Signs Allowed Non-Residential and Mixed-Use Zones) for the type of sign (building/freestanding) to which it is attached.
2. Shall be designed in a manner that is architecturally compatible with other signs and with the structure on which it is placed. (Ord. 19-1036)

9-1F-6: PROHIBITED SIGNS:

The following signs and sign types shall be prohibited throughout all zones in the city, except any sign as designated as an Iconic Sign (section 9-1F-10) or street banners approved pursuant to the city's Street Banner Program.

A. Abandoned Signs: See section 9-1F-18 (Abandoned Signs).

- B. Banners and Pennants: All types of signs and exterior decorations that can be considered banners and/or pennants, except as otherwise allowed by section 9-1F-12 (Temporary Signs).
- C. Off-Site Commercial Signs (Billboards): Any off-site commercial sign. Existing off-site commercial signs are considered nonconforming signs and are regulated by section 9-1F-17 (Nonconforming Signs).
- D. Cabinet Signs, New: Any new sign with a plastic, acrylic, or similar material face (panel) attached to a metal frame (cabinet).
- E. Commercial Mascot Signs: Commercial mascot signs with a commercial message and any automated sign that moves, flashes, blinks, reflects, revolves, or any other similar sign (excluding electronic message boards).
- F. Hazardous Location: Signs located so that the signs, or a portion of the sign or sign supports, interfere with the free use of a fire escape, exit, or standpipe; or obstruct a required door, stairway, ventilator, or window; encroach into a public right-of-way without a proper city-issued encroachment permit; block the view of traffic control devices; or are otherwise hazardous.
- G. Inflated Signs: Any signs or decorations that are inflatable, such as balloons of any size of shape, and any signs that are air-blown or inflated or animated by the internal flow or air, such as signs that appear to have a waving body and appendages, except as otherwise allowed by section 9-1F-12 (Temporary Signs).
- H. Pole Signs, New: Any new sign that is supported by a single pole or similar support structure so that the bottom edge of the sign is one foot (1') or more above grade.
- I. Resembling Traffic Signs: Signs that appear in color, design, location, or illumination to resemble or conflict with any traffic control device.
- J. Roof Signs, New: Any new signs painted on, wholly mounted on, or attached to a roof, excluding addresses required by law enforcement or fire regulations. Signs partially mounted on a roof may be permitted in circumstances where the construction configuration of the building, as determined by the director, does not allow for any other approach to providing signs.
- K. Vehicle Signs.
- L. Video or Projected Signs (by means of projected light or similar): Any sign created by projecting light onto a surface or the sky.
- M. Wall Painted Sign: A sign painted directly onto a building. Wall painted signs and murals are allowed on properties designated as Institutional in the General Plan.
- N. Non-Durable Signs: Signs made of foam, vinyl (except when mounted on a window), or other materials that are not durable. (Ord. 19-1036)

9-1F-7: STANDARDS FOR ALL TYPES OF SIGN TYPES:

- A. Compliance Required: No person shall erect, re-erect, construct, maintain, enlarge, alter, change copy, repair, move, improve, remove, convert, or equip any sign or sign structure, or paint a new wall-mounted sign, in the city, or cause or permit the same to be done, contrary to, or in violation of, any provision of this article.
- B. Uncertainty of Article Provisions: The director shall have the authority to interpret the provisions of this article. The director may instead refer the request for interpretation to the planning commission in compliance with section 9-1A-10 (Director Interpretation).
- C. Determination of Sign Location:
1. The maximum allowed sign area for a sign is calculated by first determining if the sign is to be placed on a "Primary" or "Secondary" Frontage (as defined in this article) and then referring to Section 9-1F-9 (Specific Types of Permanent Signs).
 2. In cases where a building has more than one (1) street frontage, the building frontage with the primary business entrance shall be considered the primary building frontage (e.g., an entrance facing a courtyard). For multi-tenant buildings, ground-floor tenants may have their primary building frontage determined independently by the director for the rest of the building based upon this rule.
- D. Measurement of Sign Area:
1. The surface area of a sign shall be calculated by enclosing the extreme limits of all framing, emblem, logo, representation, letters applied to the building without a distinctive background (e.g., channel letters), or other display within a single continuous perimeter composed of the smallest square, circle, rectangle, triangle or combination thereof with no more than eight lines. See Figure 9-1F-5-B (Sign Area Measurement).
 2. For an awning or canopy sign, sign copy that is applied to an awning or canopy shall be computed at one hundred percent (100%) of the area within a single rectangle enveloping the sign copy.
 3. For a freestanding sign, the sign area shall include the frame, if any, but shall not include:
 - a. A pole or other structural support unless the pole or structural support is illuminated or otherwise designed to constitute a display device, or a part of a display device. See Figure 9-1F-5-A (Calculation of Freestanding Sign Area).
 - b. Features that are not an integral part of the sign (i.e., landscaping). See Figure 9-1F-5-A (Calculation of Freestanding Sign Area).

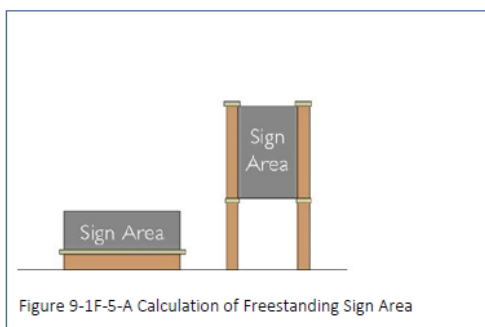


Figure 9-1F-5-A Calculation of Freestanding Sign Area

4. Only one (1) face of a double-faced sign shall be counted in computing the allowed area of the sign. Double-faced (back-to-back) signs shall be regarded as a single sign when the sign is mounted on a single structure, and the distance between each sign face does not exceed two feet (2') at any point. If the sign is multi-faced (e.g., more than two (2) sides), then each face shall be counted in computing the allowed area of the sign.
5. Where a sign consists of one (1) or more three (3)-dimensional objects (i.e., balls, cubes, clusters of objects, sculpture, or statue-like trademarks), the sign area shall be measured as their maximum projection upon a vertical plane, as viewed from a position in the public right-of-way which produces the largest visual projection. See Figure 9-1F-5-C (Sign Area Measurement for Three-Dimensional Objects). Signs may not contain three-dimensional objects that exceed a projection of six inches (6") from the sign face.

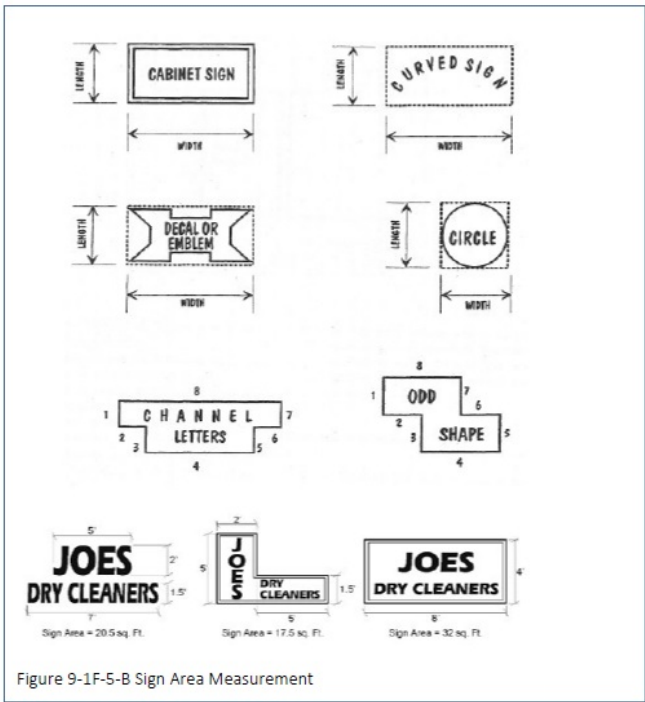


Figure 9-1F-5-B Sign Area Measurement

E. Measurement of Sign Height: The height of a sign shall be measured from the highest part of the sign, including any decorative features, to the height of the adjoining grade directly beneath the sign.

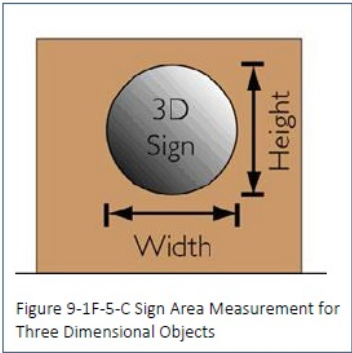


Figure 9-1F-5-C Sign Area Measurement For Three Dimensional Objects

F. Maximum Character Height: The maximum height of any letter, text, logo, or symbol shall be thirty-six inches (36").

G. Sign Construction Materials: All signs that are not temporary signs shall be constructed of permanent materials, including but not limited to metal, wood, acrylic, or other comparable durable weatherproof materials. No material more combustible than treated wood shall be used in the construction of any permanent sign.

H. Consistent Design: Where multiple signs are proposed, all signs shall be consistent in the type of construction material, letter size and style, and support method. Signs shall be designed to complement the building to which they are related using a similar scale, color, material and/or other design element.



Figure 9-1F-5-D Example of Appropriate Sign Proportion and Rhythm

I. Sign Proportion and Rhythm: Signs shall be in general proportion to the lease space or building to which they are related, with lettering and logos that occupy no more than seventy-five percent (75%) of the sign face area. See Figure 9-1F-5-D (Example of Appropriate Sign Proportion and Rhythm).

J. Illuminated Signs and Lights: The following standards shall apply to all illuminated signs.

1. Sign illumination shall not interfere with the use and enjoyment of adjacent properties, create a public nuisance, or create public safety hazards. Exterior light sources shall be shielded from view and directed to illuminate only the sign face.
2. Signs may be internally or externally illuminated. Internal illumination is allowed only if the sign background is opaque and the only portion of the sign that appears as illuminated is the actual lettering and registered trademark or logo.
3. The light from an illuminated sign shall not be of an intensity or brightness or directed in a manner that will create a negative impact on residential properties in direct line of sight to the sign.

4. Colored lights shall not be used at a location or in a manner so as to be confused or construed as traffic control devices.
5. Reflective-type bulbs and incandescent lamps that exceed fifteen (15) watts shall not be used on the exterior surface of signs so that the face of the bulb or lamp is exposed to a public right-of-way or adjacent property.
6. Light sources shall utilize energy-efficient fixtures to the greatest extent possible.
- K. Sign Removal or Replacement: When a sign is removed, all brackets, poles, and other structural elements that supported the sign shall also be removed. For wall-mounted signs, affected building surfaces shall be restored to match the finish of the building, with a sign wiring removed and all holes and other surface blemishes appropriately patched and finished (i.e., painted), subject to the approval of the director.
- L. Fire Department or Law Enforcement Requirements: Building-mounted addresses required by the Fire Chief or County Sheriff shall not be counted as signs or sign area in compliance with Section 9-1F-5 (Exempt Signs). (Ord. 19-1036)

9-1F-8: PERMANENT SIGNS BY ZONE - LOCATIONS AND DESIGN REQUIREMENTS:

- A. Applicability: This section provides regulations for permanent signs by designated zone districts. In the case of an inconsistency between regulations provided in the tables and regulations provided for specific sign types, the regulations for specific sign types shall take precedence. Figure 9-1F-3-K (Examples of Sign Types) illustrates the typical mix of signs on a building.
- B. Maximum Allowable Sign Area: The total maximum allowable sign area for all uses and sign types is one hundred fifty (150) square feet for each tenant space, not including exempt signs as defined in Section 9-1F-5 (Exempt Signs).

A. Residential Zones:					
Allowed Sign Types (1)	Maximum Number	Maximum Sign Area	Maximum Sign Height	Allowed Locations	Illumination Allowed
1. Multi-Family Uses					
Wall-Mounted and freestanding signs (residential community identification)	1 per each Primary and Secondary Frontage of a multi-family use.	16 sf each	Freestanding sign: 4 ft	Wall-Mounted sign: Below eave of roof or parapet. At primary entrances to residential community.	Yes
1. Note: (1) New Cabinet Signs are prohibited					

B. Non-Residential and Mixed-Use Zones:						
Allowed Sign Types (1)	Maximum Number (1)	Maximum Sign Area (1)	Maximum Sign Height (1)	Allowed Locations	Illumination Allowed	Notes
1. Single Tenant Sites						
a. Wall-Mounted Signs (business identification)	1 Wall-Mounted Sign per Primary Building Frontage, street or parking frontage. 1 Wall-Mounted Sign per Secondary Building Frontage. 1 Wall-Mounted Sign for rear facade where clearly marked customer access is provided to the building from the rear parking area. 3 wall mounted signs maximum.	Primary Building Frontage - 1 sf of sign area per 1 linear ft, not to exceed 150 sf. Secondary Building Frontage - 0.75 sf of sign area per 1 linear ft, not to exceed 75% of primary sign. Rear Facade - 0.5 sf of sign area per 1 linear ft of rear facade, if customer access is provided from the rear, not to exceed 75% of the primary sign.	See section 9-1F-9 Tables D, G and O	May be located on building face or parapet.	Yes	Signs shall not project more than 12 inches from building.
b. Blade/ Bracket Signs (business identification)	In addition to permitted Wall-Mounted Signs, 1 Blade/Bracket sign is allowed.	6 sf	Must be mounted to provide a minimum of 7 ft. of clearance from the public right-of-way to the bottom of the sign.	On Primary Building Frontage, first floor only.	Yes	Sign may only extend over a public right-of-way if appropriate encroachment permits have been issued by the city.
c. Canopy and Awning	In addition to Wall-Mounted Sign, 1 sign on each Primary and Secondary Building Frontage, plus 1 sign for rear facade where clearly marked customer access is provided to the building from the rear parking area.	24 sf. The sign shall not cover more than 50% of the canopy or awning.	N/A Canopy or awning must be mounted to provide a minimum of 7 ft. of clearance from the public right-of-way to the bottom of the sign.	On canopy or awning only.	Yes	Signs may only extend over a public right-of-way if appropriate encroachment permits have been issued by the city.

d. Permanent Window Signs (business identification)	1 sign per window	Up to 25% of the glass area upon which the sign is located, per window. Permanent window sign area shall count toward the overall allowed sign area for building frontage.	N/A	Window lettering permitted on interior or exterior of glass window or door only.	No (except luminous tube signs)	Window signs shall be constructed of durable material, such as paint or decals and be permanently affixed to the window. Signs shall be placed to allow clear views into the business by emergency responders
e. Monument Signs (business identification)	1 sign per street frontage	40% of sign face	Lots 40 ft or less maximum of 4 ft; Lots 41 feet to 100 feet maximum of 6 ft; Lots greater than 100 ft	May encroach into front setback area to within 5 ft of property line or interior driveway.	Yes	
f. On-site Directional Signs	2, or as approved by the Director	4 sf per sign face	4 ft	Where needed to provide direction.	Yes; low level	Will be reviewed by the Director to ensure compliance with intended purpose.

(1) Unless an approved Iconic Sign. See Section 9-1F-10 (Iconic Signs).

C. Non-Residential and Mixed-Use Zones:						
Allowed Sign Types (1)(2)	Maximum Number (1)(2)	Maximum Sign Area (1)(2)	Maximum Sign Height (1)(2)	Allowed Locations	Illumination Allowed	Notes
2. Multiple Tenant Sites						
a. Wall-Mounted Sign (tenant identification)	1 sign per business on each Primary Building Frontage. For businesses also with Secondary Building Frontage, 1 sign for the Secondary Building Frontage. 2 wall mounted signs per business maximum.	Primary Building Frontage - 1 sf of sign area per 1 linear ft Secondary Building Frontage - 0.75 sf of sign area per 1 linear foot Total of Primary and Secondary must not exceed 150 sf	See Section 9-1F-9 Tables D, G, and O	May be located on the building face or parapet.	Yes	100 linear ft min. street frontage required. Signs may identify center and 2 major tenants, or 3 major tenants, if center is not included. Signs shall not project more than 12 inches from building.
b. Monument Sign	1 sign per street frontage	40% of sign face	Lots 40 ft or less maximum of 4 ft; Lots 41 feet to 100 feet maximum of 6 ft; Lots greater than 100 ft maximum of 4% of lot width or 20 ft, whichever is less	May encroach into front setback area to within 5 ft of property line or interior driveway.	Yes	
c. Blade/ Bracket Sign (business identification)	In addition to permitted Wall-Mounted Signs, 1 Blade/Bracket Sign per tenant is allowed	6 sf	N/A Must be mounted to provide a minimum of 7 ft of clearance from the public right-of-way to the bottom of the sign.	On Primary Building Frontage, first floor only.	Yes	Sign may only extend over a public right-of-way if appropriate encroachment permits have been issued by the city.
d. Canopy and Awning						

Signs (business identification)	In addition to Wall-Mounted Sign, 1 sign on each Primary and Secondary Building Frontage, plus 1 sign for rear façade where clearly marked customer access is provided to the building from the rear parking area.	Where such sign is in addition to another permitted sign, 24 sf. In no case shall the sign cover more than 50% of the canopy or awning.	N/A Canopy or awning must be mounted to provide a minimum of 7 ft of clearance from the height of adjacent curb to the bottom of the sign.	On canopy or awning only.	Yes	Sign may only extend over a public right-of-way if appropriate encroachment permits have been issued by the city.
e. Permanent window signs (business identification)	1 sign per window	Up to 25% of the glass area upon which the sign is located, per window. Permanent window sign area shall count toward the overall allowed sign area for building frontage.	N/A	Window lettering permitted on interior or exterior of glass window or door only.	No (except luminous tube signs)	Window signs shall be constructed of durable material, such as paint or decals and be permanently affixed to the window. Signs shall be placed to allow clear views into the business by emergency responders.
f. Name plate (occupant identification)	1 per business; Intended for office uses only.	2 sf per plate	N/A	At exterior entrance to building.	N/A	May include only the name and occupation of the occupant. No Sign Permit required.
g. On-site Directional Signs	As approved by the Director	As approved by the Director	As approved by the Director	Where needed to provide direction.	Yes; low level	As approved by the Director
(1) Unless an approved Iconic Sign. See Section9-1F-10 (Iconic Sign).						

D. All Other Zones:
Signs in all other zones not specified within this Section shall be subject to approval through a Comprehensive Sign Program in compliance with Section 9-1F-14 (Comprehensive Sign Program). (Ord. 19-1036; amd. Ord. 20-1047)

9-1F-9: SPECIFIC TYPES OF PERMANENT SIGNS:

This section provides additional standards for specific types of permanent signs to be used in combination with the requirements of Section9-1F-8 (Permanent Signs by Zone - Locations and Design Requirements).

A. Awning and Canopy Signs:

1. Sign Location:

- Awning signs shall be allowed for first and second story nonresidential occupancies only.
- Awning signs shall not be allowed above the second story.
- Signs shall be applied on the outer face of and flat against the awning surface. In the case of a barrel shaped (curved) awning, signs shall not occupy more than sixty percent (60%) of the bottom twelve inches (12") of the awning. In no event shall a sign cover more than fifty percent (50%) of an awning or canopy.
- A minimum of seven feet (7') of clearance shall be provided between the lowest part of an awning and adjoining curb height below. SeeFigure 9-1F-9-A (Height of Awning).

2. Sign Design:

- The design and construction of awning signs shall be compatible with the predominant architectural and visual elements of the structure to which they are attached.
 - Awnings shall conform to the size and shape of the window or door they are above.
 - Overly large awnings and canopies with unusual shapes designed to provide additional sign area are not allowed.
3. Lighting: Lighting of awning signs is permitted, if lighting does not point upwards or into public right-of-way.
4. Temporary Sign: Only permanent signs that are an integral part of the awning shall be allowed. Temporary signs shall not be placed on awnings or canopies.



Figure 9-1F-9-A Height of Awning



Awning with valance and sloping plane

Awning with valance and sloping plane



Wrap-around awning

Wrap-around awning



Awning combined with a Wall-Mounted Sign

Awning combined with a Wall-Mounted Sign



Awning customized to architectural features

Awning customized to architectural features

B. Blade/Bracket Signs:

1. Sign Area: Double-faced projecting signs shall be considered a single-face sign for the purpose of calculating sign area.
 2. Sign Location:
 - a. Signs may be placed perpendicular to the building façade (projecting) near the building entrance.
 - b. For a building on a corner lot, blade signs are encouraged to be located on the corner or face of the building on the street corner. Corner mounted blade signs should be mounted at a forty-five (45)-degree horizontal angle so that its two (2) sides are equally visible from both streets.
 3. Sign Design:
 - a. Supporting arms or frames for projecting signs shall be of a decorative design compatible with the design of the sign.
 - b. Blade signs shall project no more than four feet (4') from the face of the building wall upon which the sign is mounted.
 - c. Support wires may be used for lateral support when fully within the horizontal plane of the sign. Any angle iron or secondary support, other than support wires, shall be enclosed in a form constructed of impermeable material.
- C. Murals: Murals may only be installed and maintained by approval of the planning commission. Murals may only be in on a parcel designated by the General Plan as Institutional. The Planning Commission shall have the authority to review and approve murals in compliance with this article.



Simple Blade Sign under Awning

Simple Blade Sign under Awning



Architectural Blade Sign

Architectural Blade Sign



Blade Sign with iron mount Creative Blade Sign

Blade Sign with iron mount Creative Blade Sign



Blade Sign with iron mount

Blade Sign with iron mount



Hanging Blade Sign

Hanging Blade Sign

D. Cabinet Signs (Wall-Mounted or Monument):

1. Where Allowed: New cabinet signs are not permitted. However, the retrofit and reuse of an existing, legally established cabinet sign for a new use or business is permitted subject to the requirements of Subsection C.
2. Sign Lighting:
 - a. Cabinet signs may only be internally illuminated. No exposed lighting such as neon tubing, LED lighting, light bulb arrangement or similar is allowed.
 - b. The light source of illuminated cabinet signs shall not be visible from or cast into the right-of-way nor cause glare hazards to passersby or adjacent properties.
 - c. Light sources shall not be mounted to any part of the sign.
3. Sign Design:
 - a. Only translucent letter faces, reverse lit channel letters, or push-through acrylic letters and images are allowed. The background of the cabinet sign must be opaque, non-transparent.
 - b. Where a cabinet sign is being retrofitted for reuse and the cabinet border is to be replaced, such border shall consist of a color other than white that is complementary to the sign face and/or a building to which it may be attached.

E. Changeable Copy Sign (Electronic):

1. Where Allowed:
 - a. Electronic changeable copy signs are only permitted subject to approval of a major sign permit, and shall be located on a permitted monument or marquee sign.
 - b. The number of changeable copy signs is limited to one (1) per property.
 - c. Changeable copy signs are limited to elementary, middle, junior high, or high schools, assembly uses, theaters, and city facilities.
2. Sign Display:
 - a. Sign images shall not change more often than every eight (8) seconds, and transitions between images shall not exceed one (1) second.
 - b. The images shall change instantaneously, with no special effects or video.
 - c. All the messages conveyed by the sign shall display static messages with no animation, or effects simulating animation including but not limited to dissolving, fading, scrolling, traveling, flashing, spinning, revolving, and shaking.
 - d. The maximum square footage of the portion of a monument or marquee sign dedicated to changeable copy is limited to fifty percent (50%) of the sign permitted.
 - e. The sign shall be equipped with photosensitive equipment that is programmed to automatically adjust the brightness and contrast of the sign. The maximum brightness levels for the sign shall not exceed five thousand (5000) nits when measured from the sign face during daytime, and five hundred (500) nits when measured from the sign face at night.
3. Sign Design:
 - a. Signs shall have a photometric sensor that will adjust the intensity of the sign for daytime and nighttime viewing. The nighttime intensity shall be limited to three tenths (0.3)-foot candles (over ambient levels) as measured at a height of five feet (5') above the ground and between one hundred fifty (150) and three hundred fifty (350) feet from the sign under consideration, depending on the size of the sign, and aimed at the sign.
 - b. The city may modify or further restrict the intensity of any electronic changeable copy sign should the lighting create a distraction to drivers.
 - c. Each sign structure must, always, include a facing of proper dimensions to conceal back bracing and framework of structural members and/or any electrical equipment. During periods of repair or alteration such facing may be removed for a maximum period of forty-eight (48) consecutive hours.



Cabinet Sign with push-through letters

Cabinet Sign with push-through letters



Cabinet Sign with push-through letter

Cabinet Sign with push-through letter



Changeable Copy Sign with electronic reader board

Changeable Copy Sign with electronic reader board



Changeable Copy Sign with electronic reader board

Changeable Copy Sign with electronic reader board

F. Changeable Copy Sign (Manual):

1. Where Allowed:

- a. New manual changeable copy signs are only permitted as an improvement to an existing, non-conforming changeable copy sign or in conjunction with a new public assembly use. Such signs shall require approval of a minor sign permit.
- b. The number of changeable copy signs is limited to one (1) per property.

2. Sign Display:

- a. Changeable copy displays may be installed on freestanding, marquee, monument, and wall-mounted signs. The area of the changeable copy display shall be counted toward the allowable sign area for the type of sign up on which the changeable copy is installed.
- b. Maximum size of changeable copy area is six (6) square feet.

3. Sign Design Compatible: The design and construction of manual changeable copy signs shall be compatible with the predominant architectural and visual elements of the structure for which the signs are intended.

4. Lighting: Manual changeable copy signs shall not be internally lit unless they use opaque inserts with translucent copy; blank opaque inserts that are the same color as the opaque portions of the copy are used over all areas of the sign where copy is not present; and the opaque portion of the copy is the same color.

G. Channel Letter Signs (Wall-Mounted):

1. Sign Design:

- a. Only translucent letter faces, reverse lit channel letters, or push-through acrylic letters are allowed. Foam and vinyl letters are not allowed.
- b. Exposed raceways are prohibited unless necessitated by structural features and subject to a determination by the director that unique conditions exist.

2. Sign Lighting:

- a. Channel letter signs may only be internally illuminated. No open face channel letters are allowed where the method of illumination such as neon tubing, LED lighting, light bulb arrangement or similar is exposed.
- b. The light source of illuminated channel letter signs shall not be visible from or cast into the right-of-way nor cause glare hazards to passersby or adjacent properties.
- c. Light sources shall not be mounted to any part of the sign.

H. Directional Signs:

1. Sign Design: Maximum size of sign to be determined through Minor Site Plan Review.
2. Sign Location: Maximum size of sign to be determined through Minor Site Plan Review.
3. Number of Signs: Maximum size of sign to be determined through Minor Site Plan Review.



Changeable Copy Sign with manual reader board

Changeable Copy Sign with manual reader board



Off-Site Directional Sign

Off-Site Directional Sign



Push-through Channel Letter Sign (Wall-Mounted)

Push-through Channel Letter Sign (Wall-Mounted)



On-Site Directional Sign

On-Site Directional Sign

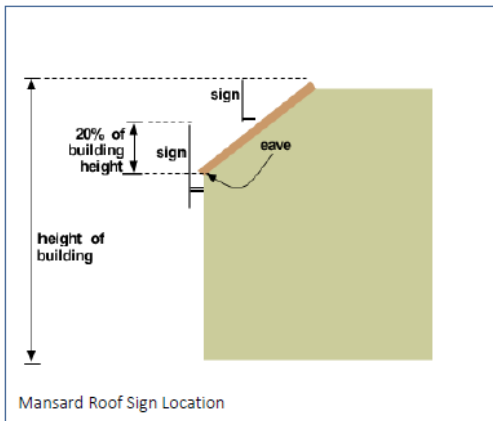


Reverse lit Channel Letter Sign (Wall-Mounted)

Reverse lit Channel Letter Sign (Wall-Mounted)

I. Embedded Plaque Signs:

1. Sign Area: Maximum size of sign to be determined through Minor Site Plan Review.
 2. Sign Location: Signs shall be located on private property.
 3. Sign Design: Signs shall be flush and permanently embedded in the ground.
- J. Luminous Tube Signs (Exterior):
1. Sign Area: The borders of luminous tubes shall be considered part of a sign for purposes of calculating the maximum allowable sign area.
 2. Sign Design:
 - a. Luminous tube lighting shall be listed with UL (Underwriters Laboratories).
 - b. Tubing shall not exceed one-half inch (1/2") in diameter.
 - c. Luminous tubes shall not be combined with any reflective materials (e.g., mirrors, polished metal, highly glazed tiles, or other similar materials).
 - d. Luminous tube lighting that surrounds a window, door, or similar element or that is installed along roofs or that outlines buildings shall be prohibited.
 3. Sign Lighting:
 - a. Luminous tube lighting adjacent to residential uses shall not exceed one-half (1/2) foot-candle measured at the residential lot line.
 - b. Signs shall have thirty (30) milliamps per circuit maximum and a dimmer to reduce brightness.
- K. Mansard Roof Signs:
1. Sign Location:
 - a. For signs placed on mansard style roofs, signs placed on a wall of a structure may not project above the eave line of a mansard roof a distance greater than twenty percent (20%) of the distance between the ground level and the top of mansard roof.
 - b. Signs placed on a mansard roof may not project above the top of the roof.



Mansard Roof Sign Location



Tile Embedded Plaque Sign

Tile Embedded Plaque Sign



Exterior Luminous Tube Sign

Exterior Luminous Tube Sign



Metal Embedded Plaque Sign

Metal Embedded Plaque Sign



LED Sign

LED Sign

L. Marquee Signs:

1. Sign Design:

- a. Marquee signs shall only be attached to marquees having a vertical plane angle less than twenty (20) degrees.
- b. No marquee sign shall extend more than two feet (2') above any marquee to which it is attached.
- c. Marquee signs shall not extend beyond the ends or extremities of the marquee to which they are attached except as provided above.
- d. Marquee signs shall be mounted substantially parallel with the face of the marquee.

2. Sign Lighting:

- a. Any lighting of marquee signs shall follow the Electrical Code and shall not cause disturbing glare onto any adjacent areas due to excessive brightness or method of illumination.
- b. Any devices or structures used in conjunction with direct illumination of marquee signs shall either be concealed from general view, recessed into a building or structure, or function as decorative element in keeping with the character of the sign and the building to which it is attached.
- c. The direct illumination of marquee signs shall be subject to approval by the director.

3. Where Permitted:

- a. Only permitted for theaters in a non-residential zone.
- b. Counted towards allowable sign area.

M. Monument Signs:

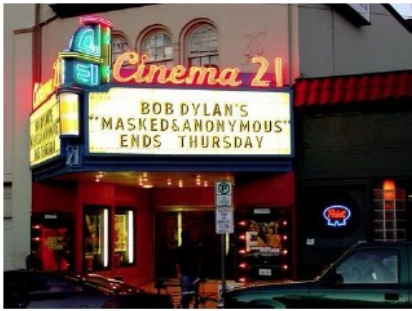
1. Sign Location:

- a. There shall be a minimum of fifty feet (50') between.
- b. Monument Signs either on the same site or on adjoining sites to ensure adequate visibility for all signs.
- c. Monument Signs shall be a minimum of fifty feet (50') from a lot line of any residentially zoned property.
- d. Monument Signs shall be set back at least five feet (5') from any public right-of-way, building, on-site driveway, or on-site vehicle circulation area.
- e. The maximum width of a monument sign shall be as follows:
 - (1) For lots less than forty feet (40') in width the maximum width is four feet, six inches (4' 6").
 - (2) For lots forty-one (41) feet to one hundred (100) feet in width the maximum width is six feet (6').
 - (3) For lots greater than one hundred feet (100') in width the maximum width of the sign shall be no more than one and one-half (1.5) time the height of the sign if the sign is less than five feet (5') in height. If the sign is five feet (5') or more in height, the maximum width shall not exceed seventy-five hundredths (.75) times the height of the sign.

2. Sign Design:

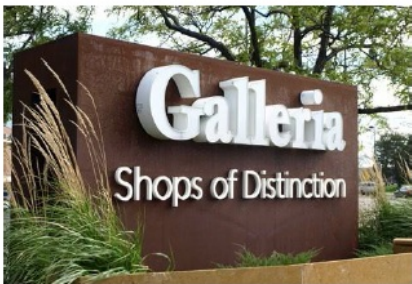
- a. The minimum letter size shall be nine inches (9"). Sign copy shall not be located closer than one-half (1/2) letter height to the sign edge or other line of copy.
- b. Where there is a center name or building identification that is separate from the primary tenant, the center name or building identification shall be provided and predominantly displayed on the primary monument sign and shall be counted towards the allowable sign area. This center name or identification sign should be incorporated as a permanent feature of the monument sign.
- c. Monument signs shall contain an address plate identifying the site address or range of addresses of the subject property. Numbers shall be a minimum of five inches (5") in height and shall be clearly visible from the public right-of-way. Address plates shall not be calculated against the allowed sign area.
- d. Individual channel letters on a background, reverse channel letters, or push-through acrylic letter designs are preferred.

3. Landscaping: Landscaping with automatic irrigation shall be provided at the base of the supporting structure equal to twice the area of one face of the sign or seventy-five (75) square feet, whichever is greater. For example, forty (40) square feet of sign area equals eighty (80) square feet of landscaped area. The director may modify this requirement on a case-by-case basis to consider existing conditions.



Marquee Sign

Marquee Sign



Monument Sign with channel letters

Monument Sign with channel letters



Pedestrian-scale Monument Sign

Pedestrian-scale Monument Sign



Monument Sign with push-through letters

Monument Sign with push-through letters

N. Window Signs - Permanent:

1. Sign Dimensions: Interior signs within five feet (5') of a storefront window shall be counted as window signs for the purpose of calculating total sign area and number of signs.
2. Sign Location: Signs shall be allowed only on windows located on the ground floor and second story of either a designated primary or secondary building frontage. Window signs shall not be allowed above the second story.
3. Permit Requirements: Permanent LED/luminous tube window signs may be allowed through a minor sign permit.



Permanent Window Sign

Permanent Window Sign



Permanent luminous tube Window Sign

Permanent luminous tube Window Sign



Permanent Window Sign

Permanent Window Sign



Permanent Window Sign

Permanent Window Sign

O. Wall-Mounted Signs:

1. Sign Letter Dimensions: The letter height of a secondary wall-mounted sign shall not exceed fifty percent (50%) of the letter height of a primary wall-mounted sign (e.g., if letters on primary sign are eighteen inches (18") high, then letters on accessory wall-mounted sign cannot exceed nine inches (9") in height).

2. Sign Location:
 - a. Signs shall be located only on a designated building frontage and shall not extend above an eave or parapet, or above or below a fascia on which they are located. See Figure 9-1F-9-0-1 (Appropriate Wall-Mounted Sign Location).
 - b. Signs located on adjacent walls of the same building (e.g., on a primary frontage wall and secondary frontage wall) shall be separated by a minimum distance of thirty feet (30') measured along the exterior walls of the building.
 - c. Signs on primary or secondary frontages shall be located within the middle fifty percent (50%) of the building or tenant frontage measured from lease line to lease line. The director may modify this requirement where it can be clearly demonstrated that it severely limits proper sign placement. See Figure 9-1F-9-0-1 (Wall-Mounted Sign Location on Building Frontage).

3. Sign Design:
 - a. Wall-mounted signs may not be painted directly on a wall, unless through an approved comprehensive sign program, or as permitted through Section 9-1F-10 (Iconic Signs).
 - b. Electrical raceways shall be prohibited unless the director determines that unique circumstances prevent an alternative design. Where such circumstances are

found to exist, the electrical raceways shall be integrated with the overall design of the sign.

c. Signs shall be placed flat against the wall and shall not project from the wall more than required for normal construction purposes and in no case more than twelve inches (12").

4. Lighting:

a. Signs may be either internally or externally illuminated.

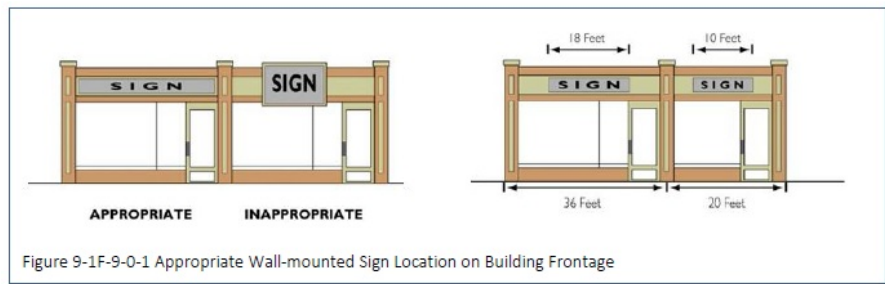


Figure 9-1F-9-O-1 Appropriate Wall-mounted Sign Location on Building Frontage



Wall-Mounted Sign with push-through metal letters

Wall-Mounted Sign with push-through metal letters



Wall-Mounted Sign with push-through acrylic letters

Wall-Mounted Sign with push-through acrylic letters



Wall-Mounted Sign with push-through metal letters and approved painted sign

Wall-Mounted Sign with push-through metal letters and approved painted sign



Wall-Mounted Signs on primary and secondary building frontages

Wall-Mounted Signs on primary and secondary building frontages

(Ord. 19-1036)

9-1F-10: ICONIC SIGNS:

A. Purpose: The purpose of this section is to:

1. Preserve the City of Temple City's unique character, history, and identity, as reflected in its iconic signs;
2. Preserve the historical sign vernacular of Downtown Temple City and other areas of the city with concentrations of surviving period signage; and
3. Protect the community from inappropriate reuse of nonconforming and/or illegal signs.

B. Applicability: This section applies to legally established existing signs in the City of Temple City that can be characterized as follows, as determined by the director.

1. Iconic signs shall conform to all the following technical features:

- a. The sign uses materials and technology representative of its period of construction.
- b. The sign is detached, projecting, or roof mounted.
- c. The sign is structurally safe or can be made safe without substantially altering its original appearance.

2. Iconic signs shall conform to two (2) or more of the following cultural or vernacular design features:

- a. The sign exemplifies the cultural, economic, or period heritage of Temple City.
- b. The sign exhibits extraordinary aesthetic quality, creativity, or innovation.
- c. The sign is unique; the sign is obsolete sign copy that is originally associated with a chain or franchise business that it either local or regional chain or franchise only found in Temple City or the southwestern United States; or there is scholarly documentation to support its preservation; or it is a rare surviving example of a once common type.
- d. The sign retains most of its character-defining features. If character-defining features have been altered or removed, the majority are potentially restorable to their original function and appearance.
- e. The sign is at least fifty (50) years old.

C. Where Allowed:

1. Iconic signs are allowed in commercial and industrial zones when conforming to the requirements of this Section 9-1F-10 (Iconic Signs).
2. Relocation of an iconic sign shall be permitted through an approved major sign permit, provided the following requirements are met:
 - a. Relocation shall be to a location within the original premises or to a location within the specific neighborhood in which it is located.
 - b. If relocated to another premise, the sign shall display a conspicuous text or a plaque, using a template provided by the City of Temple City, that indicates that the sign has been relocated, the date of relocation, and the original location.
3. Iconic signs are exempt from the provisions of Subsection 9-1F-18-B (Removal of Abandoned Signs) and Section 9-1F-17 (Nonconforming Signs). Any alteration, modification, or relocation of an existing iconic sign shall be subject to the provisions of Section 9-1F-14 (Comprehensive Sign Program).

D. Maintenance and Modifications: Iconic signs shall be structurally sound and comply with the requirements of Section 9-1F-10-B (Iconic Signs, Applicability), or will be brought into conformance with such requirements within a reasonable and specified time.

E. Change in Sign Copy:

1. Text changes shall not result in changes to character-defining text, as determined by the director.
2. Text changes shall match or be compatible with existing text in material(s), letter size, font/typography, and color as determined by the director. (Ord. 19-1036)

9-1F-11: SIGNS FOR SPECIFIC USES:

A. Drive-Through Establishments: In addition to the signs allowed in Section 9-1F-8 (Permanent Signs by Zone - Locations and Allowed Sign Area), drive-through food service establishments shall be allowed the following signs:

1. One (1) freestanding drive through board with copy on a single face not to exceed fifty (50) square feet in sign area and seven feet (7') in height, located immediately adjacent to the drive-through lane, and readable only on site. Copy on a drive through board may be an electronic changeable copy sign, but must meet the lighting standards for electronic changeable copy sign in section 9-1F-9, Table E.

2. A second drive through board not to exceed sixteen (16) square feet in sign area and five feet (5') in height, located in the immediate area of the drive-through lane only, and readable only on site. Copy on a drive through board may be an electronic changeable copy sign, but must meet the performance standards for electronic changeable copy sign.

3. Directional signs shall be the least number to provide adequate directional information and to ensure safe circulation. Signs shall not exceed four (4) square feet and shall be limited in copy to the terms "enter," "exit," and directional arrows.

B. Home Occupations: See section 9-1T-16 (Zoning Regulations).

C. Places of Assembly: In addition to signs allowed in Section 9-1F-8 (Permanent Signs by Zone - Locations and Allowed Sign Area), facilities whose activities and events change on a regular basis (e.g., places of assembly, skate rinks, theaters, stadiums, etc.) shall be allowed the following additional signs:

1. Theaters with three (3) or more screens shall be allowed an additional fifteen (15) square feet of sign area for each additional screen over three (3).

2. Glass encasements for special advertisements shall be allowed to be affixed to the Primary Building Frontage. Encasements shall not exceed a width of three feet (3') or a height of four feet (4'), the number of which shall be approved by the director.

3. Changeable copy electronic signs.

D. Service Stations: In addition to the signs allowed in Section 9-1F-8 (Permanent Signs by Zone - Locations and Allowed Sign Area), service stations shall be allowed the following signs:

1. Service stations shall be allowed one (1) wall or monument sign for each street frontage. A combination of wall and monument signs may be used, but no more than a total of three (3) signs. For purposes of this section, the canopy over the fuel pumps may be considered a building wall.

2. Wall-Mounted Signs shall not exceed ten percent (10%) of the building face, with a maximum size of thirty (30) square feet for each sign, and not exceed past the roofline. A total maximum of two (2) wall-mounted signs are permitted per service station.

3. Monument signs shall conform to the sign design standards provided in Section 9-1F-9 (Specific Types of Permanent Signs). A total maximum of two (2) monument signs are permitted per service station.

4. Additional special service signs are allowed up to a maximum of two (2) per each service island, provided that the signs are located at the site of the service provided (e.g., air/water, lube, brakes, etc.) and that each sign does not exceed three (3) square feet.

5. Instructional and warning signs and signs required or authorized by state or federal law shall be exempt from the provisions of this subsection.

6. No signs are allowed on pumps other than those signs listed in item 5, above.

7. Electronic changeable copy signs no more than one (1) square feet in size are allowed on top of each pump and must meet the lighting requirements of Section 9-1F-9-F (Specific Types of Permanent Signs). (Ord. 19-1036)

9-1F-12: TEMPORARY SIGNS:

The following types of temporary signs are permitted subject to the standards of this section. A temporary sign permit shall be obtained from the director prior to displaying temporary signage, unless otherwise specified.

A. A-Frame Signs (Permit Required):

1. Number of Signs: One (1) per business maximum.

2. Maximum Size: Two (2) feet by three feet.

3. Location: Permitted only on private property, or within public right way through an approved encroachment permit.

4. Duration/Frequency: Only during hours of business operation for patrons/shall be removed after business hours.

B. Banners (Permit Required): See Subsection 9-1F-12-I (Special Event Signs).

C. Banners within the Public Right of Way (Permit Required): No temporary sign shall be permitted on or extend over any property or public easement of any other domain owned or controlled by the City of Temple City without approval pursuant to the city's Street Banner Policy, except as otherwise provided by law.

D. Construction Signs (No Permit Required):

1. Number of Signs: One (1) per site maximum.

2. Sign Types: Ground or wall mount only.

3. Total Sign Face Area: Sixteen (16) square feet per sign face maximum in commercial and industrial zones, and four-square feet in residential zones.

4. Sign Height: Six (6) feet maximum.

5. Duration/Frequency: Begins with the issuance of a Building Permit, or its functional equivalent, and ends with the issuance of the earliest of the following: a Certificate of Completion, a Certificate of Occupancy, a final inspection sign-off, or the functional equivalent of any of them.

E. Election Periods - Temporary Noncommercial Signs (No Permit Required): During any election period, the following additional opportunities for temporary noncommercial signs are permitted, subject to the following regulations.

1. Number of Signs: Each parcel in all zones is permitted eight temporary freestanding noncommercial signs. Such signs are in addition to all other signs allowed in this chapter.

2. Duration: May be placed no more than forty-five (45) days before an election and must be removed within seven (7) days of an election.

3. Height:

a. In residential zones, a temporary freestanding noncommercial sign may not exceed four feet (4') in height from the adjacent ground level to the top of the sign.

b. In zones other than residential zones, the bottom of the sign may not exceed four feet (4') in height and the top of the sign may not exceed ten feet (10') in height.

4. Size:

a. In residential zones no temporary freestanding noncommercial sign may have a face exceeding six (6) square feet in total area. Signs may be double sided.

b. In all zones other than residential zones the maximum cumulative sign area may not exceed thirty-two (32) square feet.

c. The maximum size is limited to eighteen (18) inches by twenty-four inches (24"), with an overall height of thirty-six inches (36") when mounted on a stake.

5. Maintenance: Signs must be maintained in good condition, without fading or severe degradation of material.

6. Location: Signs may be attached to a structure or placed within a required front or corner side yard setback, but not in the public right-of-way.

7. Lighting: Temporary freestanding noncommercial signs may not be illuminated.

F. Garage Sale or Yard Sale Signs (No Permit Required): See Municipal Code Article 4-2-D (Garage Sales) for regulations regarding garage sale signs.

G. Holiday Window Sign (No Permit Required): All signs and decorations shall be removed within ten (10) days following the applicable holiday. No permit is required.

H. Real Estate Signs (No Permit Required):

1. Number of Signs:

a. In R-1 Zone, one (1) sign maximum per lot.

b. In all other zones, one (1) sign per street frontage with a maximum of three (3).

2. Duration: May only be installed while the dwelling is for sale or the unit is for rent and must be removed within seven (7) days after close of escrow or the unit being rented.

3. Size:

- a. In R-1 Zone, the maximum sign area is limited to two (2) square feet with an additional one (1) square feet of sign area for incidental signs. Signs may be hung from devices no taller than five feet (5') in height.
- b. In all other zones, the maximum sign area is limited to twenty-five (25) square feet per sign. Signs may be hung from or attached to devices no taller than five feet (5') in height.

4. Maintenance: Signs must be maintained in good condition, without fading or severe degradation of material.

5. Location:

- a. In the R-1 Zone, signs may be attached to a structure or placed within a required front or corner side yard setback, but not in the public right-of-way.
- b. In all other zones, signs may be attached to a structure or placed within a required front or corner side yard setback, but not in the public right-of-way. Signs must comply with the corner cutback provisions of 9-1N-2. Multiple signs should be located one hundred feet (100') apart, unless site configuration issues make this requirement infeasible.

I. Special Event Signs on Private Property (Permit Required):

1. Number of Signs: One (1) per business maximum.

2. Duration/Frequency: Limited to the duration of the sale or event, but in no case shall a sign be in place in excess of thirty (30) consecutive days. There shall be a break of at least sixty (60) days between the end of one thirty (30)-day posting or placement period and the beginning of another thirty (30)-day posting or placement period. Signs shall be limited to one hundred twenty (120) total days per calendar year.

3. Sign Types: Temporary signs for special events (e.g., carnivals, charitable events, grand openings, holiday sales, parades, promotional sales, etc.). Special event signs may only include inflated display signs and banners. Balloons, pennants, and streamers may be attached to approved signs.

4. Design: Banners shall not exceed fifteen feet (15') in length or three feet (3') in height, and may be displayed on wall or fence areas only.

5. Maintenance: Promotional signs and any attachments must always be maintained in good and attractive condition and shall be secured so as not to cause any safety hazards or constitute a nuisance.

6. Location: Must be located on private property.

J. Window Signs (Permit Required):

1. Total Sign Face Area: Twenty-five percent (25%) of each window area on either a designated primary and secondary building frontage. For the purpose of this requirement, a window is any glazed area, including glass curtain walls. Interior signs oriented toward and within ten feet (10') of a storefront window shall be counted as window signs for the purpose of calculating area of window coverage.

2. Location:

- a. Only on windows located on the ground floor and second story of either a designated primary and secondary building frontage.
- b. The placement of window signs shall allow for unobstructed observation by safety personnel (e.g., law enforcement, private security, etc.).

3. Duration: May be in place year-round.

4. No temporary sign permit shall be required.

K. Flags (No Sign Permit Required):

1. Number:

- a. On residentially zoned properties one (1) flagpole per property is allowed.
- b. On government owned properties there is no limit to the number of flag poles.
- c. On non-residentially zoned properties owned by non-governmental persons or businesses the maximum number of flag poles is one (1).

2. Flags: A maximum of three (3) flags are allowed per flagpole.

3. Maintenance: Flag must be maintained in good condition.

4. Size:

- a. In residential zones, the maximum length of a flag is five feet (5').
- b. On non-residentially zoned properties owned by non-governmental persons or businesses the maximum length of a flag is eight feet (8').
- c. On government owned properties there is no limit to the size of flags allowed. (Ord. 19-1036)

9-1F-13: PROCEDURES FOR SIGN PERMITS, EXEMPTIONS, AND REVOCATIONS:

A. Sign Permits, Types: To ensure compliance with the regulations contained in this article, a sign permit shall be required in order to erect, move, alter, change copy on, or reconstruct any permanent or temporary sign or sign structure except for signs exempt from permits in compliance with Subsection D, below. There are four (4) different types of sign permits required based on the proposed sign type. For all sign permit types, an application for a sign permit shall be made in writing on forms provided by the city.

1. Temporary Sign Permit: Section 9-1F-12 outlines requirements for temporary signs.

2. Minor Sign Permit:

a. Sign Types: The city requires approval of a minor sign permit when the director's discretionary review is required. Sign types that require a minor sign permit include:

- (1) Awning/canopy signs.
- (2) Changeable copy signs (manual).
- (3) Embedded plaque signs.
- (4) Permanent window signs.
- (5) Blade/bracket signs.
- (6) Wall-mounted signs.

b. Minor Site Plan Review: The application, approval authority, public hearing and noticing requirements for a minor sign permit are the same as a minor site plan review.

c. Findings: The director may approve minor sign permit only if all the following findings are made:

- (1) The proposed sign complies with all applicable provisions of this Zoning Code and is consistent with the General Plan and any applicable specific plan.
- (2) The proposed sign, as submitted or modified by conditions of approval is consistent with the applicable design guidelines.
- (3) The proposed sign is architecturally and aesthetically compatible with the major structures on the subject site and adjacent sites and is compatible with the character of the established neighborhood and general environment.
- (4) Granting the application would not be detrimental or injurious to property or improvements in the vicinity of the subject site, or to the public health, safety, or general welfare.
- (5) The approval of the minor sign permit complies with the California Environmental Quality Act (CEQA).

3. Major Sign Permit:

a. Sign Types: The city requires approval of a major sign permit when the planning commission's discretionary review is required. Sign types that require a major sign permit include:

- (1) Monument signs.
- (2) Murals.
- (3) Relocation of iconic signs.
- (4) Signs that require a comprehensive sign program.
- (5) Electronic changeable copy signs.
- (6) Marquee signs.

b. Major Site Plan Review: The application, approval authority, public hearing and noticing requirements for a major sign permit are the same as a major site plan review.

c. Findings: The director may approve a major sign permit only if all the following findings are made:

- (1) The proposed sign complies with all applicable provisions of this Zoning Code and is consistent with the General Plan and any applicable specific plan.
- (2) The proposed sign, as submitted or modified by conditions of approval is consistent with the applicable design guidelines.
- (3) The proposed sign is architecturally and aesthetically compatible with the major structures on the subject site and adjacent sites and is compatible with the character of the established neighborhood and general environment.
- (4) Granting the application would not be detrimental or injurious to property or improvements in the vicinity of the subject site, or to the public health, safety, or general welfare.
- (5) The approval of the minor sign permit complies with the California Environmental Quality Act (CEQA).

4. Creative Sign Permit: The city requires approval of a creative sign permit when requesting use of creative signs as specified in Subsection B, below.

B. Creative Signs:

1. Purpose. This subsection establishes standards and procedures for the design, processing, review, and final determination on creative sign proposals. The purposes of the creative sign program are to:

- a. Encourage signs of unique design that exhibit a high degree of creativity, imagination, inventiveness, spirit, and thoughtfulness, and that add value to their setting; and
- b. Provide a process for the application of sign regulations in ways that will allow creatively designed signs that make a positive visual contribution to the overall image of the city, while mitigating the impacts of otherwise large or unusually designed or placed signs.

2. Applicability: An applicant may request approval of a sign permit for a creative sign to authorize on-site signs that employ standards that may differ from the other provisions of this chapter, but otherwise comply with the provisions of this subsection.

3. Application Requirements: A sign permit application for a creative sign shall include all the information and materials specified by this subsection and as required by the director and the filing fee specified by the council's Fee Resolution.

4. Applicable Review Authority:

- a. A sign permit application for a creative sign shall be subject to review and final determination by the:
 - (1) Director, when the proposed total sign area is one hundred (100) square feet or less; and
 - (2) Commission, when the proposed total sign area is larger than one hundred (100) square feet.
- b. Notification for a sign permit for a creative sign shall be given in the same manner specified by this chapter.
- c. The applicant may appeal the denial of a creative sign permit application in compliance with Section 9-1C-5-G (Appeals).

5. Design Criteria: In approving an application for a creative sign, the Applicable Review Authority shall first ensure that a proposed sign meets all the following design criteria:

- a. Design Quality: The sign shall:
 - (1) Constitute a substantial aesthetic improvement to the subject site and shall have a positive visual impact on all the surrounding areas;
 - (2) Be of unique design and exhibit a high degree of creativity, imagination, inventiveness, spirit, and thoughtfulness; and
 - (3) Provide strong graphic character through the imaginative use of color, graphics, orientation, placement, proportion, quality materials, scale, and texture.
- b. Contextual Criteria: The sign shall contain one (1) or more of the following elements:
 - (1) Classic historical design style;
 - (2) Creative image reflecting current or historic character of the city; or
 - (3) Imaginative and inventive representation of the logo, name, and/or use of the structure or business it relates to.
- c. Architectural Criteria: The sign shall:
 - (1) Utilize or enhance the unique architectural elements of the structure it relates to; and
 - (2) Be placed in a logical location in relation to the overall composition of the structure's facade and not cover any key architectural features and details of the facade.

d. Neighborhood Impacts: The sign shall:

- (1) Utilize or enhance the unique architectural elements of the structure it relates to; and
 - (2) Be placed in a logical location in relation to the overall composition of the structure's facade and not cover any key architectural features and details of the facade.
- d. Neighborhood Impacts: The creative sign shall be carefully designed and placed so as not to cause undue light and glare impacts on surrounding uses, especially residential uses.

C. Sign Permits, Approving Authority: The director shall review all sign permit applications for conformance with the provisions of this article. For signs that comply with the provisions of this article and do not require discretionary review:

1. The director shall approve or deny the permit application within thirty (30) days from the receipt of a complete application and the applicable fees.
2. Failure of the director to approve or deny the permit application within the ninety (90) days shall result in the permit being denied.
3. If the application is denied, the director shall notify the applicant with the reason(s) stated for denial. Notification shall be sent first class United States mail to the address provided on the application that shall be considered the correct address. Each applicant has the burden to furnish any change of address to the director, by United States certified mail, return receipt requested.
4. In the event an application is denied, the applicant may appeal the director's decision in compliance with section 9-1C-5-G (Appeals).

D. Exemptions to Sign Permit Requirements: Sign permits shall not be required for the signs listed as exempt in this subsection. Exempt signs shall not be included in the determination of the total allowable number of signs or total allowable sign area for a site or project. However, exempt signs shall be required to adhere to the regulations established for each sign type. Signs erected without complying with the applicable regulations are considered illegal and shall be removed in compliance with Section 9-1F-19 (Illegal Signs). An exempt sign may still require a Building Permit, subject to Title 7 of the Municipal Code (Building Regulations).

E. Routine maintenance: Painting, repainting, or cleaning of a sign shall not be considered erecting or altering a sign and therefore shall not require a sign permit, unless structural changes are made.

F. Expiration and Extension of Sign Permit:

1. An approved sign permit shall expire twelve (12) months from the date of approval unless the sign has been installed, or a different expiration date is stipulated at the time of approval. Before the expiration of a sign permit, the applicant may apply to the director for an extension of up to an additional twelve (12) months from the original date of expiration. In response to an extension request, the director may make minor modifications, or deny further extensions.

2. The expiration date of the sign permit shall be automatically extended to concur with the expiration date of the companion building permit or other applicable permits.

G. Revisions to Sign Permit: The director may approve minor changes to an approved sign permit if the intent of the original approval is not affected. Revisions that would substantially deviate from the original approval shall require the approval of a new/revised sign permit by the director.

H. Revocation of Sign Permit:

1. The director may, in writing, suspend or revoke a sign permit if the permit was issued on the basis of a material omission or misstatement of fact, or in violation of any ordinance or any of the provisions of this article, or if the permitted sign violates any applicable law.

2. Within fifteen (15) days after issuance of the written notice, any sign authorized by the revoked sign permit shall be removed.

3. Failure to remove the sign display within the fifteen (15)-day period shall be a violation of this Zoning Code, and the sign shall be deemed a public nuisance.

I. Appeals: The applicant may appeal the denial of a sign permit application in compliance with section 9-1C-5-G (Appeals). (Ord. 19-1036; amd. Ord. 20-1047)

9-1F-14: COMPREHENSIVE SIGN PROGRAM:

A. Purpose: The purpose of a comprehensive sign program is to integrate all a project's signs with the overall site and structure design into a unified architectural statement. A comprehensive sign program provides a means for the flexible application of sign regulations for projects that require multiple signs. Such an approach provides latitude in the design and display of multiple signs and to achieve, not circumvent, the purpose of this article. A comprehensive sign program shall not be used to override the prohibition of new off-site commercial signs specified in Section 9-1F-4-H (Off-Site Commercial Sign Regulation).

B. When Required: The approval of a comprehensive sign program shall be required whenever any of the following circumstances exist.

1. Whenever three (3) or more separate tenant spaces are present on the same parcel or on multiple parcels that are part of a unified shopping center or similar business center;

2. Whenever a combination of residential and commercial uses are proposed for the same site or development proposal;

3. Whenever five (5) or more non-exempt signs are proposed for a single-tenant development;

4. Whenever signs are proposed to be located on or above the second story on a multi-story structure, or thirty feet (30') in height;

5. Whenever a project or parcel has more than three hundred (300) linear feet of frontage on a public street;

6. Whenever an existing multi-tenant development of three (3) or more tenants is being remodeled or rehabilitated to the extent that the value of the work will be greater than twenty percent (20%) of the replacement cost of the structure(s), as determined by the director;

7. A comprehensive sign program for a theater or cinema use may authorize signs that deviate from the standards of this article. The comprehensive sign program may allow marquee signs, brighter lights, and design features not otherwise authorized by this article if the sign(s) is/are generally consistent with the purposes of this article. Approval shall not be based on message content;

8. Alteration, modification, or relocation of an iconic sign;

9. Whenever the director determines that a comprehensive sign program is needed because of special project characteristics (e.g., the size of proposed signs, limited site visibility, a business within another business, the location of the site relative to major transportation routes, etc.).

C. Review Authority: The director is the review authority for a comprehensive sign program.

D. Application Requirements: A sign permit application for a comprehensive sign program shall include all the information and materials required by the director, and the filing fee set by the city's Planning Division Fee Schedule. The following minimum information shall be included with the application:

1. Sign details indicating sign area, dimensions, colors, materials, letter style, proposed letter height, and method of illumination.

2. Site plan indicating the location of all existing and proposed signs.

3. Building elevation(s) with sign location depicted and dimensioned.

E. Standards: A comprehensive sign program shall comply with the following standards:

1. The proposed sign program shall comply with the purpose and intent of this article, any adopted sign design guidelines, and the overall purpose and intent of this section.

2. The proposed signs shall enhance the overall development, be in harmony with, and relate visually to other signs included in the comprehensive sign program, to the structures and developments they identify, and to surrounding development when applicable.

3. The sign program shall include all signs, including permanent, temporary, and exempt signs.

4. The sign program shall accommodate future revisions that may be required because of changes in use or tenants.

5. The sign program shall comply with the standards of this article, except that deviations are allowed with regard to sign area, total number, location, and height of signs to the extent that the comprehensive sign program will enhance the overall development and will more fully accomplish the purposes and intent of this article.

6. Approval of a comprehensive sign program shall not authorize the use of signs listed as prohibited by this article.

7. Review and approval of a comprehensive sign program shall not consider the signs' proposed message content.
8. The director may approve a deviation in sign standards in compliance with Article 9-1C. (Ord. 19-1036)

9-1F-15: SIGN MAINTENANCE:

A. Maintenance Required: All signs shall always be maintained in a safe, presentable, and structurally sound condition, including the replacement of defective parts, painting, repainting, cleaning, and other maintenance activities. Failure to comply with these requirements may cause the sign to be declared a public nuisance, which shall be removed in compliance with this section.

B. Administrative Procedures for Improperly Maintained Signs: Improperly maintained signs shall be subject to the following administrative procedures:

1. Notice of violation shall be sent by first class United States mail to the last known address of the sign owner and property owner, informing the owner(s) of the time in which removal of the sign or repair of condition(s) shall be accomplished.

2. If the sign owner(s) fail(s) to remove or repair the improperly maintained sign, the city shall send final notice by a method that provides proof of delivery, notifying the owner(s) that failure to remove or repair the sign within thirty (30) days shall result in the issuance of a citation as set forth in the Municipal Code.

3. If the sign owner(s) do(es) not remove or repair the improperly maintained sign within the thirty (30)-day period, the city may apply the remedies identified in Municipal Code Chapters 1-4 (Administrative Citations) and 4-2 (Public Nuisances), in addition to any remedies otherwise available at law or in equity.

C. Hazardous Signs: If a sign is damaged or not properly maintained to a degree that it poses a physical danger to persons or property, the following provisions shall apply:

1. Hazardous Signs Identified: A hazardous sign is a sign that poses a danger to the public or that could create a potential hazard. Hazardous signs are declared to be a public nuisance in compliance with Municipal Code Chapter 4-2 (Public Nuisances). The determination that a sign has become hazardous or unsafe shall consider only the physical condition and characteristics of the sign, and shall not consider the sign's message.

2. Removal of Hazardous Signs: Upon discovering a hazardous condition, the city may cause the immediate removal of a sign(s) that is a danger to the public due to unsafe conditions. No hearing shall be required before the removal of any hazardous sign. The city is not required to give notice of intent to remove the sign(s) prior to removal, but shall endeavor to do so and shall inform the property, business, and sign owner(s) that the hazardous sign has been removed within three (3) days following removal, by a method that provides proof of delivery. See Municipal Code Title 4, Chapter 2 (Nuisances). (Ord. 19-1036)

9-1F-16: ENFORCEMENT:

The city may withhold the issuance of Business Licenses, Building Permits, Grading Permits, Certificates of Occupancy, other land use entitlements and may issue stop work orders for a development project failing to comply with the provisions of this article. If the property owner and/or tenant is found to be in violation of the requirements of this article, the property owner and/or tenant may be subject to enforcement procedures in compliance with Municipal Code Title 4 (Law Enforcement). (Ord. 19-1036)

9-1F-17: NONCONFORMING SIGNS:

A. Continuance of Nonconforming Signs: Except as provided in section 9-1F-17-B (Repair and Maintenance) and section 9-1F-17-C (Change of Business Type or Ownership), below, a legal nonconforming sign may be continued and shall be maintained in good condition as required by Section 9-1F-15 (Sign Maintenance), but it shall not be:

1. Structurally changed to another nonconforming sign, although its copy and pictorial content may be changed.
2. Structurally altered to prolong the life of the sign, except to meet safety requirements.
3. Expanded or altered in any manner that increases the degree of nonconformity.

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

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

D. Removal of Nonconforming Signs:

1. The nonconforming sign shall be removed if it is more than fifty percent (50%) destroyed, and the destruction is other than facial copy replacement. A nonconforming sign shall be deemed to be more than fifty percent (50%) destroyed if the estimated cost of reconstruction and repair exceeds fifty percent (50%) of the replacement value, immediately before the destruction of the sign, as determined by the building official.

2. The nonconforming sign shall be removed if the sign is remodeled, unless the sign is remodeled to comply with the provisions of this article.

3. Nonconforming signs shall be removed when a property is further developed in compliance with this zoning code.

4. Nonconforming signs shall be removed before the installation of new signs advertising the same business or any new business on the site.

5. Existing legal off-site signs (i.e., billboards) shall be removed when the property on which the sign is located is further developed.

6. The nonconforming sign shall be removed if the sign is located on a structure that is to be enlarged or expanded, if the nonconforming sign is affected by the construction, enlargement, remodel, or expansion. An enlargement, remodel, or expansion of the portion of the structure upon which the nonconforming sign is located or that is more than fifty percent (50%) of the structure area shall be deemed to affect the nonconforming sign.

7. The nonconforming sign shall be removed if the sign is temporary. (Ord. 19-1036)

9-1F-18: ABANDONED SIGNS:

A. Determination of Abandonment: Conforming and nonconforming signs shall be presumed abandoned under any of the following circumstances:

1. The sign identifies or advertises a business that has ceased for more than ninety (90) days;
2. The sign is located upon a structure that has been abandoned by its owner for more than ninety (90) days;
3. The sign pertains to a bona fide business, lessor, service, owner, or product that has been unavailable upon the site for more than ninety (90) days;
4. The sign has not been removed after the occurrence of a temporary event or activity with an approved temporary use permit in compliance with Municipal Code Title 9 (Zoning Regulations); or
5. The sign is a hazardous sign that has been removed by the city and has not been recovered by the owner within the time period specified in Section 9-1F-15 (Sign Maintenance).

B. Removal of Abandoned Signs:

1. An abandoned sign or an abandoned nonconforming sign shall be immediately removed by the owner or lessee of the premises upon which the sign is located or by a person, organization, or other entity that directly or indirectly receives a benefit from the information contained on the sign.

2. A sign frame or structure that has been abandoned shall be immediately removed along with all mounting hardware and the building face repaired and repainted by the owner or lessee of the premises upon which the sign frame or structure is located, subject to the approval of the director.

C. Abandoned Signs for Closed Businesses:

1. Abandoned signs shall be promptly removed by the property owner or person responsible for its installation and/or maintenance. The city may declare such

signs to be a public nuisance and abate it in compliance with the Business and Professions Code Sections 5499.2 et seq., or city law on abatement of nuisances.

2. Abandoned cabinet signs may be temporarily retained due to new ownership of the property or by a new tenant, only if the property owner or tenant replaces the cabinet sign face with a clear, plain sign face or covers the sign in a manner acceptable to the director. (Ord. 19-1036)

9-1F-19: ILLEGAL SIGNS:

- A. Strict Liability: Violations of this article shall be treated as a strict liability offense regardless of intent.
- B. Illegal Signs Identified: The following signs are illegal, declared to be a public nuisance, and shall be subject to the enforcement procedures, as well as the procedures and remedies in Municipal Code Title 4 (Law Enforcement).
1. A sign erected, placed, posted, constructed, reconstructed, altered, maintained, or moved after the effective date of this article that does not comply with all applicable provisions of this article, including the requirements for a sign permit.
 2. A sign erected, placed, posted, constructed, reconstructed, altered, maintained, or moved before the effective date of this article or before annexation to the city that failed to comply with all regulations in effect at the time the sign was erected, placed, posted, constructed, reconstructed, altered, maintained, or moved.
 3. A nonconforming sign that is required to be removed or altered by section9-1F-17-D (Removal of nonconforming signs) and that is not removed or altered in compliance with section 9-1F-17-D.
 4. Signs with flashing elements that are not deactivated in compliance with section 9-1F-17 (Nonconforming signs).
 5. An abandoned nonconforming sign.
 6. An abandoned sign. (Ord. 19-1036)

ARTICLE G. R-1, R-2, R-3 ZONE DISTRICTS

SECTION:

Part 1. R-1 Zone District

- 9-1G-10: R-1 Zone District Designation
- 9-1G-11: R-1 Zone District Land Use And Permit Requirements
- 9-1G-12: R-1 Zone District Residential Development Standards
- 9-1G-13: R-1 Zone District Residential Building Design And Architectural Standards
- 9-1G-14: R-1 Zone District Residential Design Criteria
- 9-1G-15: R-1 Zone District Incentives For FAR Bonus

Part 2. R-2 Zone District

- 9-1G-20: R-2 Zone District Designation
- 9-1G-21: R-2 Zone District Land Use And Permit Requirements
- 9-1G-22: R-2 Zone District Residential Development Standards
- 9-1G-23: R-2 Zone District Residential Building Design And Architectural Standards
- 9-1G-24: R-2 Zone District Residential Design Criteria

Part 3. R-3 Zone District

- 9-1G-30: R-3 Zone District Designation
- 9-1G-31: R-3 Zone District Land Use And Permit Requirements
- 9-1G-32: R-3 Zone District Residential Development Standards
- 9-1G-33: R-3 Zone District Incentives
- 9-1G-34: R-3 Zone District Residential Building Design And Architectural Standards
- 9-1G-35: Residential Design Criteria

PART 1. R-1 ZONE DISTRICT

9-1G-10: R-1 ZONE DISTRICT DESIGNATION:

The R-1 district primarily provides for single-family residential at a low density of up to six (6) dwelling units per acre, representing many of the existing residential neighborhoods in the city. The R-1 district is applied to parcels to accommodate existing residential units on land with a predominantly conventional suburban development pattern and traditional single-family detached residential neighborhoods. The district generally corresponds to the low-density residential land use designation on the 2050 General Plan land use map. (Ord. 19-1036)

9-1G-11: R-1 ZONE DISTRICT LAND USE AND PERMIT REQUIREMENTS:

A. Permit Requirements: Table 9-1G-1 lists the permit requirements and code references for each land use inTable 9-1G-2.

Table 9-1G-1		
Permit Requirement Labels for Table 9-1G-2		
Label	Permit Requirement	Code Section
Y	Permitted Use	
A	Accessory to Permitted Use Only	
C	Conditional Use Permit	
N	Not Permitted	

B. Specific Land Uses: Where the last column in Table 9-1G-2 includes an additional code reference, the requirements of the referenced section also apply to the use.

Table 9-1G-2**Land Uses and Permit Requirements for Residential Zone Districts**

Land Uses or Activities	R-1	Notes/Reference
Accessory buildings or structures	A*	9-1G-12 -F
Accessory dwelling units	A	9-1T-13
Animal keeping	A	9-1T-17
Assembly uses: religious facilities, lodges, clubs, cultural centers, etc.	C	
Child care home	A	
Day care center	C	
Educational institutions	C	
Home occupations	A	9-1T-16
Junior accessory dwelling units	Y	9-1T-13
Off street parking for commercial, manufacturing, or institutional uses	N	
Public parks and playgrounds	Y	
Recreational vehicle parking (open/outdoor parking)	A	
Rental of up to one (1) bedroom for a period of more than one (1) month (prohibited where an ADU or JADU exists) A = Allowed	A	9-1G-12 -G
Schools (public and private)	C	
Short Term Rentals	N	
Single-family dwellings	Y	
Supportive housing	Y	
Temporary uses	A	
Transitional housing	Y	
Transfer stations	C	
Wireless communications facilities	C	9-1T-11
Yard Sales	A	4-2D

* Accessory structures with plumbing require a conditional use permit.

(Ord. 19-1036; amd. Ord. 20-1040U; Ord. 20-1047; Ord. 20-1048)

9-1G-12: R-1 ZONE DISTRICT RESIDENTIAL DEVELOPMENT STANDARDS:

Development standards for the R-1 District are shown in Table 9-1G-3 and described below.

Table 9-1G-3**Temple City R-1 Development Standards**

	Interior Lot	Corner Lot	Notes
Lot Area (square feet)			
Lot	7,200	7,200	Newly created lot.
Lot Width (feet)			
Lot	Lots 120' or more in width: 60-foot minimum Lots less than 120' in width: 50-foot minimum	Lots 120' or more in width: 60-foot minimum Lots less than 120' in width: 50-foot minimum	Does not apply to the pole of a flag lot parcel.
Cul-de-sac (min. street/at setback)	35/50	-	50 feet at front yard setback.
Flag lot	80	-	Access drive/pole width of 20 feet.
Setbacks			
<i>Front (feet)</i>			
1st Floor (min.)	20	20	Front setback must be consistent with the average setback of the two adjacent houses.
2nd Floor (min.)	20	20	Front setback must be consistent with the average setback of the two adjacent houses.
Side (feet)			

1st Floor (min. / % lot width)	5/10%	10/10%	10 feet or 10% of the lot width on corner lots adjacent to a street (not corner interior side).
2nd Floor (min. / total)	5/15	10/20	10 feet on corner lots adjacent to a street or 20 feet total (not corner interior side).
Rear (feet)			
1st Floor (min.)	15	15	
2nd Floor (min.)	20	20	
Maximum Building Height (feet)			
< 75-foot lot width (principal structure)	28	28	The maximum top plate height for a two-story, single-family house is 23 feet.
> 75-foot lot width (principal structure)	32	32	
Flag Lots, Front Lots, Tiered Lots, and Lots with less than 35' of frontage on a public street. (ft.)	18	-	Single story only.
Accessory Building	15	15	
Floor Area Ratio			
< 18-ft. Building Height	-	-	
> 18-ft. Building Height	0.35	0.35	
Maximum Floor Area ²			
Dwelling, first floor (sq. ft.)	3,300	3,300	Additional 700 square feet can be granted if incentives are met.
Dwelling, second floor (percent)	0.75	-	Of first floor and garages.
2-car garage (sq. ft.)	400	400	
3-car garage (sq. ft.)	600	600	
Plus FAR incentives	-	-	See 9-1G-14.
Front-of-the-Lot Floor Area Ratio	Lots 80' or less in depth = .4 Lots more than 80' in depth = .25	Lots 80' or less in depth = .4 Lots more than 80' in depth = .25	Does not apply to flag lots or tiered lots.
Maximum Lot Coverage			
All lots			Maximum lot coverage for all lots is set by (.275 x lot area) +1,125
Minimum Permeable Surface			
< 7,200 sq. ft. Parcel	0.25	0.25	
7,200-9,999 sq. ft. Parcel	0.35	0.35	
> 10,000 sq. ft. Parcel	0.40	0.40	
Minimum Dwelling Width (feet)	25	25	
Minimum Main Dwelling Size (square feet)			
One Bedroom	800	800	
Two Bedrooms	1,000	1,000	
Three Bedrooms	1,200	1,200	
More Than Three Bedrooms	+150 each additional bedroom		
Distance Between Buildings (feet)			
Distance between habitable structures	15	15	
Distance between all other buildings/structures	10	10	
Accessory Building Maximum Size (square feet) ¹			
< 1280 sq. ft. main building	640	640	

> 1280 sq. ft. main building	50%/1,400	50%/1,400	Smaller of 50% of floor main building area; max. of 1,400 sq. ft.
------------------------------	-----------	-----------	---

¹See Municipal Code Section 9-1T-10 for Accessory Dwelling Unit Requirements.

²Floor area regulations only apply to two-story houses (see Section 9-1G-12-E.1). Front-of-the-Lot FAR requirements apply to single story structure.

A. Lot Requirements: All newly created lots must have a minimum area of seven thousand two hundred (7,200) square feet.

1. Lot Splits:

a. When the original lot proposed for subdivision is less than one hundred twenty feet (120') in width, the resulting lots must have a minimum dimension of fifty feet (50').

b. When the original lot proposed for subdivision is one hundred twenty feet (120') or more in width, the resulting lots must have a minimum dimension of sixty feet (60').

2. Flag Lot Subdivisions:

a. Each such subdivision must be limited to the creation of no more than one (1) flag lot.

b. The original existing lot to be subdivided must have a street frontage of at least eighty feet (80') and a minimum depth of two hundred ten feet (210').

c. The front lot must have a minimum width of sixty feet (60').

d. The pole portion of the flag lot must have a minimum width of twenty feet (20') and the flag portion must have a minimum width of eighty feet (80'). No more than fifteen feet (15') of the pole may consist of hardscape. The abutting landscape strip or strips must be irrigated and landscaped. The driveway must contain decorative brickwork, stamped concrete and/or landscaped pavers, subject to review and approval of the granting body. No parking or storage is permitted in the twenty-foot (20') wide pole.

3. Cul-de-Sac: Lots proposed along a private or public cul-de-sac must have a minimum front property line of thirty-five feet (35') and must be a minimum of fifty feet (50') wide at the front yard setback.

4. Proposed irregularly shaped parcels must demonstrate adequate building area meeting all setback and coverage requirements.

B. Yard Setbacks:

1. Front Yard Setbacks: The front yard setback must be the average of the two (2) adjacent houses. The front yard setback may never be less than twenty feet (20') and at no time will the required setback be more than thirty feet (30'). The planning manager may determine if the entire block face should be used to determine the required front yard setback when there are irregularities, such as reverse corner lots, or houses with unusually large setbacks.

2. Side Yard Setbacks:

a. Interior lots must maintain a side yard adjacent to each side lot line of not less than five feet (5') for the first-story portion of a building or ten percent (10%) of the lot width, whichever is greater. The second-story setback on either side must never be less than five feet (5') and must not equal less than fifteen feet (15') when combined.

b. On a corner lot, the side yard setback next to another lot must be five feet (5') for the first-story portion of a building or ten percent (10%) of the lot width, whichever is greater. The second-story setback must not be less than five feet (5') on each side and must not equal less than twenty feet (20') when combined.

c. On the street side, the required side yard of a corner lot must be a minimum of ten feet (10').

3. Rear Yard Setbacks: The ground floor of the main structure must maintain a fifteen-foot (15') rear yard setback. The second floor of the main structure must maintain a twenty-foot (20') rear yard setback.

C. Placement of Buildings:

1. Structures must be a minimum of ten feet (10') away from each other, with no obstructions from the ground to the sky.

2. No portion of any principal dwelling may be located in any required yard area, except as allowed in Section 9-1N-6 (Encroachments).

D. Minimum Building Width:

1. The main residential dwelling unit must have a width of twenty-five feet (25'). Attached garages are not counted in this measurement.

2. An accessory dwelling unit converted from a garage may be less than twenty-five feet (25').

E. Maximum Floor Area Ratio:

1. Any two (2)-story, single-family dwelling or single-story dwelling with a height of more than eighteen feet (18') must not exceed a floor area ratio (FAR) of 0.35, to a maximum allowable floor area of three thousand three hundred (3,300) square feet plus up to four hundred (400) net square feet for an attached two (2)-car garage or up to six hundred (600) net square feet for an attached three (3)-car garage. However, the maximum square footage may be increased by incentive bonuses, as referenced in Table 9-1G-5.

2. The second story of any two (2)-story, single-family dwelling must not exceed seventy-five percent (75%) of the total floor area of the first floor, including attached garages. The total floor area must not exceed the calculations in 9-1G-12-E.1.

3. Front-of-the-Lot FAR:

a. For lots eighty feet (80') or less in depth, the maximum FAR in the front forty feet (40') must not exceed .4.

b. For lots greater than eighty feet (80') in depth, the maximum FAR in the front forty feet (40') must not exceed .25.

c. Flag lots and tiered lots are exempt from front-of-the-lot FAR requirements.

d. For purposes of calculating front-of-the-lot FAR, the following areas are included in FAR:

(1) Areas where the second floor cantilevers out over the first floor; and

(2) Porches where the ceiling height is greater than twelve feet (12') are included as FAR.

F. Accessory Uses And Structures:

1. Accessory uses and structures, including accessory dwelling units, junior accessory dwelling units, pool houses, workshops, sheds, and the like, but not including required garages, are limited to one (1) per lot and must be located in the rear fifty percent (50%) of the lot.

2. On lots improved with a main dwelling that is greater than one thousand two hundred eighty (1,280) square feet, the maximum area for accessory structures on a lot (excluding required parking) must not exceed one thousand four hundred (1,400) square feet or fifty percent (50%) of the living area of the main dwelling,

whichever is smaller.

3. On lots improved with a main dwelling that is less than one thousand two hundred eighty (1,280) square feet, the maximum area for all accessory structures on a lot (excluding required parking) must not exceed six hundred forty (640) square feet.
4. If either an alley or a utility easement exists along the rear of the lot, not less than ten feet (10') of the rear lot line must be maintained free and clear of buildings or structures, except for a fence with a gate to provide access to the alley or utility easement.
5. If a utility pole is located on the easement, the required opening in the fence or wall must be located to provide immediate access to the pole.
6. Accessory structures are not permitted in the front yard.
7. An accessory structure of one hundred twenty (120) square feet or less, and less than nine feet (9') in height, may be placed within a required side or rear setback, provided there is a minimum of five feet (5') of setback between the accessory structure and the property line.
8. On a reversed corner lot, an accessory structure must provide a minimum five-foot (5') setback to the side and rear property line. A minimum setback of ten feet (10') must be provided on the street side yard.
9. On a corner lot, garages must provide a minimum twenty-foot (20') street side yard setback. Except for accessory dwelling units, all other detached accessory structures on corner lot must provide a minimum ten-foot (10') street side yard setback and a minimum five-foot (5') rear setback.
10. Portable shade structures are prohibited in the front yard and in the corner side yard.
11. When feasible, accessory uses and detached accessory structures, must be located within the rear fifty percent (50%) of a property. This does not apply to pergolas, patios, pools, spas, and required parking.

G. Vehicle Parking And Driveways:

1. Each lot or parcel of land in zone R-1 must have on the same lot or parcel of land a minimum of two (2) off-street parking spaces per main dwelling unit. When a garage door is parallel to the street and at the front of the property, the garage door must be ten feet (10') behind the face of the building (not including porches).
2. Each required parking space in a garage must be no less than ten feet (10') wide and twenty feet (20') long. Tandem parking can be used for the third and additional parking spaces.
3. Vehicles must not park in the front or side yard areas, except on paved driveways.
4. Driveways are limited to a maximum paved width of sixteen feet (16') for houses with garage doors parallel to the street, with two feet (2') clear of obstructions on either side.
5. Driveways are limited to a maximum paved width of twelve feet (12') for houses with garage doors perpendicular to the street.
6. Except in the case of ADUs and JADUs, an additional parking space must be provided for each room that is rented on a single-family house. The parking may be uncovered, such as on the driveway, but must not block the parking spaces for the main dwelling.

H. Landscape and Hardscape Requirements:

1. Hardscape must not exceed ten percent (10%) of the front yard. The required driveway area will not be calculated as hardscape. Turnaround areas as allowed by Section 9-1E-2-D.7 are not included in this calculation.
2. A combination of trees, shrubs, and ground cover must be incorporated into landscaping plans for new houses.
 - a. One (1), thirty-six-inch (36") box tree per two thousand five hundred (2,500) square feet of lot area must be provided. Fractions are rounded up from .5 to the nearest whole number. Existing trees onsite that are of equivalent size may be counted towards this requirement. All other trees should be twenty-four-inch (24") boxes.
 - b. Shrubs must be five (5)-gallons.
 - c. Landscape plans must be prepared by a licensed landscaped architect.
3. All landscaped areas and materials must be regularly and properly maintained.
4. Mulch or stone-type materials should be placed between plants as ground cover or backdrop, not as a replacement for live vegetation. Plants should be spaced so that at maturity, the plants eventually cover most, if not all, of the mulch or stone material.
5. Artificial turf is limited to no more than thirty percent (30%) coverage of the front yard. The front yard landscaped area must include a minimum of seventy percent (70%) of live vegetation.
6. Artificial turf is limited to no more than thirty percent (30%) coverage of the rear yard, which must include a minimum of seventy percent (70%) of live vegetation.
7. The use of mounding grasses such as *Festuca californica*, *Festuca rubra*, and *Carex pansa* are preferred.
8. Bare dirt is not permitted within the front yard or visible street side yard. All bare dirt areas must be finished with a minimum three-inch (3")-thick layer of mulch, organic bark, or earth-tone-colored rubber bark.
9. Rocks, stones, and pebbles are not to be used near public sidewalks or streets because they are a slipping hazard.
10. Dry stream beds and areas of decomposed granite must not account for more than twenty percent (20%) of the front or rear yard, unless needed to meet low impact development (LID) requirements.
11. Paved pathways to the front door should be no more than four feet (4') wide, and all other pathways should be no more than three feet (3') wide.
12. No more than twelve feet (12') of the vehicular access to the garage may consist of hardscape; the remaining four feet (4') on either side must consist of landscaping.

I. Walls and Fences: Design requirements for walls and fences are found in Article N, Site Planning and General Design Standards.

J. Special Requirements: New dwellings constructed within five hundred feet (500') of an arterial street or a railway must provide a mechanical ventilation system designed to attain enhanced air filtration with the use of air filters that have a filtration efficiency equivalent to a minimum efficiency reporting value (MERV) of eleven (11) or higher as determined by testing methods established by the American Society Of Heating, Refrigerating And Air-Conditioning Engineers (ASHRAE) standard 52.2, as periodically amended. All such ventilation system equipment and air filters must be installed, operated, maintained and replaced in a manner consistent with applicable building code requirements and with the manufacturer's specifications and recommendations. Alternative air pollution mitigation measures (e.g., setbacks, landscaped buffers, etc.) may be utilized where feasible if they can be shown to have a mitigating effect that is equal to or greater than the enhanced air filtration measures specified herein.

K. Grading and Drainage for New Construction:

1. Where existing drainage flows from adjacent sites, the subject site must continue to accept cross lot drainage and must not be designed in such a way as to drain toward adjacent sites. Where existing drainage flows to adjacent sites, the subject site must be modified so that drainage no longer continues to flow to adjacent sites. The subject site must not create any barriers that prohibit existing drainage flows from adjacent sites. In cases where compliance with this requirement is deemed not feasible by the city, the director may approve modifications to encourage as much onsite infiltration and detention as feasible.

2. If the proposed finished grade will not alter existing cross lot drainage patterns, the difference between the grade of the subject site and adjacent sites must be within eight inches (8"). If the proposed finished grade will alter existing cross lot drainage patterns, the applicant must demonstrate how the subject property will address existing cross lot drainage patterns.

L. Open Space: There shall be a minimum of five hundred (500) square feet of open space per dwelling unit. All dwelling units shall have and maintain suitable access to the open space. A minimum of seventy-five percent (75%) of the required open space must be landscaped. Any pavement in the open space must be permeable and must not function as a driveway extension. Twenty-five percent (25%) of the required open space may be covered with a cabana or roof cover. (Ord. 19-1036; amd. Ord. 20-1040U; Ord. 20-1047)

9-1G-13: R-1 ZONE DISTRICT RESIDENTIAL BUILDING DESIGN AND ARCHITECTURAL STANDARDS:

The site design and architectural standards set forth in this chapter apply to all new residential structures, additions to residential structures, and accessory structures (including garages) in the R-1 District.

A. Building Facades:

- 1. For any new residential structure or addition, all sides of the building(s) visible from the street or other public areas and where the space between two (2) houses or structures is greater than twenty feet (20') should be fully articulated and have elements that contribute to visual interest and neighborhood character. This includes variation in massing, wall planes, and roof forms as well as surface articulation such as window and door treatments and windows.
- 2. The front entrance of a residential structure must be recessed a minimum of five feet (5') from the front wall of the house. The front recessed entry or porch area must be covered.
- 3. No linear wall of a second story may extend more than twenty-four feet (24') without architectural articulation or an offset of at least two feet (2') for not less than eight feet (8').
- 4. Balconies are only allowed along the front elevation or corner side elevation of a dwelling facing a public street.
- 5. Single-family dwellings must have exterior walls of brick, wood, stucco, metal, concrete, or other similar material. Polished or unfinished metal siding is prohibited.
- 6. Garages and garage doors must be designed to minimize their appearance. This may include articulating with panels and/or windows on large planes, using two (2) single-car garage doors instead of one double-car garage door, and using articulation of the façade and roof.
- 7. All vents, gutters, downspouts, flashing, and electrical panels must be painted to match the surface to which they are attached, unless concealed or used as a major design element, in which case the color is to be consistent with the overall color scheme of the building.

B. Windows:

- 1. Window type, material, shape, and proportion must complement the architectural style of the building and enhance the articulation and detailing of the façade.
- 2. Consistent window and trim styles across elevations should be used.
- 3. Upper and lower windows should align vertically whenever possible.
- 4. Windows on the second floor should not be larger than those on the ground level.
- 5. Any faux shutters should be proportionate to the adjacent window so as to create the appearance of a real and functional shutter.

C. Roof Design and Materials:

- 1. Roofs should be designed as part of the overall massing and architectural design. Roof slopes, massing, materials, and overhangs should be designed and scaled appropriately for the desired architectural style.
- 2. Roof materials and colors are important aspects of the overall home design and should be consistent with the desired architecture.
- 3. Roof design should enhance the visual interest of the building and break up the massing of the building.
- 4. Every single-family dwelling must have a full roof that meets Temple City building code requirements. The following types of roof material are not allowed:
 - a. Glossy or polished surfacing on roofs.
 - b. Corrugated roofs.
 - c. Plastic, PVC, or other types of formed or molded material roofing (does not include clay or cement tile or fiberglass or composition shingles).
 - d. Painted shingles.
- 5. Chimneys should be exposed as architectural features rather than hidden within a wall surface.
- 6. Chimney caps should be decorative and conceal fireplace spark arrestors.

D. Utilities and Mechanical Equipment:

- 1. Electrical meters, cable boxes, junction boxes, and irrigation controllers should be designed as an integral part of the building on a rear or side elevation or otherwise screened from public view.
- 2. Building forms, fences, trellises, and landscaping should be used to screen aboveground utility transformers, pull boxes, and termination cabinets, where allowed by utility providers.
- 3. Utilities and mechanical equipment should be screened from the public right-of-way and, to the extent feasible, either painted to match the wall color, enclosed in a cabinet that is painted to match the wall color, or provided with some other type of decorative screen. New roof mounted equipment is prohibited unless it is replacing an existing piece of equipment.
- 4. New generators, air conditioning units, and condensers are must be located at least ten feet (10') from neighboring bedroom windows. This requirement does not apply to replacement units.
- 5. Roof-mounted equipment, including dish antennae, must be screened from view from public rights-of-way and adjacent properties by materials that are architecturally compatible with the structure upon which they are mounted. See Chapter 7-8 of this code for small residential rooftop solar energy systems. (Ord. 19-1036)

9-1G-14: R-1 ZONE DISTRICT RESIDENTIAL DESIGN CRITERIA:

Table 9-1G-4 establishes the criteria for compatibility, intensity, façade treatments, and other design elements for the R-1 District.

Table 9-1G-4		
Design Criteria for the Single-Family Residential Zone District		
Design Criterion	R-1	Additional Development Requirement
Compatibility of Architectural Styles and Character		

Proposed construction should have exterior colors, forms, and materials that are consistent throughout, visually compatible with adjacent structures and the surrounding neighborhood, and applied to all facades.	A	
Design of residential structures must be consistent with local and regional architectural styles.	A	
Additions to residential structures and new accessory structures must be designed and constructed to be similar to the architectural style and building form of the structure to which they are added, including similar or complementary color, roof design, and other key architectural features.	A	
Rooflines and roofing materials must be compatible with the architectural style of the residential structure. Use of varying, uncoordinated rooflines and roofing materials should be avoided.	A	
Building Façades		
The main entrance to a home must be articulated with a roof or porch form. Entrances of residential structures should face the primary street, except on flag lots.	A	
Window and door design and placement must be consistent with the overall architectural style of the structure and consistent with all windows/doors visible from the public right-of-way.	A	
Entrances and windows, not garages, should be the dominant elements of the front façade.	A	
Scale and Massing		
The size, mass, and scale of new dwellings must be visually compatible with adjacent structures and the surrounding neighborhood.	A	
Balance the massing and design of the structure(s) so that the ground level is designed at the human scale, and upper levels are visually less massive than the ground level.	A	
Building massing should include variations in wall planes (projections and recesses), wall height (vertical relief), and roof forms and heights to reduce the perceived scale of the structure.	A	
Site Design and Residential Structure Orientation		
Site and building design must maximize the amount of runoff directed to permeable areas and/or maximize stormwater storage for reuse or infiltration. Projects must use natural drainage, detention ponds, infiltration pits, and bioswales to promote infiltration and reduce or prevent off-site runoff.	A	
Grading must be coordinated with the drainage methods of adjacent properties and minimize differences in pad heights between the subject property and adjacent properties.	A	
Development should incorporate existing natural features into the overall site design, including significant trees and vegetation and drainage areas.	A	
Building placement and orientation must be carefully designed to enhance the streetscape, minimize the visibility of garage doors, retain natural site features, and complement the existing character of the neighborhood.	A	
Development should incorporate existing natural features into the overall site design, including significant trees and vegetation and drainage areas.	A	

Decorative paving and/or brickwork, as well as abutting shrubs or vines, are encouraged on all driveways to reduce the visual impact.	A	
Concrete areas of driveways should be minimized as much as possible. The use of pervious surfaces, such as pervious concrete or grasscrete, is encouraged on driveways.	A	
Site grading should divert flows to permeable areas and minimize the amount of stormwater leaving the property.	A	
Maximize permeable areas to allow percolation of runoff through such means as biofilters, green strips, and swales.	A	
Landscaping	A	
Preserve existing mature trees where feasible on the property.	A	
Trees and shrubs should be selected to minimize root problems and be located and spaced to allow for mature, long-term growth.	A	
The landscape and hardscape palettes should match the architecture of the structure.	A	
Landscaping must be provided along all building elevations and along perimeter walls.	A	
Drought tolerant and native plants should be used for planting of residential areas. Drought tolerant landscaping must include native water conserving plants.	A	
Succulents should be minimized as a landscaped material and should be used only as an accent with appropriate architectural styles.	A	
A = Applicable N/A = Not Applicable		

(Ord. 19-1036)

9-1G-15: R-1 ZONE DISTRICT INCENTIVES FOR FAR BONUS:

By meeting or exceeding development incentives as described in Table 9-1G-5 below, it may be possible to obtain architectural/design bonus credits to exceed the maximum permitted square footage. Incentive bonuses must be considered and awarded as a part of the site plan review process as described in Article C of this code. Incentives are only provided to new, two (2)-story, single-family houses.

Table 9-1G-5			
Incentives for FAR Bonus			
Elements	Definition	Minimum Requirements	Bonus Incentive ¹
Preservation of mature trees on residential property	Mature trees are defined as trees with a diameter-at-breast-height (DBH) of 19 inches or greater.	An applicant must record a covenant demonstrating the location of the mature tree, that all reasonable precautions have been made to preserve the tree, trimming of the tree must be overseen by a licensed arborist, the tree must not be topped, and that the City must approve of any removal of the tree.	100 square feet for each preserved tree.
Defined Architectural Style	Defined architectural styles include Craftsman, Spanish Revival, Tudor, Minimal Traditional with Colonial Revival, Ranch, Split-Level, Storybook, Prairie, and Mid-Century Modern.	Meets professionally recognized aspects of the chosen architectural style as demonstrated in <i>A Field Guide to American House and The Abrams Guide to American House Styles</i> .	200 square feet.
Attached or detached garage situated behind the house and not readily visible from a street ²	An attached or detached garage means any accessory building that is used as automobile shelter or storage, with a closable access door or doors, on the same lot as the main building and located behind the main building, situated as to not be visible from the street.	400 square foot FAR exemption for attached two-car garage and 600 square foot FAR exemption for attached three-car garage; all garage parking is to be located behind the home and not readily visible from a street to receive FAR reward.	300 square feet.

Note:

1. In no case may the cumulative bonus exceed 700 square feet.
2. For corner lots, the garage must be located in the rear of the property. The garage and the garage door may face the corner side street.

(Ord. 19-1036)

PART 2. R-2 ZONE DISTRICT

9-1G-20: R-2 ZONE DISTRICT DESIGNATION:

The R-2 district primarily provides for medium-density, multi-family residential development up to twelve (12) dwelling units per acre. The R-2 district is intended for a mix of single-family houses, duplexes, and small multi-unit buildings (two (2) stories or less). The district generally corresponds to the Medium-Density Residential land use designation on the 2050 General Plan land use map. (Ord. 19-1036)

9-1G-21: R-2 ZONE DISTRICT LAND USE AND PERMIT REQUIREMENTS:

A. Permit Requirements: Table 9-1G-6 lists the permit requirements and code references for each land use in Table 9-1G-7.

Table 9-1G-6

Permit Requirement Labels for Table 9-1G-7

Label	Permit Requirement	Code Section
Y	Permitted Use	
A	Accessory to Permitted Use Only	
C	Conditional Use Permit	
N	Not Permitted	

B. Specific Land Uses: Where the last column in Table 9-1G-7 includes an additional code reference, the requirements of the referenced section also apply to the use.

Table 9-1G-7

Land Uses and Permit Requirements for Residential Zone Districts

Land Uses or Activities	R-2	Notes/Reference
Accessory buildings or structures	A	9-1F-10
Accessory dwelling units	A	9-1T-13
Animal keeping	A	9-1T-17
Assembly uses: religious facilities, lodges, clubs, cultural centers, etc.	C	
Childcare home	A	
Condominiums, two units	N	
Condominiums, three or more units	Y	
Day care center	C	
Educational institutions	C	
Home occupations	A	9-1F-13
Junior accessory dwelling units	Y	9-1T-13
Multi-Family Housing	Y	
Public parks and playgrounds	Y	
Schools (public and private)	C	
Short Term Rentals	N	
Single-family dwellings	Y	
Supportive housing	Y	
Temporary uses	A	
Transitional housing	Y	
Wireless communications facilities	C	9-1T-11
Yard Sales	A	4-2D-0

(Ord. 19-1036; amd. Ord. 20-1040U; Ord. 20-1048)

9-1G-22: R-2 ZONE DISTRICT RESIDENTIAL DEVELOPMENT STANDARDS:

Development standards for the R-2 District are shown in Table 9-1G-8 and described below. Where a single, detached house is proposed on a lot, the development must comply with the standards of zone R-1.

Table 9-1G-8

Temple City R-2 Development Standards

	Adjacent to R-1	Adjacent to R-2/R-3	Not Adjacent to Residential	Notes
Lot Area (square feet)				
Lot size	7,200	7,200	7,200	For a newly created lot.
Minimum Lot Area Per Dwelling	3,630	3,630	3,630	

Maximum density allowed (du/ac)	12	12	12	
Lot Width (feet)				
Lot	50	60	60	For newly created lots
Cul-de-sac (min. street/at setback)	35/50	-	-	50 feet at front yard setback.
Lot Depth (feet)				
Lot (min.)	80	80	80	For newly created lots.
Cul-de-sac (min.)	80	-	-	
Setbacks				
Front (feet)				
1st Floor (min.)	20	20	20	
2nd Floor (min.)	20	20	20	
Interior Side (feet)				
1st Floor (min.)	5	5	5	5 feet for the first story adjacent to R-1 zone. 5 feet adjacent to R-2/R-3 zone.
2nd Floor (min.)	5/10	5/10	5/10	An average second story setback of 10 feet must be provided, but not less than five feet.
Corner Side (feet)				
1st Floor (min.)	10	10	10	
2nd Floor (min.)	10	10	10	An average second story setback of 10 feet must be provided.
Rear (feet)				
1st Floor (min.)	15	5	5	
2nd Floor (min.)	20	10	10	Additional 5-foot setback from ground floor required setback.
Maximum Building Height (feet)				
Building	2 stories or 30 feet in height	2 stories or 30 feet in height	2 stories or 30 feet in height	Whichever is less. Does not include fully subterranean parking.
Accessory Building	15	15	15	
Maximum Floor Area Ratio				
Dwelling & Attached Garages	0.50	0.50	0.50	Of lot size including attached garage.
Second Floor Size Compared to First Floor Size	75%	75%	75%	
Maximum Lot Coverage				
Dwellings and structures	50%	50%	50%	
Minimum Permeable Surface				
Dwellings or structures	0.40	0.40	0.40	Does not apply to projects where all the parking is subterranean.
Minimum Gross Floor Area Per Dwelling Unit (square feet)				
One Bedroom	750	750	750	
Two Bedrooms	900	900	900	
Three Bedrooms	1,100	1,000	1,000	
More Than Three Bedrooms	+150 each additional bedroom			
Distance Between Buildings (feet)				
Distance between primary dwellings and accessory structures	15	15	15	
Distance between all other buildings/structures	5	5	5	
Minimum Parking Spaces				

Resident Parking (per unit)	2	2	2	Ground level must be in enclosed garage.
Guest Parking (per unit)	0.2	0.2	0.2	Fractions of 0.5 or more must be rounded up.

A. Lot Size and Width Requirements:

1. Lot size - For newly created lots, the lot size must be a minimum of seven thousand two hundred (7,200) square feet.
2. Lot width - Each newly created lot must be no less than fifty-feet (50') wide adjacent to an R-1 zone, and sixty feet (60') wide adjacent to R-2, R-3, and non-residential zones. If the parcel is located on a cul-de-sac street, there must be a minimum required lot width of thirty-five feet (35') at the street and fifty feet (50') at the front yard setback.
3. Lot Depth - Each newly created parcel must have a minimum lot depth of eighty feet (80').
4. Cul-De-Sac, Flag Lots, and Tiered Lots - Multi-family uses are not allowed on cul-de-sacs, flag lots, and tiered lots.

B. Yard Setbacks:

1. Front Yard Setbacks:
 - a. Each lot must maintain a minimum front yard setback of twenty feet (20') in depth.
 - b. No portion of the building or structure must encroach through a plane projected from an angle of sixty (60) degrees measured at a height of twelve feet (12') at the required front setback line.
2. Side Yard Setbacks:
 - a. Interior lots must maintain a side yard adjacent to each side lot line of not less than five feet (5') for the first-story portion of the building. For the second story a combined average second story setback of ten feet (10') must be provided, but never less than five feet (5').
 - b. On a corner lot, properties must maintain a side yard adjacent to the street of not less than ten feet (10') for the first-story portion when adjacent to any zone. The second-story setback must be a combined average of ten feet (10').
3. Rear Yard Setbacks: When the property to the rear is zoned R-1, the rear yard setback must not be less than fifteen feet (15'). When the property to the rear is not zoned R-1, the rear yard setback must not be less than five feet (5'). When the property to the rear is zoned R-1, the second story rear setback must be no less than twenty feet (20'). When the property to the rear is not zoned R-1, second story rear setback must be no less than ten feet (10').

C. Placement of Buildings:

1. Buildings and structures must be a minimum of five feet (5') away from each other, except as allowed in Section9-1N-6 (Encroachments).
2. No portion of any principal dwelling may be located in any required yard area, except as allowed in Section9-1N-6 (Encroachments).

D. Maximum Floor Area Ratio:

1. No multiple-family residential project may exceed a total floor area ratio (FAR) of 0.50.
2. The floor area of the second story must not exceed seventy-five percent (75%) of the floor area of the first story. In calculating the floor area of the ground floor, the definition of floor area ratio is used.

E. Accessory Uses And Structures:

1. Accessory uses and structures, including accessory dwelling units, pool houses, workshops, sheds, and the like, but not including required garages, are limited to one (1) per lot and must be located in the rear fifty percent (50%) of the lot.
2. An accessory structure of one hundred twenty (120) square feet or less may be placed within a required side or rear setback, provided there is a minimum of five feet (5') of setback between the accessory structure and the property line. The exception is centralized trash enclosures which must be setback a minimum of two feet (2') from all property lines and a minimum of fifteen feet (15') from any window.
3. If either an alley or a utility easement exists along the rear of the lot, not less than ten feet (10') of the rear lot line must be maintained free and clear of buildings or structures, except for a fence with a gate to provide access to the alley or utility easement.
4. Portable shade structures are prohibited in the front yard and in the corner side yard.

F. Vehicle Parking and Driveways:

1. Each lot or parcel of land in zone R-2 must have-on the same lot or parcel of land-a minimum of two (2) off-street parking spaces per main dwelling unit outside of any required setback.
2. Garages must be setback ten feet (10') from the main building elevation.
3. Each required parking space in a garage must be no less than ten feet (10') wide and twenty feet (20') long.
4. Tandem parking may only be used for developments with two (2) or more units.
5. Guest parking may not be in the front yard, street side yard, in a required driveway, or a fire lane. Vehicle parking at grade may not be in the front or side yard areas, except on paved driveways. "No Parking" signs must be placed conspicuously at the entrance to and at intervals of not less than fifty feet (50') along every required driveway.
6. For lots with two units, driveways are limited to a maximum paved width of sixteen feet (16'). No more than twelve feet (12') of the vehicular access to the garage may consist of hardscape; the remaining four feet (4') on either side must consist of landscaping. For lots less than eighty feet (80') in width only one (1) driveway is allowed. The minimum driveway width will be ten feet (10') for sites with twenty-five (25) or fewer spaces. For sites with more than twenty-five (25) spaces, the minimum driveway width is ten feet (10') wide for each one (1)-way driveway or twenty feet (20') for two (2)-way driveways. If two (2) driveways are required, the driveways must be placed on opposite sides of the site. Where a lot abuts an alley, parking access must be from the alleyway and not from the primary street. If a parcel already has a driveway and a unit is added to the rear of the parcel, parking access for any new units must be from the alleyway and not from the primary street or existing driveway.
7. Walkways must not be placed directly adjacent and parallel to driveways, so as to expand the maximum size of driveways. Walkways parallel to driveways must be placed a minimum of three feet (3') from the driveway.
8. There must be no more than one (1) driveway per site, unless waived by the Community Development Director for the project to comply with the Fire or Building Code or in cases such as through lots, or large developments.
9. Entrances to units should be from open space areas, not from driveways.

G. Landscape and Hardscape Requirements:

1. At a minimum, twenty-five percent (25%) of a parcel must be landscaped. The landscaped area must include a minimum of seventy percent (70%) of live vegetation. Live vegetation includes lawn areas, shrubs, and flowerbeds and does not include permeable pavers, turf block, or grasscrete.
2. A minimum of forty percent (40%) of a parcel area must be permeable.
3. Hardscape in the front yard must not exceed the following:
 - a. On parcels less than fifty feet (50') in width, no more than forty percent (40%) of the front yard may be hardscape.
 - b. On parcels fifty (50) to eighty (80) feet in width, no more than thirty-five percent (35%) of the front yard may be hardscape.
 - c. On parcels greater than eighty feet (80') in width, no more than thirty percent (30%) of the front yard may be hardscape.
4. Artificial turf is limited to no more than thirty percent (30%) coverage of the front yard or the rear yard.
5. A combination of trees, shrubs, and ground cover must be incorporated into landscaping plans.
 - a. Three trees must be at least thirty-six (36)-inch box trees. All other trees should be twenty-four (24)-inch boxes.
 - b. Shrubs must be five (5)-gallons.
 - c. Landscape plans must be prepared by a licensed landscaped architect.
6. All landscaped areas and materials must be regularly and properly maintained.
7. Mulch or stone-type materials should be placed between plants as ground cover or backdrop, not as a replacement for live vegetation. Plants should be spaced so that at maturity, the plants eventually cover most, if not all, of the mulch or stone material.
8. The use of mounding grasses such as *Festuca californica*, *Festuca rubra*, and *Carex pansa* are preferred.
9. Bare dirt is not permitted within the front yard or visible street side yard. All bare dirt areas must be finished with a minimum three-inch (3")-thick layer of mulch, organic bark, or earth-tone-colored rubber bark.
10. Rocks, stones, and pebbles are not to be used near public sidewalks or streets because they are a slipping hazard.
11. Dry stream beds and areas of decomposed granite must not account for more than twenty percent (20%) of the front or rear yard.
12. Paved pathways to the front door should be no more than five feet (5') wide, and all other pathways should be no more than three feet wide.
13. Landscaping on Projects with Subterranean Parking:
 - a. Grass, groundcovers, and artificial turf must be at grade. Taller shrubs, grasses, and other ornamental plants must be at grade or in planters no less than eighteen inches (18") in height. Raised planters should be minimized to the extent feasible.
 - b. For main courtyards thirty feet (30') or more in width, at least one (1) medium tree with a twenty-four-foot (24') canopy or more at maturity must be planted in the main courtyard. For main courtyards less than thirty feet (30') in width, at least two (2) small trees with a twelve-foot (12') canopy, or more at maturity, must be provided. Trees must be planted in a minimum three-foot (3') deep planter (not exceeding eighteen inches (18") above finished grade in main courtyards).
 - c. Medium canopy trees must be planted in an area that is a minimum eighteen feet (18') in width and length or diameter. Small canopy trees must be planted in an area that is a minimum ten feet (10') in width and length or diameter.
 - d. A minimum of three feet (3') in depth is required for tree plantings in courtyards, above the top plate of subterranean parking.

H. Common Open Space Requirements:

1. Common open space is required for developments with more than two (2) units.
2. A minimum of twenty percent (20%) of the lot size must be provided for common open space.
3. Common open space must have a minimum dimension of thirty feet (30') for lots more than sixty feet (60') in width and twenty feet (20') for lots less than sixty feet (60') in width.
4. Common open space includes recreational-leisure areas, private areas (no more than one hundred twenty-five (125) square feet in size), or a combination of both.
5. Common recreational areas must be located on the same property as the residential use it serves and must be available exclusively for the use of all residents of the development.
6. Private useable open space will be contiguous to the residential units served. Private open space may be delineated by a wall, fence, hedge no taller than forty-two inches (42") in height.
7. All common areas will be developed and professionally maintained in accordance with approved landscape and irrigation plans.

I. Main Courtyard Requirements:

1. For sites with more than two (2) units and having a width of fifty feet (50') or more, a main courtyard must be provided on the lot.
2. The main courtyard must be no less than ten percent (10%) of the total lot area and in no case less than six hundred (600) square feet with a minimum width and length of:
 - a. Fifteen feet (15') measured parallel to the front and side parcel lines, for lots less than eighty feet (80') in width; and
 - b. Twenty feet (20') measured parallel to the front and side parcel lines, for lots greater than or equal to eighty feet (80') in width.
3. All courtyards must be open to the sky, but may include the following permitted projections:
 - a. Eaves may project up to three feet (3') into courtyards.
 - b. Exterior, unenclosed building elements such as stoops, balconies and open stairs may encroach three feet (3') into courtyards.
4. If mechanical or utility equipment is placed in courtyards, it must be screened visually and acoustically and must not encroach into the required courtyard areas. Mechanical or utility equipment can be in private open space.
5. On lots greater than or equal to eighty feet (80') in width, a minimum of fifty percent (50%) of any courtyard's perimeter must be surrounded by a building. On lots less than eighty feet (80') in width, any courtyard's perimeter should be surrounded by buildings as much as feasible.
6. The main courtyards must be visible and accessible from the sidewalk. Each ground floor unit must have access to a courtyard. The main courtyard must be visible from the street with a minimum ten-foot (10') wide opening that is open to the sky. For openings less than eighteen feet (18') in width into the main courtyard, the depth of the opening must not exceed twice the width of the opening.
7. All primary entrances to ground floor units must be accessed from the street frontage or a courtyard.
8. All courtyards must meet the planting and tree requirements in section 9-1G-22-G.

9. Private open space within a courtyard is limited to a maximum of one hundred twenty-five (125) square feet or twenty-five percent (25%) of the courtyard, whichever is less.

J. Walls and Fences:

1. No fences or walls will be allowed in the front yard, and all walls and fences must be non-view obstructing.
2. Design requirements for walls and fences are found in Article N, Site Planning and General Design Standards.

K. Grading and Drainage for Sites with At-Grade Parking:

1. Where existing drainage flows from adjacent sites, the subject site must continue to accept cross lot drainage and must not be designed in such a way as to drain toward adjacent sites. The subject site must not create any barriers that prohibit existing drainage flows from adjacent sites. In cases where compliance with this requirement is deemed not feasible by the city, the director may approve modifications to encourage as much onsite infiltration and detention as feasible.

2. If the proposed finished grade will not alter existing cross lot drainage patterns, the difference between the grade of the subject site and adjacent sites must be within eight inches (8"). If the proposed finished grade will alter existing cross lot drainage patterns, the applicant must demonstrate how the subject property will address existing cross lot drainage patterns.

L. Additional Requirements: New dwellings constructed within five hundred feet (500') of an arterial street or a railway must be provided with a mechanical ventilation system designed to attain enhanced air filtration with the use of air filters that have a filtration efficiency equivalent to a minimum efficiency reporting value (MERV) of eleven (11) or higher as determined by testing methods established by the American Society Of Heating, Refrigerating And Air-Conditioning Engineers (ASHRAE) standard 52.2, as periodically amended. All such ventilation system equipment and air filters must be installed, operated, maintained and replaced in a manner consistent with applicable building code requirements and with the manufacturer's specifications and recommendations. Alternative air pollution mitigation measures (e.g., setbacks, landscaped buffers, etc.) may be utilized where feasible if they can be shown to have a mitigating effect that is equal to or greater than the enhanced air filtration measures specified herein.

M. Trash areas: Trash containers must provide not less than fifty (50) gallons of capacity per dwelling unit. All containers must be regularly cleaned and maintained and provided with tight fitting lids. Refuse storage areas will be so located as to be easily accessible for trash pick-up. All outdoor trash, garbage and refuse containers will be screened on all sides from public view by a minimum six-foot (6')-high concrete or masonry decorative block wall, and the opening provided with a gate of a durable wood or comparable material.

N. Accessory storage: A minimum of sixty (60) cubic feet of enclosed accessory storage space must be provided per dwelling unit. (Ord. 19-1036; amd. Ord. 20-1047)

9-1G-23: R-2 ZONE DISTRICT RESIDENTIAL BUILDING DESIGN AND ARCHITECTURAL STANDARDS:

The site design and architectural standards set forth in this chapter apply to all new residential structures, additions to residential structures, and accessory structures (including garages) in the R-2 District. Where a single detached home is proposed on a lot, the development must comply with the residential building design and architectural standards of the R-1 District.

A. Building Facades:

1. Façade Treatment: The maximum total blank wall area (without windows or entrances) will not exceed fifty percent (50%) of the first story wall.
2. For any new residential structure or addition, all sides of the building(s) visible from the street or other public areas and where the space between two (2) houses or structures is greater than twenty feet (20') should be fully articulated and have elements that contribute to visual interest and neighborhood character. This includes variation in massing, wall planes, and roof forms as well as surface articulation such as window and door treatments and windows.
3. The front entrance of residential structures must be recessed a minimum of five feet from the front wall of the unit. The front recessed entry or porch area must be covered.
4. No linear wall of a second story on a side or corner side yard may extend more than twenty-four feet (24') without architectural articulation or an offset of at least two feet (2') for not less than eight feet (8').
5. Balconies are only allowed along the front elevation or corner side elevation of a dwelling facing a public street.
6. Dwellings must have exterior walls of brick, wood, stucco, metal, concrete, or other similar material. Polished or unfinished metal siding is prohibited.
7. Garages and garage doors must be designed to minimize their appearance. This may include articulating with panels and/or windows on large planes, using two (2) single-car garage doors instead of one (1) double-car garage door, and using articulation of the façade and roof.
8. All vents, gutters, downspouts, flashing, and electrical panels must be painted to match the surface to which they are attached, unless concealed or used as a major design element, in which case the color is to be consistent with the overall color scheme of the building.
9. Cantilevering of an upper floor over a lower floor must be limited to projections of eighteen inches (18") and for a width of eight feet (8').

B. Windows:

1. Window type, material, shape, and proportion must complement the architectural style of the building and enhance the articulation and detailing of the façade.
2. Consistent window and trim styles across elevations should be used.
3. Upper and lower windows should align vertically whenever possible.
4. Any faux shutters should be proportionate to the adjacent window to create the appearance of a real and functional shutter.
5. Security bars and shutters must be limited to the interior side and rear yard elevations.

C. Roof Design and Materials:

1. Roofs should be designed as part of the overall massing and architectural design. Roof slopes, massing, materials, and overhangs should be designed and scaled appropriately for the desired architectural style.
2. Roof materials and colors are important aspects of the overall home design and should be consistent with the desired architecture.
3. Roof design should enhance the visual interest of the building and break up the massing of the building.
4. Each dwelling must have a full roof that meets Temple City building code requirements. The following types of roof material are not allowed:
 - a. Glossy or polished surfacing on roofs.
 - b. Corrugated roofs.
 - c. Plastic, PVC, or other types of formed or molded material roofing (does not include clay or cement tile or fiberglass or composition shingles).
 - d. Painted shingles.
5. Chimneys should be exposed as architectural features rather than hidden within a wall surface.
6. Chimney caps should be decorative and conceal fireplace spark arrestors.

D. Utilities and Mechanical Equipment:

1. Electrical meters, cable boxes, junction boxes, and irrigation controllers should be designed as an integral part of the building on a rear or side elevation or otherwise screened from public view.
2. Building forms, fences, trellises, and landscaping should be used to screen aboveground utility transformers, pull boxes, and termination cabinets, where allowed by utility providers.
3. Utilities and mechanical equipment should be screened from the public right-of-way and, to the extent feasible, either painted to match the wall color, enclosed in a cabinet that is painted to match the wall color, or provided with some other type of decorative screen. New roof mounted equipment is prohibited unless it is replacing an existing piece of equipment.
4. Roof-mounted equipment, including dish antennae, must be screened from view from public rights-of-way and adjacent properties by materials that are architecturally compatible with the structure upon which they are mounted. See Chapter 7-8 of this code for small residential rooftop solar energy systems.
5. All utilities must be placed underground. (Ord. 19-1036)

9-1G-24: R-2 ZONE DISTRICT RESIDENTIAL DESIGN CRITERIA:

Table 9-1G-9 establishes the criteria for compatibility, intensity, façade treatments, and other design elements for the R-2 District.

Table 9-1G-9		
Design Criteria for the R-2 District		
Design Criterion	R-2	Additional Development Requirement
Compatibility of Architectural Styles and Character		
New construction and additions to residential structures should have exterior colors, forms, and materials that are consistent throughout, visually compatible with adjacent structures and the surrounding neighborhood, and applied to all facades.	A	
Design of residential structures should be consistent with local and regional architectural styles.	A	
In areas with identified historic buildings, structures, and sites, the proposed new development should blend in with and complement the area's historic character.	A	
Rooflines and roofing materials must be compatible with the architectural style of the residential structure. Use of varying, uncoordinated rooflines and roofing materials should be avoided.	A	
Building Façades		
Multi-building developments will utilize a consistent and stylistically compatible (but not necessarily identical) palette of scale, forms, colors, materials, and textures.	A	
The main entrance to a unit must be articulated with a roof or porch form. Entrances of residential structures should face the primary street.	A	
Window and door design and placement must be consistent with the overall architectural style of the structure and consistent with all windows/doors visible from the public right-of-way.	A	
Windows or similar openings will be oriented to minimize any direct line-of-sight into adjacent units.	A	
Entrances and windows, not garages, should be the dominant elements of the front façade of each unit	A	
Scale and Massing		
The size, mass, and scale of new dwellings must be visually compatible with adjacent structures and the surrounding neighborhood.	A	
Balance the massing and design of the structure(s) so that the ground level is designed at the human scale, and upper levels are visually less massive than the ground level.	A	
Building massing should include variations in wall planes (projections and recesses), wall height (vertical relief), and roof forms and heights to reduce the perceived scale of the structure.	A	
Site Design and Residential Structure Orientation		
Common open space must be located at ground level on the same property as the residential use it serves, will be safely accessible and available exclusively for the use of all residents of the development, and not be located adjacent to driveways.	A	
Building placement and orientation must be carefully designed to enhance the streetscape, minimize the visibility of garage doors, retain natural site features, and complement the existing character of the neighborhood.	A	

Building orientation must be to the public right of way or to a common shared space with pedestrian access.	A	
Easily identifiable pedestrian connections should be provided from the street/sidewalk to key areas within or adjacent to the site.	A	
Development should incorporate existing natural features into the overall site design, including significant trees and vegetation and drainage areas.	A	
Decorative paving and/or brickwork, as well as abutting shrubs or vines, are encouraged on all driveways to reduce the visual impact.	A	
Concrete areas of driveways should be minimized as much as possible. The use of pervious surfaces, such as pervious concrete or grasscrete, is encouraged on driveways.	A	
Site and building design must maximize the amount of runoff directed to permeable areas and/or maximize stormwater storage for reuse or infiltration. Projects must use natural drainage, detention ponds, infiltration pits, and bioswales to promote infiltration and reduce or prevent off-site runoff.	A	
Grading must be coordinated with the drainage methods of adjacent properties and minimize differences in pad heights between the subject property and adjacent properties.	A	
Maximize permeable areas to allow percolation of runoff through such means as biofilters, green strips, and swales.	A	
Landscaping		
Preserve existing mature trees where feasible on the property.	A	
Trees and shrubs should be selected to minimize root problems and be located and spaced to allow for mature, long-term growth.	A	
The landscape and hardscape palettes should match the architecture of the structure.	A	
Landscaping must be provided along all building elevations and along perimeter walls.	A	
Drought tolerant and native plants should be used for planting of residential areas.	A	
Fences and Walls		
Fences and walls will be of the same or compatible material, in terms of texture and quality, as the material and color of the principal building.	A	No fence allowed in the front yard and all fences must be non-view obstructing.
Loading and Storage		
Trash enclosures will be constructed of sturdy, durable, opaque materials (with trash receptacles screened from view.)	A	
Utility and Mechanical Equipment		
All mechanical equipment, meters, and utility transformers will be placed in locations that are not exposed to view from the street or will be screened from view with appropriate landscaping or architecturally integrated low walls.	A	
Building forms, fences, trellises, and landscaping should be used to screen aboveground utility transformers, pull boxes, and termination cabinets, where allowed by utility providers.	A	
Utility meters should be clustered in readily accessible locations when possible. Meters should not be placed in areas designated for landscaping.	A	
Satellite dishes will be located away from public view.	A	
Screening elements will be an integral part of the building's design.	A	
A = Applicable N/A = Not Applicable		

(Ord. 19-1036)

PART 3. R-3 ZONE DISTRICT

9-1G-30: R-3 ZONE DISTRICT DESIGNATION:

The R-3 district primarily provides for high-density, multi-family residential development up to thirty-six (36) dwelling units per acre. The R-3 district is intended for apartment and condominium/townhouse residential structures that house multiple dwelling units and may consist of two (2) to three (3)-story buildings. The district generally corresponds to the High-Density Residential land use designation on the 2050 General Plan land use map.

These areas are multi-family in character, yet retain some of the characteristics of suburban neighborhoods such as landscaped yards, off-street parking, common open space, shared amenities, and low building heights (three (3) stories or less). Other compatible uses, such as schools, childcare centers, parks, and assembly uses, may also locate in areas with this designation. (Ord. 19-1036)

9-1G-31: R-3 ZONE DISTRICT LAND USE AND PERMIT REQUIREMENTS:

A. Permit Requirements: Table 9-1G-10 lists the permit requirements and code references for each land use inTable 9-1G-11.

Table 9-1G-10		
Permit Requirement Labels for Table 9-1G-11		
Label	Permit Requirement	Code Section
Y	Permitted Use	
A	Accessory to Permitted Use Only	
C	Conditional Use Permit	
N	Not Permitted	

B. Specific Land Uses: Where the last column in Table 9-1G-11 includes an additional code reference, the requirements of the referenced section also apply to the use.

Table 9-1G-11		
Land Uses and Permit Requirements for Residential Zone Districts		
Land Uses or Activities	R-3	Notes/Reference
Accessory buildings or structures	A	9-1F-10
Accessory dwelling units	A	9-1T-13
Animal keeping	A	9-1T-17
Assembly uses: religious facilities, lodges, clubs, cultural centers, etc.	C	
Childcare home	A	
Community care facility, small	A	
Condominiums	Y	
Daycare homes (Large Family)	C	
Government Offices, Facilities and Parks	Y	
Home occupations	A	9-1T-16
Junior accessory dwelling units	Y	9-1T-13
Multi-family housing	Y	
Off street parking for R-3 uses	A	
Public parks and playgrounds	Y	
Schools (public and private)	C	
Short Term Rentals	N	
Single-family dwellings	Y	
Supportive housing	Y	
Temporary uses	A	
Transitional housing	Y	
Wireless communications facilities	C	9-1T-11

(Ord. 19-1036; amd. Ord. 20-1040U; Ord. 20-1047; Ord. 20-1048))

9-1G-32: R-3 ZONE DISTRICT RESIDENTIAL DEVELOPMENT STANDARDS:

Development standards for the R-3 District are shown in Table 9-1G-12 and described below. Where a single detached home is proposed on a lot, the development must comply with the standards of zone R-1.

Table 9-1G-12				
Temple City R-3 Development Standards				
	Adjacent to R-1	Adjacent to R-2/R-3	Not Adjacent to Residential	Notes
Lot Area (square feet)				
Lot size	10,000	10,000	10,000	For a newly created lot.
Minimum lot area per dwelling	1,210	1,210	1,210	
Maximum dwelling units (du per acre)	36	36	36	
Lot Width (feet)				
Existing lot (min.)	50	50	50	Minimum width needed for multi-family use.
New interior lot (min.)	80	80	80	
New corner lot (min.)	100	100	100	
Lot Depth (feet)				
Lot (min.)	80	80	80	

Setbacks				
Front (feet)				
1st Floor (min.)	20	20	20	
2nd Floor (min.)	30	20	20	
3rd Floor (min.)	40	40	40	
Interior Side (feet)				
1st Floor (min.)	5	5	5	
2nd Floor (min.)	10	Average 10, no less than 5	Average 10, no less than 5	
3rd Floor (min.)	10	10	10	
Corner Side (feet)				
1st Floor (min.)	10	10	5	
2nd Floor (min.)	10	10	10	
3rd Floor (min.)	15	15	10	
Rear (feet)				
1st Floor (min.)	15	5	5	R-1 to the rear.
2nd Floor (min.)	20	10	5	
3rd Floor (min.)	30	20	10	
Maximum Building Height (feet)				
Building (max.)	3 stories or 40 feet in height	3 stories or 40 feet in height	3 stories or 40 feet in height	Whichever is less. Does not include fully subterranean parking. Height measured from top plate of subterranean parking to top plate of residence.
Accessory Building	15	15	15	
Dwelling, second and third floors	0.75	0.75	0.75	Of first floor square feet.
Maximum Lot Coverage				
All buildings	0.50	0.50	0.50	
Minimum Permeable Surface				
Dwellings or structures	0.20	0.20	0.20	Only applies to projects constructed at grade.
Minimum Gross Floor Area Per Dwelling Unit (square feet)				
Bachelor Units	600	600	600	
One Bedroom	750	750	750	
Two Bedrooms	900	900	900	
Three Bedrooms	1,100	1,000	1,000	
More Than Three Bedrooms	+150 each additional bedroom			
Distance Between Buildings (feet)				
Distances between primary dwellings and accessory structures	15	15	15	
Distance between all other buildings/structures	5	5	5	
Minimum Parking Spaces				
Resident Parking (per unit)	2	2	2	Ground level must be in enclosed garage.
Guest Parking (per unit)	0.2	0.2	0.2	Fractions of 0.5 or more must be rounded up.

A. Lot Size and Width Requirements:

1. Lot size: For newly created lots, the lot size must be a minimum of ten thousand (10,000) square feet. For lots in existence at the time of adoption of this ordinance, the minimum area per dwelling unit applies. When the number of units is calculated, fractional units are rounded down to the nearest whole number.
2. Lot width: Multi-family uses are only allowed on lots greater than fifty feet (50') in width. New interior lots must be no less than eighty feet (80') wide and new corner lots a minimum of one hundred feet (100') wide.

B. Yard Setbacks:

1. Front Yard Setbacks: Each lot must maintain a minimum front yard setback of twenty feet (20') in depth for the first story, thirty feet (30') in depth for the second story, and forty feet (40') in depth for the third story.
2. Side Yard Setbacks:
 - a. Interior lots must maintain a side yard adjacent to each side lot line of not less than five feet (5') for the first story of the building. The second-story setback

must be no less than ten feet (10') when sharing an interior lot line with a R-1 property or an average of ten feet (10'), but never less than five feet (5') when adjacent to any other zone. The third story setback must be no less than ten feet (10') for the third-story portion of the building.

b. On a corner lot, across the street from a R-1, R-2, or R-3 zoned property, the first floor and second floor street side yard setback must be no less than ten feet (10') and the third-floor street side yard setback must be no less than fifteen feet (15').

c. On corner lots across the street from non-residential zones, the first story street side setback must be no less than five feet (5') and the second and third story street side setback must be no less than ten feet (10').

3. Rear Yard Setbacks:

a. When the property to the rear is zoned R-1, the first story rear yard setback must be no less than fifteen feet (15'), the second story rear yard setback must be no less than twenty feet (20'), and the third story rear yard setback must be no less than thirty feet (30').

b. When the property to the rear is zoned R-2 or R-3, the first story must be no less than five feet (5'), the second story rear yard setback must be no less than ten feet (10'), and the third story rear yard setback must be no less than twenty feet (20').

c. When the property to the rear is non-residentially zoned, the first and second story rear yard setback must be no less than five feet (5'), and the second story rear yard setback must be no less than ten feet (10').

C. Placement of Buildings:

1. Buildings and structures must be a minimum of five feet (5') away from each other, except as allowed in Section 9-1N-6 (Encroachments).

2. No portion of any principal dwelling may be located in any required yard area, except as allowed in Section 9-1N-6 (Encroachments).

D. Ratio of Ground Floor to Upper Stories: The floor area of upper stories must not exceed seventy-five percent (75%) of the floor area of the ground floor. In calculating the floor area of the ground floor, the definition of floor area ratio is used.

E. Accessory Uses And Structures:

1. Accessory uses and structures, including accessory dwelling units, pool houses, workshops, sheds, and the like, but not including required garages, are limited to one (1) per lot and must be located in the rear fifty percent (50%) of the lot.

2. Accessory structures may not be placed in the required open space area.

3. An accessory structure of one hundred twenty (120) square feet or less may be placed within a required side or rear setback, provided there is a minimum of five feet (5') of setback between the accessory structure and the property line. The exception is centralized trash enclosures which must be setback a minimum of two feet (2') from all property lines and a minimum of ten feet (10') from any window.

4. If either an alley or a utility easement exists along the rear of the lot, not less than ten feet (10') of the rear lot line must be maintained free and clear of buildings or structures, except for a fence with a gate to provide access to the alley or utility easement.

5. On a reversed corner lot, an accessory building may be built to the interior side lot line when located to the rear of the required side yard, provided that no portion of such building must be erected closer than five feet (5') to the property line of any abutting lot to the rear of such reversed corner lot.

6. Portable shade structures are prohibited in the front yard and in the corner side yard.

F. Vehicle Parking and Driveways:

1. Off-street parking standards: Each lot or parcel of land in zone R-3 must have on the same lot or parcel of land a minimum of two (2) off-street parking spaces per dwelling unit and one (1) unenclosed guest parking space for every five (5) units, rounded up at .5 spaces. Residence parking at grade must be in a garage. Underground parking may be unenclosed, not in a garage.

2. Subterranean parking is not considered as a story of the building.

3. The top plate of underground parking shall be at natural grade.

4. Off-street parking reduction: For R-3 zoned lots that do not adjoin R-1 zoned lots the off-street parking standard may be reduced subject to approval by the director. A study that adequately demonstrates reduced parking demand resulting for transit accessibility or other factors must be submitted.

5. Each required parking space in a garage must be no less than ten feet (10') wide and twenty feet (20') long. Open parking areas may use non-residential parking size standards (8.5 feet by 18 feet) plus 1.5 feet when next to a vertical obstruction.

6. Tandem parking must not be used for guest parking.

7. Guest parking may not be in the front yard, street side yard, in a required driveway, or a fire lane. Vehicle parking at grade may not be in the front or side yard areas, except on paved driveways. "No Parking" signs must be placed conspicuously at the entrance to and at intervals of not less than fifty feet (50') along every required driveway.

8. For lots with two units, driveways are limited to a maximum paved width of sixteen feet (16'). No more than twelve feet (12') of the vehicular access to the garage may consist of hardscape; the remaining four feet (4') on either side must consist of landscaping. For lots less than eighty feet (80') in width only one (1) driveway is allowed. The minimum driveway width will be ten feet (10') for sites with twenty-five (25) or fewer spaces. For sites with more than twenty five (25) spaces, the minimum driveway width is ten feet (10') wide for each one (1)-way driveway or twenty feet (20') for two (2)-way driveways. If two (2) driveways are required, the driveways must be placed on opposite sides of the site.

9. When units face a driveway located within a required side yard, a landscaped area of at least five feet (5') wide must be maintained between any dwelling and the driveway. Walkways may not encroach more than two feet (2') into this landscaped area.

10. Where a lot abuts an alley, parking access must be from the alleyway and not from the primary street.

11. Walkways must not be placed directly adjacent and parallel to driveways, so as to expand the maximum size of driveways. Walkways parallel to driveways should be placed at minimum three feet (3') from the driveway.

12. Entrances to residential units should be from a courtyard and not from a driveway.

13. There must be no more than one (1) driveway per site, unless waived by the Community Development Director for the project to comply with the Fire or Building Code or in cases such as through lots, or large developments.

G. Landscape and Hardscape Requirements:

1. At minimum, twenty-five percent (25%) of the lot area must be landscaped. The landscaped area must include a minimum of seventy percent (70%) of live vegetation. Live vegetation includes lawn areas, shrubs, and flowerbeds and does not include permeable pavers, turf block, or grasscrete. Artificial turf is limited to no more than thirty percent (30%) coverage of the front yard or the rear yard.

2. Hardscape in the front yard must not exceed the following:

a. On parcels less than fifty feet (50') in width, no more than forty percent (40%) of the front yard may be hardscape. On parcels fifty (50) to eighty (80) feet in width, no more than thirty-five percent (35%) of the front yard may be hardscape.

b. On parcels greater than eighty feet (80') in width, no more than thirty percent (30%) of the front yard may be hardscape.

3. A combination of trees, shrubs, and ground cover must be incorporated into landscaping plans.
 - a. For projects built at grade, three (3) trees must be at least thirty-six-inch (36") box trees. All other trees should be at least twenty-four-inch (24") boxes. For projects with below grade parking, all tree should be at least twenty-four-inch (24") box trees.
 - b. Shrubs must be a minimum of five (5) gallon.
 - c. Landscape plans must be prepared by a licensed landscaped architect.
 4. All landscaped areas will be developed and professionally maintained in accordance with approved landscape and irrigation plans.
 5. Mulch or stone-type materials should be placed between plants as ground cover or backdrop, not as a replacement for live vegetation. Plants should be spaced so that at maturity, the plants eventually cover most, if not all, of the mulch or stone material.
 6. The use of mounding grasses such as *Festuca californica*, *Festuca rubra*, and *Carex pansa* are preferred.
 7. Bare dirt is not permitted within the front yard or visible street side yard. All bare dirt areas must be finished with a minimum three-inch (3")-thick layer of mulch, organic bark, or earth-tone-colored rubber bark.
 8. Rocks, stones, and pebbles are not to be used near public sidewalks or streets because they are a slipping hazard.
 9. Dry stream beds and areas of decomposed granite must not account for more than twenty percent (20%) of the front or rear yard.
 10. Paved pathways to the front door should be no more than five feet (5') wide, and all other pathways should be no more than three feet (3') wide.
 11. Plantings must be at grade or in finished planters not exceeding eighteen inches (18") above finished grade in courtyards or top plate of subterranean parking.
 12. For courtyards thirty feet (30') or more in width, at least one (1) medium tree with a twenty-four-foot (24') canopy or more at maturity must be planted in the courtyard. For courtyards less than thirty feet (30') in width, at least two (2) small trees with a twelve-foot (12') canopy, or more at maturity, must be provided. Trees must be planted in a minimum three-foot (3') deep planter (not exceeding eighteen inches (18") above finished grade in courtyards).
 13. Medium canopy trees must be planted in an area that is a minimum eighteen feet (18') in width and length or diameter. Small canopy trees must be planted in an area that is a minimum twelve feet (12') in width and length or diameter.
 14. A minimum of three feet (3') in depth is required for tree plantings in courtyards, above the top plate of subterranean parking.
- H. Common Open Space Requirements:
1. Common open space is required for developments with more than two (2) units.
 2. A minimum of twenty percent (20%) of the lot size must be provided for common open space.
 3. Common open space must have a minimum dimension of thirty feet (30') for lots more than sixty feet (60') in width and twenty feet (20') for lots less than sixty feet (60') in width.
 4. Common open space includes recreational-leisure areas, private areas, or a combination of both.
 5. Common recreational areas must be located on the same property as the residential use it serves and must be available exclusively for the use of all residents of the development.
 6. Private useable open space will be contiguous to the residential units served. Private open space may be delineated by a wall, fence, hedge no taller than forty-two inches (42") in height.
 7. All common areas will be developed and professionally maintained in accordance with approved landscape and irrigation plans.
- I. Main Courtyard Requirements:
1. Parcels having a width greater than fifty feet (50') in the R-3 district must provide a main courtyard on the lot.
 2. Main courtyards must be no less than ten percent (10%) of the total lot area and in no case less than one thousand (1,000) square feet with a minimum width and length of twenty feet (20') measured parallel to the front and side parcel lines.
 3. The main courtyards must be open to the sky, but may include the following permitted projections:
 - a. Eaves may project up to three feet (3') into the main courtyard.
 - b. Exterior, unenclosed building elements such as stoops, balconies and open stairs may encroach three feet (3') into the main garden.
 4. If mechanical or utility equipment is placed in the main courtyard area, it must be screened visually and acoustically and must not encroach into the required main courtyard area. Mechanical or utility equipment can be in private open space.
 5. A minimum of fifty percent (50%) of the courtyard's perimeter must be enclosed by a building.
 6. Courtyards must be visible and accessible from the sidewalk and each ground floor unit. The view corridor must not be provided from the driveway. Courtyards must be visible from the street with a minimum ten-foot (10') wide opening that is open to the sky. For openings less than eighteen feet (18') in width into courtyards, the depth of the opening must not exceed twice the width of the opening.
 7. All primary entrances to ground floor units must be accessed from the street frontage or courtyard.
 8. Courtyard areas must meet the planting and tree requirements in section 9-1G-32, subsection G.
 9. Private open space within a courtyard is limited to a maximum of one hundred twenty-five (125) square feet or twenty-five percent (25%) of the courtyard, whichever is less.
- J. Walls and Fences:
1. No fences or walls will be allowed in the front yard, and all walls and fences must be non-view obstructing.
 2. Design requirements for walls and fences are found in Article N, Site Planning and General Design Standards.
- K. Grading and Drainage for Sites with At-Grade Parking:
1. Where existing drainage flows from adjacent sites, the subject site must continue to accept cross lot drainage and must not be designed in such a way as to drain toward adjacent sites. The subject site must not create any barriers that prohibit existing drainage flows from adjacent sites. In cases where compliance with this requirement is deemed not feasible by the city, the director may approve modifications to encourage as much onsite infiltration and detention as feasible.
 2. If the proposed finished grade will not alter existing cross lot drainage patterns, the difference between the grade of the subject site and adjacent sites must be within eight inches (8"). If the proposed finished grade will alter existing cross lot drainage patterns, the applicant must demonstrate how the subject property will address existing cross lot drainage patterns. If the proposed finished grade will not alter existing cross lot drainage patterns, the difference between the grade of the subject site and adjacent sites must be within eight inches (8"). If the proposed finished grade will alter existing cross lot drainage patterns, the applicant must demonstrate how the subject property will address existing cross lot drainage patterns.
- L. Additional Requirements:

1. New dwellings constructed within five hundred feet (500') of an arterial street or a railway must be provided with a mechanical ventilation system designed to attain enhanced air filtration with the use of air filters that have a filtration efficiency equivalent to a minimum efficiency reporting value (MERV) of eleven (11) or higher as determined by testing methods established by the American Society Of Heating, Refrigerating And Air-Conditioning Engineers (ASHRAE) standard 52.2, as periodically amended. All such ventilation system equipment and air filters must be installed, operated, maintained and replaced in a manner consistent with applicable building code requirements and with the manufacturer's specifications and recommendations. Alternative air pollution mitigation measures (e.g., setbacks, landscaped buffers, etc.) may be utilized where feasible if they can be shown to have a mitigating effect that is equal to or greater than the enhanced air filtration measures specified herein.
2. Trash areas: Trash containers must provide not less than fifty (50) gallons of capacity per dwelling unit. All containers must be regularly cleaned and maintained and provided with tight fitting lids. All trash storage areas must be located for convenient vehicular access for pickup. All outdoor trash, garbage and refuse containers will be screened on all sides from public view by a minimum six-foot (6')-high concrete or masonry decorative block wall, and the opening provided with a gate of a durable wood or comparable material.
3. Accessory storage: A minimum of sixty (60) cubic feet of enclosed accessory storage space must be provided per dwelling unit. (Ord. 19-1036; amd. Ord. 20-1047)

9-1G-33: R-3 ZONE DISTRICT INCENTIVES:

Incentives: Table 9-1G-13 incentives are intended to encourage the consolidation of smaller R-3 zoned lots into larger development sites to achieve the scale and quality of development envisioned for the area.

Table 9-1G-13	
Lot Consolidation Incentives	
Number of Lots Consolidated	Incentive
4 to 6 lots	15% increase in number of allowable units
	10% reduction in guest parking
7 or more lots	20% increase in number of allowable units
	10% reduction in guest parking

Through the development agreement process, the city may consider other lot consolidation incentive bonuses such as increased building height, vacation of alleys, reductions in processing fees, in-lieu fees, or utility connection fees. The extent of such bonuses may vary on a case by case basis subject to agreement between a project applicant and the city. (Ord. 19-1036)

9-1G-34: R-3 ZONE DISTRICT RESIDENTIAL BUILDING DESIGN AND ARCHITECTURAL STANDARDS:

The site design and architectural standards set forth in this chapter apply to all new residential structures, additions to residential structures, and accessory structures (including garages) in the R-3 District. Where a single detached home is proposed on a lot, the development must comply with the residential building design and architectural standards of the R-1 District.

A. Building Facades.

1. Buildings should be oriented toward the street and common open space. The dwelling unit(s) nearest the front property line must have a "front elevation" as viewed from the street and must have a front door situated along the building wall nearest the street. The front entrance of each residential unit must be recessed a minimum of five feet (5') from the front wall of the house. The front recessed entry or porch area must be covered.
2. No façade along a primary street may be longer than sixty feet (60').
3. For any new residential structure or addition, all sides of the building(s) visible from the street or other public areas and where the space between two (2) houses or structures is greater than twenty feet (20') should be fully articulated and have elements that contribute to visual interest and neighborhood character. This includes variation in massing, wall planes, and roof forms as well as surface articulation such as window and door treatments and windows.
4. Balconies are only allowed along the front elevation or corner side elevation of a dwelling facing a public street.
5. Dwellings must have exterior walls of brick, wood, stucco, metal, concrete, or other similar material. Polished or unfinished metal siding is prohibited.
6. Garages and garage doors must be designed to minimize their appearance. This may include articulating with panels and/or windows on large planes, using two (2) single-car garage doors instead of one (1) double-car garage door, and using articulation of the façade and roof.
7. All vents, gutters, downspouts, flashing, and electrical panels must be painted to match the surface to which they are attached, unless concealed or used as a major design element, in which case the color is to be consistent with the overall color scheme of the building.
8. Balconies are not allowed on side or rear elevations facing single-family homes.
9. No exterior stairways are allowed.
10. Cantilevering of an upper floor over a lower floor must be limited to projections of eighteen inches (18") and for a width of eight feet (8').

B. Windows:

1. Window type, material, shape, and proportion must complement the architectural style of the building and enhance the articulation and detailing of the façade. Where appropriate to the architectural style, windows should be inset a minimum of two inches (2") from the building walls to create shade and shadow detail.
2. Consistent window and trim styles across elevations should be used.
3. Upper and lower windows should align vertically whenever possible.
4. Any faux shutters should be proportionate to the adjacent window to create the appearance of a real and functional shutter.

C. Roof Design and Materials.

1. Roofs should be designed as part of the overall massing and architectural design. Roof slopes, massing, materials, and overhangs should be designed and scaled appropriately for the desired architectural style.
2. Portions of a new building or roof modification that are within thirty feet (30') of an existing home must not exceed the height of the existing home by more than six feet (6').
3. Roof materials and colors are important aspects of the overall home design and should be consistent with the desired architecture.
4. Roof design should enhance the visual interest of the building and break up the massing of the building.
5. Each dwelling must have a full roof that meets Temple City building code requirements. The following types of roof material are not allowed:
 - a. Glossy or polished surfacing on roofs.
 - b. Corrugated roofs.
 - c. Plastic, PVC, or other types of formed or molded material roofing (does not include clay or cement tile or fiberglass or composition shingles).

- d. Painted shingles.
 - 6. Chimneys should be exposed as architectural features rather than hidden within a wall surface.
 - 7. Chimney caps should be decorative and conceal fireplace spark arrestors.
- D. Utilities and Mechanical Equipment:
- 1. Roof-mounted equipment, including dish antennae, must be screened from view from public rights-of-way and adjacent properties by materials that are architecturally compatible with the structure upon which they are mounted. See Chapter 7-8 of this code for small residential rooftop solar energy systems.
 - 2. New roof mounted equipment is prohibited unless it is replacing an existing piece of equipment.
 - 3. All utility wires must be placed underground. (Ord. 19-1036)

9-1G-35: RESIDENTIAL DESIGN CRITERIA:

Table 9-1M-30.5 establishes the criteria for compatibility, intensity, facade treatments, and other design elements for the R-3 District.

Table 9-1M-30.5		
Design Criteria for the R-3 District		
Design Criterion	R-3	Additional Development Requirement
Compatibility of Architectural Styles and Character		
Design of residential structures should be consistent with local and regional architectural styles.	A	
The size, mass, and scale of new dwellings must be visually compatible with adjacent structures and the surrounding neighborhood.	A	
In areas with identified historic buildings, structures, and sites, the proposed new development should blend in with and complement the area's historic character.	A	
Additions to residential structures must be designed and constructed to be similar to the architectural style and building form of the structure to which they are added, including similar or complementary color, roof design, and other key architectural features.	A	
Rooflines and roofing materials must be compatible with the architectural style of the residential structure. Use of varying, uncoordinated rooflines and roofing materials should be avoided.	A	
Window and door design and placement must be consistent with the overall architectural style of the structure and consistent with all windows/doors visible from the public right-of-way.	A	
Multi-building developments will utilize a consistent and stylistically compatible (but not necessarily identical) palette of scale, forms, colors, materials, and textures.	A	
Building Form and Design		
Building placement and orientation must be carefully designed to enhance the streetscape, retain natural site features and complement the existing character of the neighborhood.	A	
Balance the massing and design of the structure(s), so that the ground level is designed at the human scale, and upper levels are visually less massive than the ground level.	A	
Building massing should include variations in wall planes (projections and recesses), wall height (vertical relief), and roof forms and heights to reduce the perceived scale of the structure.	A	
Entrances should serve no more than two units.	A	
Building design should focus on individual unit identity and provide architectural styling to distinguish from other units.		
Building accents such as trellises, arched gates or arbors should be used to provide visual interest and demarcation to entrances.	A	
Windows or similar openings will be oriented to minimize any direct line-of-sight into adjacent units or onto private patios or backyards adjoining the property line.	A	
Site Design and Open Space		
Building placement and orientation must be carefully designed to enhance the streetscape, retain natural site features, and complement the existing character of the neighborhood.	A	
Building orientation must be to the public right of way or to a common shared space with pedestrian access.	A	

Common open space will be located at ground level on the same property as the residential use it serves, will be safely accessible and available exclusively for the use of all residents of the development, and not be located adjacent to driveways.	A	
Easily identifiable pedestrian connections should be provided from the street/sidewalk to key areas within or adjacent to the site.	A	
Development should incorporate existing natural features into the overall site design, including significant trees and vegetation and drainage areas.	A	
Concrete areas of driveways should be minimized as much as possible. The use of pervious surfaces, such as pervious concrete or grasscrete, is encouraged on driveways.	A	
Site and building design must maximize the amount of runoff directed to permeable areas and/or maximize stormwater storage for reuse or infiltration. Projects must use natural drainage, detention ponds, infiltration pits, and bioswales to promote infiltration and reduce or prevent off-site runoff.	A	
Grading must be coordinated with the drainage methods of adjacent properties and minimize differences in pad heights between the subject property and adjacent properties.	A	
Maximize permeable areas to allow percolation of runoff through such means as biofilters, green strips, and swales.	A	
Landscaping		
Preserve existing mature trees where feasible on the property.	A	
Trees and shrubs should be selected to minimize root problems and be located and spaced to allow for mature, long-term growth.	A	
Drought tolerant and native plants should be used for planting of residential areas. Drought tolerant landscaping must include native water conserving plants.	A	
Landscape and hardscape palettes should match the architecture of the structure.	A	
Landscaping must be provided along all building elevations and along perimeter walls.	A	
Circulation and Parking		
New development provides for adequate access and off-street parking arrangements.	A	
Parking structures will be architecturally integrated with the project design and will be screened from view at street level by architectural detailing, façade treatment, artwork, landscaping, or similar visual features to enhance the street façade.	A	
Shared vehicle and pedestrian circulation areas should utilize decorative paving and/or brickwork for pedestrian ways traversing parking areas or alongside of vehicular circulation.	A	
Guest parking should occur at the rear of the site when possible and may encroach into the rear setback.	A	
Driveways and walkways must be separated with landscaping or other appropriate treatment.	A	
Fences, Walls, and Enclosures		
Fences and walls will be of the same or compatible material, in terms of texture and quality, as the material and color of the principal building.	A	No fences or walls will be allowed in the front yard, and all fences and walls must be non-view obstructing.
Trash enclosures will be constructed of sturdy, durable, opaque materials (with trash receptacles screened from view).	A	
Utility and Mechanical Equipment		
All mechanical equipment, meters, and utility transformers will be placed in locations that are not exposed to view from the street or will be screened from view with appropriate landscaping or architecturally integrated low walls.	A	
Building forms, fences, trellises, and landscaping should be used to screen aboveground utility transformers, pull boxes, and termination cabinets, where allowed by utility providers.	A	

Utility meters should be clustered in readily accessible locations when possible. Meters should not be placed in areas designated for landscaping.	A	
Satellite dishes should be located away from public view.	A	
A = Applicable N/A = Not Applicable		

(Ord. 19-1036)



ARTICLE H. MIXED-USE ZONE DISTRICTS

SECTION:

- 9-1H-1: Mixed-Use Designation
- 9-1H-2: Land Uses And Permit Requirements
- 9-1H-3: Mixed-Use Development Standards
- 9-1H-4: Mixed-Use Design Review
- 9-1H-5: Mixed-Use Design Standards

9-1H-1: MIXED USE DESIGNATION:

A. Mixed-Use Low:

The Mixed-Use Low (MU-L) District promotes development of mixed-use residential and retail development with an emphasis on neighborhood serving uses. MU-L is intended to provide an opportunity for existing, predominantly residentially zoned areas to transition to a mixed-use area. While the MU-L zone will allow for small scale vertical mixed-use, it is more likely that future development would have more horizontal mixed-use (street facing commercial with residential behind), and the potential conversion of homes to non-residential uses.

The MU-L Zone provides for a range of smaller to medium scale retail, horizontal mixed-use developments, and multi-family residential uses up to twenty (20) dwelling units per acre. Development designed primarily to accommodate vehicular access and parking, and development that is insensitive or incompatible with the scale and character of the surrounding residential areas, would be discouraged in this district.

B. Mixed-Use Medium:

The Mixed-Use Medium (MU-M) District is intended to be developed with mix of retail, office, restaurant uses and residential development in a compact, walkable setting. This designation encourages multiple family residential of up to forty (40) dwelling units per acre. Anticipated commercial and professional land use, as well as residential uses, would be configured in a vertical or horizontal design. The expectation is that the residential units would be above or behind the commercial and office land uses and would not gain direct access from Las Tunas Drive.

Development requirements and design standards of the MU-M district are intended to promote compatibility with commercial uses while allowing select residential activity, by addressing vital private/public open space components and provide pedestrian connections to the downtown district. (Ord. 19-1036)

9-1H-2: LAND USES AND PERMIT REQUIREMENTS:

A. Permit Requirements: Table 9-1H-1 provides the name of the permit, and location of procedure for the permit, for each land use inTable 9-1H-2.

Table 9-1H-1	
Permit Requirement Labels for Table 9-1H-2	
Label	Permit Requirement
Y	Permitted Use
U	Permitted on Upper Floors Only
A	Accessory to Permitted Use Only
C	Conditional Use Permit
C/U	Conditional Use Upper Floors Only
T	Temporary Use Permit
N	Not Permitted

B. Standards for all mixed-use zoning district land uses: A conditional use permit consistent with Article C applies to any land uses in any mixed-use zoning district that include one (1) or more of the following:

- Any land use with a drive through.
- Any land use with hours of operation after 10:00 p.m. or before 6:00 a.m.
- Any land use that includes live entertainment.

C. Specific land uses in mixed-use zoning districts: Where the last column in Table 9-1H-2 includes an Additional Use Requirement Code Reference, the requirements of the referenced section will apply to the use in addition to all other applicable provisions of this zoning code.

Table 9-1H-2			
Land Uses and Permit Requirements for Mixed-Use Zone Districts			
Land Uses	MU-L	MU-M	Additional Use Requirement
Adult Day Health Care Centers	C	C	
Adult Oriented Businesses	N	N	See 9-1T-6
Alcohol sales, offsite consumption	N	C	
Antique shop (collectibles and items intended for decorating only).	C	C	

Any public utility facility	N	C	
Assembly uses - religions facilities, lodges, clubs, cultural centers, etc.	N	C	
Auto Title Loans	N	N	
Bail and surety bond businesses (CUP required).	N	N	
Banks, Finance Services and Institutions	C	Y	
Banquet facility	N	C	
Bars	N	C	
Check Cashing Services	N	C	
Chiropractic or acupuncture office or studio	Y	Y	
Government Offices, Facilities and Parks	C	C	
Collection facility	N	C	
Commercial recreation, indoor - Billiards, bowling alley, skating rink, children's play spaces, etc.	N	C	
Commercial recreation, outdoor - Tennis clubs, batting cage, driving range, etc.	N	C	
Community care facility/large	Y	C	
Community garden	T	N	
Condominiums, non-residential	N	N	
Consignment Store	C	C	
Convenience Stores	C	Y	
Day spas (facials, waxing, skin treatments, and similar services not including massage).	Y	Y	9-1T-12
Education - Business, trade, vocational school	C	C	
Education - Tutoring, fitness, dance, art, martial arts or music classes >500 square feet	C	C	
Education - Tutoring, fitness, dance, art, martial arts, or music classes <500 square feet	C	C	
Education- Day Care, Pre-School, Elementary, Middle, Junior High, High school, or College/University	C	C	
Emergency shelter	N	N	See 9-1T-5
Farmers Market	T	C	
Fortune Teller	C	C	
Fuel/service station	N	N	
Furniture repair and upholstery, fabrics and supplies.	C	Y	
Game Arcades (including Internet gaming)	N	C	
Gun Shops	N	C	
Gymnasiums & health clubs	N	C	
Home Occupation	A	A	9-1T-16
Hookah/smoke lounge	N	N	
Hospital/medical facility	N	C	
Hotel/motel	N	C	
Housing for special needs	Y	U	9-1T-3
Karaoke	N	A	
Karaoke, primary use	N	N	
Kennel, indoor	C	C	
Kennel, outdoor	C	N	
Laundromats	N	C	
Library or museum	N	C	
Massage business or establishment	C	C	See 9-1T-12
Mixed-use ¹	Y	Y	
Mortuaries and funeral homes.	C	N	
Multiple Family Dwelling (standalone)	Y	N ¹	See R-3 for development standards
Multiple Tenant Merchant Mart or Restaurant Use	N	C	
Office, General	Y	Y	
Office, Medical	Y	Y	
Outdoor sales	C	C	
Outpatient Clinics	C	C	

Parks	C	C	
Parking Lots/Garages (Public and Commercial)	C	C	
Pawn Shop	N	N	
Personal services (barber/beauty shop, diet/nutrition center, locksmith, mailbox rental, nail/manicure shop, bicycle sales/repair, tailor, shoe repair, tanning salon, travel agent)	Y	Y	
Pest control and exterminators, retail sales and office, but no storage of pest control or exterminating contractor vehicles, equipment, or storage of bulk chemicals or pesticides.	C	Y	
Public food Market	N	C	See 9-1T-20
Recording Studios	C	C	
Restaurant utilizing public parking	N	C	
Restaurant with onsite parking	C	Y	
Restaurants serving alcohol	N	C	
Restaurants, fast food utilizing public parking. Including bakeries, ice cream shops, delis, coffee and tea stores, and donut shops, that have seating	N	C	
Restaurants, fast food with onsite parking. Including bakeries, ice cream shops, delis, coffee and tea stores, and donut shops, that have seating	N	Y	
Retail sales, 10,000 square feet or greater	N	C	
Retail sales, under 10,000 square feet	Y	Y	
Reverse vending machine	A	A	
Short term rentals	N	N	
Sidewalk dining café	A	A	9-1T-18
Single Family Residential	Y	N	See R-1 for development standards
Single room occupancy (SRO) building	N	N	9-1T-4
Storage or shipping container over one hundred twenty (120) square feet in size or six feet (6') in height.	N	T	
Tattoo parlor	N	C	
Thrift stores	C	C	
Unattended collection box	N	Y	
Vehicle - Body Shop	N	N	
Vehicle - Full Service or Self-Service Car Wash	N	N	
Vehicle - Rental	N	C	
Vehicle - Repair	N	C	
Vehicle - Sales	N	N	
Veterinary Clinic, indoor kennel only	Y	Y	
Veterinary Clinic, outdoor and indoor kennel	C	C	

¹Multi-family uses are permitted in the MU-M zone only on properties with frontage on Camellia Avenue and Kauffman Avenue.

(Ord. 19-1036; amd. Ord. 21-1056, 5-4-2021)

9-1H-3: MIXED-USE DEVELOPMENT STANDARDS:

A. Commercial and Residential Development Standards for MU-L and MU-M Districts: Development standards for all Mixed-Use Zone Districts are shown in Table 9-1H-3. Development standards for Single Family Residential Districts are found in the R-1 and R-2 Districts of the city's zoning code. Development standards for Multi-Family Residential Districts are found in the R-3 District of the city's zoning code.

Table 9-1H-3				
Development Standards for Mixed-Use Zone Districts				
Development Standards	MU-L		MU-M	
	Min.	Max.	Min.	Max.
Building Intensity				
Density				
Residential	10 du/ac	20 du/ac	20 du/ac	40 du/ac
Floor Area Ratio (FAR)				
Mixed-Use building	None	1.5	1.5	2.0
Multi-Family only	See R-3 Zone District			
Commercial only	None	0.5	N/A	N/A

Lot Size and Coverage				
Lot Size, sq. ft.	7,500	None	10,000	None
Lot Coverage, All buildings	50%	80%	60%	90%
Building Placement				
Front setback	15 ft. ¹	25 ft. ¹	5 ft.	10 ft. ²
Side setback	5 ft.	None	5 ft.	None
Side setback, adjacent to residential	10 ft.	None	10 ft.	None
Rear setback, adjacent to non-residential	5 ft.	None	5 ft.	None
Rear setback, adjacent to a residential zone	15 ft.	None	15 ft.	None
Building Height				
Floors	None	3 stories	None	4 stories
Building Height	None	45 ft.	None	60 ft.
Accessory Structure	None	18 ft.	None	30 ft.
¹ No parking allowed in setback. ² Café, public plazas, and similar open-air uses as permitted, are allowed in setback. ³ On Las Tunas Drive and Temple City Boulevard, 50 percent of a building's street frontage must contain non-residential uses. Residential uses on the ground floor are permitted if designed with a "walk-up" entrance.				

B. Property Development Standards:

1. Depth of Non-Residential Tenant Spaces: New, non-residential tenant spaces must have a minimum useable depth of forty feet (40') along sixty percent (60%) of the length of the building frontage and in no case be less than twenty feet (20') in depth. On a corner lot where storefronts and commercial uses are required, storefronts and commercial spaces shall turn and wrap around the corner for a minimum length of twenty feet (20'). Where storefronts and useable commercial space are not required, storefronts and commercial uses at the ground floor shall have a minimum depth of twenty feet (20').

2. Minimum Non-Residential Unit Size: The minimum size of a new non-residential tenant space is eight hundred (800) square feet. This requirement applies to units previously subdivided.

3. Ground Floor Height: The minimum height of the ground floor of all non-residential buildings (including mixed use projects) must be fifteen feet (15'). This height will be measured from the floor of the first story to the floor of the second story. If there is no second story, the height shall be measured to the top of the roof.

4. Building Articulation:

a. Façade Treatment: The maximum total blank wall area (without windows or entrances) will not exceed thirty percent (30%) of the first story wall for non-residential and fifty percent (50%) for residential.

b. Building Stepbacks: The third floor and higher must be stepped back by a minimum of ten feet (10') on all sides of buildings.

5. Screening of Equipment, Refuse Storage and Loading Areas:

a. Exterior Storage Areas, Loading Docks, Loading Areas: All exterior storage areas, loading docks, and loading areas must be screened from view by a solid fence, wall or mature landscaped materials whenever possible. When screening of loading docks and loading areas is not possible, the facilities will be integrated into the overall design of the building.

b. Mechanical Equipment and Duct Work: All ground, utility and rooftop mechanical equipment, including dish antennas, must be placed behind a permanent parapet wall and must be completely screened from all ground-level/public view. Mechanical equipment must not be exposed on the wall surface of a building. Gutters and downspouts are not to project from the vertical surface of the building. Vents, louvers, exposed flashing, tanks, stacks, overhead doors, rolling and "man" service doors are to be treated in a manner consistent with the color scheme of the building. Screening elements will be an integral part of the building's design and must be as high as the highest portion of the equipment or ducting and must be permanently maintained.

c. Refuse Storage: Within parking district areas, businesses will utilize the common trash enclosure areas unless specifically permitted to do otherwise by the planning commission. All outdoor trash, garbage and refuse containers will be screened on all sides from public view by a minimum six-foot-high concrete or masonry decorative block wall, and the opening provided with a gate of a durable wood or comparable material. Refuse storage areas will be located as to be easily accessible for trash pick-up.

6. Landscaping, Open Space and Lighting:

a. Landscaping: All areas not utilized for building area and/or parking/circulation will be improved with landscaping and improved pedestrian surfaces. Landscaping consists of a combination of trees, shrubs, and ground cover with careful consideration given to the eventual size and spread, susceptibility to disease and pests, durability, and adaptability to existing soil and climatic conditions. A landscaping and irrigation plan must be submitted for the review and approval of the Community Development Director. All planted areas must be surrounded by a concrete curb six inches (6") above final grade or above asphalt level of the parking lot. However, when such planted areas are adjacent to a concrete sidewalk, masonry wall or a building, a raised concrete curb need not be provided in the adjacent area.

b. Open Space, Public: Five hundred (500) square feet of open space required for projects less than two (2) acres, and one thousand five hundred (1,500) SF of open space requirement for projects greater than two (2) acres. Open space requirement may be satisfied by outdoor dining areas, plazas, or other useable outdoor use as approved by the director.

c. Open Space, Private: one hundred (100) square feet per dwelling unit will be provided for common recreational-leisure areas, private areas, or a combination of both. Common recreational space will be located on the same property as the residential use it serves and must be available exclusively for the use of all residents of the development. Private useable open space will be contiguous to the residential units served and screened for privacy. All common areas will be developed and professionally maintained in accordance with approved landscape and irrigation plans.

d. Lighting: All lighting of the building, landscaping, parking lot, or similar facilities, must be so shielded and directed as to reflect away from adjoining properties, particularly adjacent R zoned properties. Security lighting fixtures are not to be substituted for parking lot or walkway lighting fixtures and are restricted to lighting loading, storage areas, and similar service locations. (Ord. 19-1036)

9-1H-4: MIXED-USE DESIGN REVIEW:

Exterior Design Review for New Construction, Additions or Expansions to Mixed-Use Sites: Required Design Criteria: Buildings, additions, or expansions which result in the addition of one hundred (100) square feet or more of floor area to a mixed-use site will be subject to major site plan pursuant to Section 9-1C-6-C of the zoning code. (Ord. 19-1036)

9-1H-5: MIXED-USE DESIGN STANDARDS:

Table 9-1H-4 establishes the criteria for intensity, building height, open space, and other design elements for all Mixed-Use Zone Districts.

Table 9-1H-4

Design Criteria for Mixed-Use Zone Districts

Design Criterion	MU-L	MU-M	Additional Development Requirement
Compatibility with Adjacent Development			
New development and improvements to existing properties will be compatible with the existing character, including the sensitive treatment of perimeter property lines to mitigate impacts on abutting properties.	A	A	
In areas with identified historic buildings, structures, and sites, the proposed new development or land activity blends with or complements the historic character.	A	A	
Windows or similar openings will be oriented to minimize any direct line-of-sight into adjacent units or onto private patios or backyards adjoining the property line.	A	A	
Balconies are not allowed on side or rear elevations facing single-family homes.	A	A	
Building Façades			
Multi-unit developments or sites with more than one building will utilize a consistent or at least stylistically compatible (but not necessarily identical) palette of scale, forms, colors, materials, and textures.	A	A	
Street wall façades will be architecturally enhanced. This may be accomplished using arcades, colonnades, recessed entrances, window details, bays, and variation in building materials, color, and other details.	A	A	
The façade detailing of mixed-use buildings will visually differentiate ground-floor uses from upper-story uses. The base will visibly anchor the building to the ground with a treatment of higher quality materials. The façade detailing of commercial or retail entries will be differentiated from residential entries.	A	A	
Design Features			
Private balconies will be screened by translucent or opaque materials that shield visibility of personal items from public view. Storage of items other than chairs, tables, pots, and plants is not allowed.	A	A	
All primary ground-floor common entries for individual dwelling unit or commercial entries fronting on streets will be oriented to the street, not to the interior or to a parking lot.	A	A	
All glass windows or glass entrances on the first and second stories will be either clear or lightly tinted to maximize pedestrian visibility of building interiors from the sidewalk area. Mirrored, highly reflective, or densely tinted glass will be prohibited for use in windows and entrances.	A	A	
Projecting features, such as balconies, porches, bays, and dormer windows will be used to create distinction between units and provide "eyes" on the street.	N/A	A	
Buildings having 100 feet or more of street frontage will be designed to provide façade articulation and roofs of varying heights.	N/A	A	
Open Space			
Open space areas will have no parking, driveway, or right-of-way encroachments.	A	A	
All common areas will be improved as either active or passive facilities, with landscaping or hardscape elements designed to serve the residents of the project.	A	A	
Common recreational space will be located on the same property as the residential use it serves and will be available exclusively for the use of all residents of the development.	A	A	

Where a rooftop is used for common recreational space, the rooftop will incorporate landscaping, decorative paving and materials, and amenities. Rooftop recreational areas are only allowed on the first or second story. Mechanical equipment storage areas will not be counted toward meeting the requirement.	N/A	A	
Private useable open space will be contiguous to the residential units served and screened for privacy.	A	A	
Public plazas, pocket parks, outdoor dining, promenades, public art, and other outdoor public amenities will be designed to activate ground-floor uses of mixed-use buildings to engage residents and visitors.	N/A	A	
Open spaces will be appropriately landscaped and provide adequate shade through the placement of trees or other shade devices, including umbrellas, awnings, trellises, and canopies that are integrated into the building or over the open space.	A	A	
Circulation and Parking			
New development provides for adequate access and off-street parking arrangements.	A	A	
Parking structures will be architecturally integrated with the project design and will be screened from view at street level by architectural detailing, façade treatment, artwork, landscaping, or similar visual features to enhance the street façade.	N/A	A	
Active Transportation			
New development will accommodate and facilitate alternatives to transportation by automobile, including bicycle and pedestrian facilities.	A	A	
All likely pedestrian routes will be identified in the design phase and provided for in the development. These include linkages to individual buildings, neighboring properties (when compatible), and existing or planned sidewalks along public roads, as appropriate.	A	A	
Bicycle and pedestrian circulation facilities will provide connections to surrounding uses and to existing/planned pedestrian and bicycle networks.	A	A	
Fences and Walls			
Fences and walls will be of the same or compatible material, in terms of texture and quality, as the material and color of the principal building.	A	A	
Loading and Storage			
All loading areas and facilities are located at the side or rear of a principal building.	A	A	
Equipment and materials must be stored within completely enclosed buildings, unless otherwise permitted.	A	A	
Trash enclosures will be constructed of sturdy, durable, opaque materials (with trash receptacles screened from view.)	A	A	
Utility and Mechanical Equipment			
All utility and mechanical equipment will be placed in locations that are not exposed to view from the street or will be screened from view.	A	A	
Satellite dishes will be located away from public view.	A	A	
Screening elements will be an integral part of the building's design.	A	A	
A = Applicable N/A = Not Applicable			

(Ord. 19-1036)

ARTICLE I. COMMERCIAL ZONE DISTRICTS

SECTION:

9-11-1: Commercial District Designations

9-11-2: Commercial Land Uses And Permit Requirements

9-11-3: Commercial Development Standards

9-11-4: Commercial Design Review

9-11-5: Commercial Design Standards

9-11-1: COMMERCIAL DISTRICT DESIGNATIONS:

A. Neighborhood Commercial: The intent of the Neighborhood Commercial (NC) District is to provide small-scale retail and service uses for nearby residential areas. Dimensional requirements and design standards of the NC district are intended to promote compatibility with surrounding residential areas and accommodate pedestrian use and access. Strip commercial development, designed primarily to accommodate vehicular access and parking, and development that is insensitive or incompatible with the scale and character of the surrounding residential areas, is discouraged in this district.

B. Downtown Core: The intent of the Downtown Core (DC) District is to establish a thriving pedestrian-oriented commercial and mixed-use district, which concentrates comparative shopping and service opportunities in a centrally located area along Las Tunas Drive. Buildings will be located close to the street with vehicle access and driveways discouraged on Las Tunas Drive.

C. Las Tunas Commercial: The intent of the Las Tunas (LTC) District is to promote a mix of uses supportive to Temple City residents and to support the Downtown Core. The district would include medical and professional offices, personal services, and retail. The form and use of development is compatible with the Downtown Core (DC) District but allows for buildings to be set back from the street to provide landscaping and public space. (Ord. 19-1036)

9-11-2: COMMERCIAL LAND USES AND PERMIT REQUIREMENTS:

A. Permit Requirements: Table 9-11-1 provides the name of the permit, and location of procedure for the permit, for each land use in Table 9-11-2.

Table 9-11-1	
Permit Requirement Labels for Table 9-11-2	
Label	Permit Requirement
Y	Permitted Use
U	Permitted on Upper Floors Only
A	Accessory to Permitted Use Only
C	Conditional Use Permit
C/U	Conditional Use Upper Floors Only
T	Temporary Use Permit
N	Not Permitted

B. Standards For All Commercial Zoning District Land Uses: A conditional use permit consistent with Article C of the Zoning Code shall apply to any land uses in any commercial zoning district that include one (1) or more of the following:

1. Any land use with a drive through.
2. Any land use with hours of operation past 10:00 p.m. or before 6:00 a.m.
3. Any land use that includes live entertainment.

C. Standards For Specific Land Uses in Commercial Zoning Districts: Where the last column in Table 9-11-2 includes an Additional Use Requirement Code Reference, the requirements of the referenced section shall apply to the use in addition to all other applicable provisions of this Zoning Code.

Table 9-11-2				
Land Uses and Permit Requirements for Commercial Zone Districts				
Commercial Land Uses	NC	LTC	DC	Additional Use Requirement
Adult day health care centers	C	C	N	
Adult oriented businesses	N	N	N	9-1T-6
Aerobic, gymnasiums, health clubs, reducing and tanning salons	C	C	N	
Alcohol sales, offsite consumption	C	C	C	
Ambulance service	N	N	N	
Antique shop (collectibles and items intended for decorating only).	Y	N	N	
Any public utility facility for which a building permit is not required pursuant to the City's building regulations	C	N	N	
Assembly uses - religions facilities, lodges, clubs, cultural centers, etc.	C	C	C/U	
Auto title loans	N	N	N	
Automobile repair garages (all operations to be conducted within an enclosed building)	C	C	N	
Bail and surety bond businesses	C	C	N	
Banks, Finance Services and Institutions	Y	Y	Y	
Banquet facility	C	C	C	
Bars	C	C	C	
Bowling alley, billiard parlor, and similar indoor recreational uses.	C	C	C	
Business and professional offices	Y	Y	U	
Check cashing services	C	C	N	
Chiropractic or acupuncture office or studio	Y	Y	U	

Government offices, facilities and parks	C	C	C	
Collection facility	C	C	N	
Commercial recreation, indoor - Billiards, bowling alley, skating rink, children's play spaces, etc.	C	C	C	
Commercial recreation, outdoor - Tennis clubs, batting cage, driving range, etc.	N	C	N	
Community care facility/large	C	N	N	
Community garden	T	N	N	
Condominiums, non-residential	N	N	N	
Consignment store	Y	Y	C	
Convenience stores	C	C	Y	
Day spas (facials, waxing, skin treatments, and similar services not including massage)	C	C	C	
Education - Business, trade, vocational school	C	C	C/U	
Education - Tutoring, fitness, dance, art, martial arts or music classes where the ratio of students to teachers exceeds 2 to 1	C	C	C	
Education - Tutoring, fitness, dance, art, martial arts, or music classes where the ratio of students to teachers does not exceed 2 to 1	Y	Y	C	
Education- day care, pre-school, elementary, middle, junior high, high school, or college/university	C	C	N	
Emergency shelter	N	N	N	9-1T-5
Expansion of uses utilizing off-street public parking	N	N	C	
Farmers market	T	C	C	
Fortune teller	C	C	N	
Fuel/service station	C	N	N	
Furniture repair and upholstery, fabrics and supplies.	Y	Y	N	
Game arcades (including Internet gaming)	C	C	C	
Gun shops	C	C	N	
Gymnasiums & health clubs	C	C	C	
Hookah/smoke lounge	N	N	N	
Hospital/medical facility	C	C	N	
Hotel/motel	C	C	C	
Housing for special needs	N	N	N	9-1T-3
Karaoke	A	A	A	
Karaoke, primary use	N	N	N	
Laundromats (coin operated)	C	C	N	
Library or museum	C	C	C	
Markets, wholesale	N	C	Y	
Marijuana facilities and activities	N	N	N	9-1T-10
Massage business or establishment	C	C	N	9-1T-12
Mortuaries and funeral homes	N	N	N	
Multiple tenant merchant mart	N	C	C	
Non-residential tenant space or unit shared by more than one (1) independently-owned business	C	C	C	
Office, general	Y	Y	U	
Office, medical	Y	Y	U	
Outdoor sales	C	C	C	
Outpatient clinics	C	C	N	
Parking Lots/garages (public and commercial)	C	C	C	
Pawn shop	N	N	N	
Personal services (barber/beauty shop, diet/nutrition center, locksmith, mail box rental, nail/manicure shop, bicycle sales/repair, tailor, shoe repair, tanning salon, travel agent)	Y	Y	Y	

Pest control and exterminators, retail sales and office, but no storage of pest control or exterminating contractor vehicles, equipment, or storage of bulk chemicals or pesticides.	Y	Y	U	
Public food market	C	C	C	See 9-1T-20
Recording studios	C	C	C/U	
Restaurant utilizing public parking	N	C	C	
Restaurant with onsite alcohol consumption	C	C	Y	
Restaurant with onsite parking	Y	Y	Y	
Restaurants, fast-food utilizing public parking. Including bakeries, ice cream shops, delis, coffee and tea stores, and donut shops, that have seating	N	C	C	
Restaurants, fast-food with onsite parking. Including bakeries, ice cream shops, delis, coffee and tea stores, and donut shops, that have seating	Y	Y	Y	
Retail sales, 10,000 square feet or greater	C	C	C	
Retail sales, under 10,000 square feet	Y	Y	Y	
Reverse vending machine	A	A	A	
Sidewalk dining	A	A	A	See standards in Article 9-1T-18 .
Short Term Rentals	N	N	N	
Single room occupancy (SRO) building	N	C	N	
Storage or shipping container over one hundred twenty (120) square feet in size or six feet (6') in height.	T	T	T	
Tattoo parlor	C	C	N	
Taxidermists.	Y	N	N	
Thrift stores	C	C	N	
Unattended collection box	Y	Y	N	
Vehicle - Body Shop	N	N	N	
Vehicle - Full Service or Self-Service Car Wash	C	C	N	
Vehicle - Rental	C	C	N	
Vehicle - Repair	C	C	N	
Vehicle - sales	C	C	N	
Veterinary clinic, animal hospitals, and commercial kennels (indoors only)	Y	Y	N	
Veterinary clinic, animal hospitals, and commercial kennels (outdoors and indoors)	C	C	N	
Wireless Communication Facilities				9-1T-11

(Ord. 19-1036; amd. Ord. 20-1047; Ord. 21-1056, 5-4-2021)

9-11-3: COMMERCIAL DEVELOPMENT STANDARDS:

A. Commercial Development Standards:

Table 9-11-3				
Allowed Uses and Permit Requirements for Commercial Zone Districts				
Development Standard	NC	LTC	DC	Additional Development Requirement
Minimum lot area (square feet)	5,000	5,000	5,000	
Lot width, minimum (feet)	50	50	50	
Lot depth, minimum (feet)	100	100	100	
Building Setbacks				
Front, minimum/maximum (feet)	5/10 ¹	5/15 ¹	0/10 ¹	
Side, minimum (feet) ²	0 ²	0 ²	0 ²	
Rear, minimum (feet) ³	0 ³	0 ³	0 ³	
Height, maximum (feet) ⁴	40 ⁴	40 ⁴	45 ⁴	Site dev. plan
Floor Area Ratio ⁵	0.50 ⁵	0.75 ⁵	1.0 ⁵	

- 1 Maximum front yard setbacks.
- 2 5-foot setback required if the side of the commercial property shares a property line with a residential-zoned property.
- 3 15-foot rear setback required if rear of the commercial property shares a property line with a residential-zoned property.
- 4 No portion of a building may exceed two stories and 30 feet within 20 feet of an R-zone.
- 5 Commercial Unit: No commercial unit shall contain less than eight hundred (800) square feet of floor area.

B. Commercial Property Development Standards:

1. Street Frontage Requirements:

a. **Minimum Street Frontage:** The minimum street frontage for any building or tenant in the DC and LTC Zone is twenty-five feet (25').

b. **Storefront Appearance:** New buildings in the LTC or DC that are more than fifty feet (50') in width shall be developed in such a way as to appear as individual storefronts not exceeding fifty feet (50') in width. The differentiation will be achieved through means including, but not limited to (a) incorporating different architectural styles, (b) using a variety of design elements (for example windows, doors, pop-outs, recesses, wing walls, awnings, canopies, and parapets) (c) using different building materials and colors, and (d) using different sign designs, materials, colors, and illumination.

2. **Depth of Non-Residential Tenant Spaces:** New, non-residential tenant spaces must have a minimum useable depth of forty feet (40') along sixty percent (60%) of the length of the building frontage and in no case be less than twenty feet (20') in depth. On a corner lot where storefronts and commercial uses are required, storefronts and commercial spaces shall turn and wrap around the corner for a minimum length of twenty feet (20'). Where storefronts and useable commercial space are not required, storefronts and commercial uses at the ground floor shall have a minimum depth of twenty feet (20').

3. **Minimum Non-Residential Unit Size:** The minimum size of a new non-residential tenant space is eight hundred (800) square feet. This requirement applies to units previously subdivided.

4. Screening of Equipment, Refuse Storage and Loading Areas:

a. **Exterior Storage Areas, Loading Docks, Loading Areas:** All exterior storage areas, loading docks, and loading areas shall be screened from view by a solid fence, wall or mature landscaped materials whenever possible. When screening of loading docks and loading areas is not possible, the facilities shall be integrated into the overall design of the building.

b. **Mechanical Equipment And Duct Work:** All ground and rooftop mechanical equipment, including dish antennas, shall be placed behind a permanent parapet wall and shall be completely screened from all ground level view. No mechanical equipment shall be exposed on the wall surface of a building. Gutters and downspouts are not to project from the vertical surface of the building. Vents, louvers, exposed flashing, tanks, stacks, overhead doors, rolling and "man" service doors are to be treated in a manner consistent with the color scheme of the building. Screening shall be as high as the highest portion of the equipment or ducting and shall be permanently maintained.

c. All mechanical heating, air conditioning, refrigeration or similar devices, will be screened and shall be operated and maintained in such a manner as to meet the General Sound Level Standards of Section 9-1P-3 of this zoning code, and prevent smoke, dust, etc., from crossing the property line shared with the R zoned properties.

d. **Refuse Storage:** Within parking district areas, businesses shall utilize the common trash enclosure areas unless specifically permitted to do otherwise by the planning commission. All outdoor trash, garbage and refuse containers shall be screened on all sides from public view by a minimum six foot (6') high concrete, or masonry decorative block wall, and the opening provided with a gate of a durable wood or comparable material. Refuse storage areas shall be so located as to be easily accessible for trash pick-up.

5. Landscaping, Lighting and Pedestrian Areas:

a. **Landscaping:** All areas not utilized for building area and/or parking/circulation will be improved with landscaping and improved pedestrian surfaces. A minimum of five percent (5%) of the site shall be landscaped.

(1) Landscaping shall consist of a combination of trees, shrubs, and ground cover with careful consideration given to the eventual size and spread, susceptibility to disease and pests, durability, and adaptability to existing soil and climatic conditions.

(2) A landscaping and irrigation plan shall be submitted for the review and approval of the planning manager. All planted areas shall be surrounded by a concrete curb six inches (6") above final grade or above asphalt level of the parking lot. However, when such planted areas are adjacent to a concrete sidewalk, masonry wall or a building, a raised concrete curb need not be provided in the adjacent area.

b. **Lighting:** Lighting shall be provided in all parking areas, including loading and storage areas. Lighting shall be energy-efficient and shielded or recessed so that direct glare and reflections are confined with the boundaries of the site and shall be directed downward and away from adjoining properties, particularly adjacent R zoned properties.

(1) When lighting for new or rehabilitated parking facilities are proposed, a lighting plan shall be prepared and submitted to the Director for approval. The lighting plan shall provide sufficient information to examine the degree to which exterior night lighting affects an adjacent street, property owner or community. Such plan shall consider the light source, level of illumination, hours of illumination and need for illumination in relation to the effects of the lighting on adjacent streets, and property owners. For uniformity in lighting and prevention of shadows, an average horizontal luminance level of two (2) foot-candles with a 4:1 uniformity ratio over the surface parking area shall be used.

(2) A photometric plan shall depict the anticipated light levels generated by all exterior lights across the site and ten feet (10') beyond the property lines. The standard for which the measurement is taken will be from the property line as measured at six feet in height or above any boundary wall, whichever is higher. In no case shall the lighting measurement exceed 0.5 foot-candles. (Ord. 19-1036)

9-11-4: COMMERCIAL DESIGN REVIEW:

Exterior Design Review for New Buildings, Additions or Expansions: Required Design Criteria: Buildings, additions, or expansions which result in the addition of one hundred square feet or more of floor area will be subject to review and approval by the director consistent with the requirements shown in Table 9-1N-4. The director will review plans to ensure they are in accordance with the design guidelines as adopted by the planning commission and city council. (Ord. 19-1036)

9-11-5: COMMERCIAL DESIGN STANDARDS:

A. Exterior Design Review For New Building, Additions Or Expansions: Required Design Criteria: Buildings, additions, or expansions which result in the addition of one hundred (100) square feet or more of floor area shall be subject to review and approval by the planning commission consistent with the requirements shown in Table 9-11-4. The planning commission shall review plans to ensure they are in accordance with the design guidelines as adopted by the planning commission and city council.

Table 9-11-4

Design Criteria for Commercial Zoning Districts

Design Criterion	NC	LTC	DC	Additional Development Requirement
Compatibility. New development and improvements to existing properties shall be compatible with the existing character, including the sensitive treatment of perimeter property lines to mitigate impacts on abutting properties.	A	A	A	
Multiple Buildings-Compatibility. Multi-unit developments or sites with more than one building will utilize a consistent or at least stylistically compatible (but not necessarily identical) palette of scale, forms, colors, materials, and textures.	A	A	A	
Historic Character. In areas with identified historic buildings, structures, and sites, the proposed new development or land activity blends with or complements the historic character.	A	A	A	
Alternative Transportation. New development will accommodate and facilitate alternatives to transportation by automobile, including bicycle and pedestrian facilities.	A	A	A	
Pedestrian Access. All likely pedestrian routes will be identified in the design phase and provided for in the development. These include linkages to individual buildings, neighboring properties (when compatible), and existing or planned sidewalks along public roads, as appropriate.	A	A	A	
Open Spaces. Small public open spaces (e.g., plazas, pocket parks, and squares) are integrated into projects of sufficient size (i.e., two acres or more).	N/A	A	A	
Access. The development provides for adequate access and off-street parking arrangements.	A	A	N/ A	
Driveways. New driveways will not be allowed onto Las Tunas Drive.	A	A	A	
Parking. At grade tuck under parking must not be visible from the street.	A	A	A	
Parking in Setbacks. No parking is allowed in the front, side, or street corner side setback.	A	A	A	
Appearance/Parking. The development layout avoids the appearance of strip commercial development, including the specific provision that no more than half of any required parking is located between the public street and the principal building line.	A	A	A	
Parking Screen. Where parking areas are located between a public street and the principal building, vegetation, walls, fences, berms, or some combination is used to screen the view from the street to parking areas, except for approved drives and lot entrances.	A	A	N/ A	
Storage. Equipment and materials must be stored within completely enclosed buildings, unless otherwise permitted.	A	A	A	
Fences and Walls. Fences and walls shall be of the same or compatible material, in terms of texture and quality, as the material and color of the principal building.	A	A	N/ A	
Loading. All loading areas and facilities are located at the side or rear of a principal building.	A	A	A	
Waste Containers. Trash enclosures shall be constructed of sturdy, durable, opaque materials (with trash receptacles screened from view.)	A	A	A	
A = Applicable N/A = Not Applicable				

ARTICLE J. INDUSTRIAL ZONE DISTRICT

SECTION:

9-1J-1: Industrial Designation

9-1J-2: Industrial Uses And Permit Requirements

9-1J-3: Industrial Development Standards

9-1J-4: Industrial Design Review

9-1J-5: Industrial Design Standards

9-1J-1: INDUSTRIAL DESIGNATION:

The intent of the Industrial (IN) Zone District is to permit the manufacture of goods, conduct of research, analytical businesses, professional services, technology, telecommunications, and distribution of products. (Ord. 19-1036)

9-1J-2: INDUSTRIAL USES AND PERMIT REQUIREMENTS:

A. Permit Requirements: Table 9-1J-1 provides the name of the permit, and location of procedure for the permit, for each land use shown in Table 9-1J-2.

Table 9-1J-1	
Permit Requirement Labels for Table 9-1J-2	
Label	Permit Requirement
Y	Permitted Use
C	Conditional Use Permit
S	Site Plan Review, Minor
N	Not Permitted

B. Standards for Industrial Zone Land Uses: A conditional use permit consistent with Article C of this Zoning Code will apply to any land uses in industrial zoning districts that include one (1) or more of the following:

1. Any land use with a drive through.
2. Any land use with hours of operation past 10:00 p.m. or before 6:00 a.m.
3. Any land use that includes live entertainment, except as otherwise provided for in the municipal code.
4. Any land use that will require outside storage or operation.

C. Standards for Specific Land Uses in Industrial Zones: Where the last column in Table 9-1J-2 includes an Additional Use Requirement Code Reference, the requirements of the referenced section will apply to the use in addition to all other applicable provisions of this Zoning Code.

D. Site Plan: A site plan will be required prior to the issuance of a building permit, or a certificate of occupancy, if no building permit is required, for the development of any I zone property which is required to comply with the special development standards as hereinabove set forth.

Table 9-1J-2		
Land Uses and Permit Requirements for Industrial Zone District		
Land Uses	Permit Requirement	Additional Use Requirement
Accessory buildings and structures	Y	
Adult Oriented Businesses	Y	9-1T-6
Automobile assembly, body and fender works, dismantling and used parts storage when operated and maintained wholly within an entirely enclosed building	Y	
Automobile forwarding	Y	
Automobile painting, providing all painting, sanding and baking will be conducted wholly within an enclosed building	Y	
Automobile steam cleaning conducted as a primary use, within an enclosed building	Y	
Collection Facility (CUP required in all commercial and Industrial districts and prohibited in all other zones)	C	
Commercial unit or Industrial unit which is shared by more than one independently owned business enterprise	C	
Commercial unit or Industrial unit which is subdivided or split into two (2) or more units	C	
Condominiums, industrial/Industrial	N	
Contractors' storage yards	Y	
Emergency Shelters	Y	
Laundries, commercial (building less than 5,000 sq. ft.)	Y	
Lumberyards.	C	
Machine shops.	Y	
Machinery storage yards	Y	

Industrial uses (building less than 10,000 sq. ft.) that does not use significant amounts of hazardous materials.	Y	
Industrial uses of any size that use significant amounts of hazardous materials.	C	
Material recycling plant	C	
Off street parking for commercial, Industrial or institutional uses on any R zoned property	C	
Outdoor Storage	T	
Packaging businesses, Retail and Personal Services	Y	
Parcel delivery terminals	C	
Public food market	C	See 9-1T-20
Public utility service center	Y	
Short Term Rentals	N	
Storage, commercial. Commercial storage (including more than 72 hours parking) of recreational vehicles, transit and transportation	N	
Testing laboratories	Y	
Tobacco/e-cigarette store	C	
Towing service, provided all storage, including any overnight storage of vehicles, will be behind a six foot (6') high solid wall or within a completely enclosed building	Y	
Transfer, moving and storage of furniture and household goods.	Y	
Truck and trailer rental concerns	Y	
Truck repairing, overhauling and service	Y	
Truck transportation yard (except truck terminals)	Y	
Truck washing and cleaning	Y	
Unattended Collection Boxes	Y	
Warehouse, wholesale and storage	Y	
Welding shops.	Y	
Wireless Communications Facilities	See Section 9-1T-11	

(Ord. 19-1036; amd. Ord. 21-1056, 5-4-2021)

9-1J-3: INDUSTRIAL DEVELOPMENT STANDARDS:

A. Industrial Development Standards:

Table 9-1J-3			
Development Standards for Industrial Zone District			
			Additional Development Requirement
Development Standard	I	I/RES ¹	
Minimum Lot Area (square feet)	10,000	10,000	
Minimum Lot Width (feet)	75	75	
Minimum Lot Depth (feet)	100	100	
Setbacks²			
Front, minimum (feet)	5	10	
Side, minimum (feet)	0	10	
Rear, minimum (feet)	0	20	
Corner, minimum (feet)	5	10	
Height, maximum (feet)	50	35	
Floor Area Ratio ³	0.75	0.5	
¹ Development standards for portions of buildings adjacent to residentially zoned properties. See section B.2 for more standards. ² Industrial Unit: No Industrial unit will contain less than seven hundred fifty (750) square feet of floor area.			

B. Industrial Property Development Standards: When any lot in the I zone fronts on a street, the opposite side of which is zoned for R purposes, or abuts any R zoned property, the following standards will be observed in the construction and maintenance of buildings, structures and uses to be located thereon:

1. Minimum Non-Residential Unit Size: The minimum size of a new non-residential tenant space is eight hundred (800) square feet. This requirement applies to units previously subdivided.

2. Screening of Equipment, Refuse Storage and Loading Areas:

a. Exterior storage areas, loading docks, loading areas: All exterior storage areas, loading docks, and loading areas will be screened from view by a solid fence, wall or mature landscaped materials.

b. Mechanical equipment and duct work: All ground and rooftop mechanical equipment, including dish antennas, will be placed behind a permanent parapet wall

and will be completely screened from all ground level view. No mechanical equipment will be exposed on the wall surface of a building. Gutters and downspouts are not to project from the vertical surface of the building. Vents, louvers, exposed flashing, tanks, stacks, overhead doors, rolling and "man" service doors are to be integrated into the architecture of the building. Screening will be as high as the highest portion of the equipment or ducting and will be permanently maintained.

c. All mechanical heating, air conditioning, refrigeration or similar devices, maintained and operated on the exterior of buildings located in the I Zone, will be screened and will be operated and maintained in such a manner as to meet the General Sound Level Standards of Section 9-1P-3 of this zoning code, and prevent smoke, dust, etc., from crossing the property line shared with the R zoned properties.

d. Refuse Storage: All outdoor trash, garbage and refuse containers will be screened on all sides from public view by a minimum six-foot-high concrete, or masonry decorative block wall, and the opening provided with a metal gate. Refuse storage areas will be so located as to be easily accessible for trash pick-up.

3. Development Standards for Industrial Adjacent to Residential: When any lot in the I zone fronts on a street, the opposite side of which is zoned for R purposes, or abuts any R zoned property, the following standards will be observed in the construction and maintenance of buildings, structures and uses to be located thereon:

a. Vacant Land: All vacant land on the lot or parcel of land and the parkway area or land used in conjunction with permitted uses on such properties, will be surfaced, landscaped or otherwise maintained in a clean, dust free and orderly manner. For the purpose of this provision, surfacing of concrete, asphalt, clean sand or gravel, placed on soil treated for weed control or appropriate landscaping will be deemed to comply with this provision.

b. Change in Grade: Where it is contemplated to change the grade or elevation of such I zoned properties, in excess of three feet (3') vertically, those portions of the property abutting R zoned properties, a grading plan therefor will be submitted to the city engineer, in order to obtain a grading permit, and will show fencing, landscaping, barricades, retaining walls, and other protective devices, designed to protect abutting R zoned properties.

c. Loading Docks, Storage, Etc.: Loading docks, loading areas, surface yards, outdoor storage or sales area, when permitted, and all trash, rubbish, or garbage receptacles or containers, which are located in a direct line of vision from any portion of adjacent R zoned properties, will be enclosed or screened or be separated from such R zoned properties by a view obscuring fence or wall, not less than six feet (6') in height, measured from the finished grade of I zoned lot. No outdoor storage will be permitted to extend above the height of such fence or wall.

d. Sign: All signs, advertising structures and the like, located upon such properties, and all driveways to and from such properties, will be located remote from such R zoned properties, when such R zoned properties are located on the same side of the street as said I zoned properties.

e. Lighting: Lighting will be provided in all parking areas, including loading and storage areas. Lighting will be energy-efficient and shielded or recessed so that direct glare and reflections are confined with the boundaries of the site and will be directed downward and away from adjoining properties, particularly adjacent R zoned properties.

(1) When lighting for new or rehabilitated parking facilities are proposed, a lighting plan will be prepared and submitted to the director for approval. The lighting plan will provide enough information to examine the degree to which exterior night lighting affects an adjacent street, property owner or community. Such plan will consider the light source, level of illumination, hours of illumination and need for illumination in relation to the effects of the lighting on adjacent streets, and property owners. For uniformity in lighting and prevention of shadows, an average horizontal luminance level of two footcandles with a 4:1 uniformity ratio over the surface parking area will be used.

(2) A photometric plan will depict the anticipated light levels generated by all exterior lights across the site and ten feet beyond the property lines. The standard for which the measurement is taken will be from the property line as measured at six feet (6') in height or above any boundary wall, whichever is higher. In no case will the lighting measurement exceed 0.5 footcandles.

f. Landscaping: All areas not utilized for building area and/or parking/circulation will be improved with landscaping and improved pedestrian surfaces. Landscaping will consist of a combination of trees, shrubs, and ground cover with careful consideration given to the eventual size and spread, susceptibility to disease and pests, durability, and adaptability to existing soil and climatic conditions. A landscaping and irrigation plan will be submitted for the review and approval of the director. All planted areas will be surrounded by a concrete curb six inches (6") above final grade or above asphalt level of the parking lot. However, when such planted areas are adjacent to a concrete sidewalk, masonry wall or a building, a raised concrete curb need not be provided in the adjacent area. (Ord. 19-1036)

9-1J-4: INDUSTRIAL DESIGN REVIEW:

Exterior Design Review for New Buildings, Additions or Expansions: Required Design Criteria: Buildings, additions, or expansions which result in the addition of one hundred (100) square feet or more of floor area will be subject to review and approval by the director consistent with the requirements shown in Table 9-1J-4. The director will review plans to ensure they are in accordance with the design guidelines as adopted by the planning commission and city council. (Ord. 19-1036)

9-1J-5: INDUSTRIAL DESIGN STANDARDS:

Table 9-1J-4 establishes the criteria for building orientation, building articulation, and other design elements for the Industrial Zone District.

Table 9-1J-4		
Design Criteria for Industrial Zone District		
A = Applicable N/A = Not Applicable		
Design Criterion	I Zone	Additional Development Requirement
Site Design		
Buildings are oriented on the site to maximize daylighting opportunities and harvest natural light within interior workspaces. Buildings will utilize opportunities to provide operable clerestory windows to allow for ventilation and indirect lighting.	A	
Promote pedestrian activity by placing entrances at grade level or slightly above, and unobstructed from view from the public right-of-way. Avoid sunken entryways below street level.	A	
Compatibility with Adjacent Development		
New development and improvements to existing properties will be compatible with the existing character, including the sensitive treatment of perimeter property lines to mitigate impacts on abutting properties.	A	
In areas with identified historic buildings, structures, and sites, the proposed new development or land activity blends with or complements the historic character.	A	
Large industrial buildings with multiple tenants will provide multiple entries at street frontages to improve site design flexibility and options for building locations.	A	
Ensure that new buildings are compatible in scale, massing, style, and/or architectural materials with existing structures in the surrounding neighborhood. In older neighborhoods, new developments will likewise respect the character of existing buildings with regards to height, scale, style, and architectural materials.	A	
Create height and visual transitions between industrial districts and adjacent commercial and residential neighborhoods. Stepping back upper floors of industrial structures will match those of adjacent commercial or residential structures.	A	
Design Features		

All glass windows or glass entrances on the first and second stories will be either clear or lightly tinted to maximize pedestrian visibility of building interiors from the sidewalk area. Mirrored, highly reflective, or densely tinted glass will be prohibited for use in windows and entrances.	N/A	
Buildings having 100 feet or more of street frontage will be designed to provide façade articulation and roofs of varying heights.	N/A	
Open Space		
Open spaces will be appropriately landscaped and provide adequate shade through the placement of trees or other shade devices, including umbrellas, awnings, trellises, and canopies that are integrated into the building or over the open space.	A	
All common areas will be improved as either active or passive facilities, with landscaping or hardscape elements designed.	N/A	
Public plazas, pocket parks, outdoor dining, promenades, public art, and other outdoor public amenities will be designed to activate ground-floor uses to engage residents and visitors.	N/A	
Circulation and Parking		
New industrial development provides for adequate access and off-street parking arrangements.	A	
Bicycle and pedestrian circulation facilities will provide connections to surrounding uses and to existing/planned pedestrian and bicycle networks.	A	
Landscaping		
Utilize landscaping to add texture and visual interest at the street level. Landscaping will not create a barrier between pedestrians and the building frontage or views into buildings at the ground floor.	A	
Utilize landscaping between the street and front property line walls to provide a buffer and planted with shade trees, climbing vines, hedges, or similar living plant material. Avoid uninterrupted walls and/or fences by providing a landscape buffer.	A	
Loading and Storage		
Screen outdoor storage with building materials consistent with the architectural character of the main building. Materials such as sheet metal and chain link or barbed wire fences are not allowed.	A	
All loading areas and facilities will be located at the side or rear of a principal building.	A	
Equipment and materials must be stored within completely enclosed buildings, unless otherwise permitted.	A	
Trash enclosures will be constructed of sturdy, durable, opaque materials (with trash receptacles screened from view).	A	

(Ord. 19-1036)

ARTICLE K. INSTITUTIONAL AND OPEN SPACE ZONE

SECTION:

9-1K-1: Institutional And Open Space Zone

9-1K-2: Institutional And Open Space Zone Permit Requirements

9-1K-3: Institutional And Open Space Standards

9-1K-1: INSTITUTIONAL AND OPEN SPACE ZONE:

The Institutional Zone and Open Space Zone is intended to accommodate public, semi-public, and institutional uses, including but not limited to offices and facilities used by federal, state, and local government; special districts; public schools; hospitals; and other public agencies and public utilities. This zone implements the General Plan Institutional designations.

It also is intended to be used to accommodate active and passive recreational activities, such as parks and trails, as well as areas used for detention basins, conservation, sensitive habitat areas, and groundwater recharge basins. This zone implements the General Plan Open Space designation. (Ord. 19-1036)

9-1K-2: INSTITUTIONAL AND OPEN SPACE ZONE PERMIT REQUIREMENTS:

A. Permit Requirements: Table 9-1K-2-1 provides the name of the permit, and location of procedure for the permit, for each land use shown in Table 9-1K-2-2.

Table 9-1K-2-1	
Permit Requirement Labels for Table 9-1K-2-2	
Label	Permit Requirement
Y	Permitted Use
C	Conditional Use Permit
S	Site Plan Review, Minor
N	Not Permitted

B. Standards for All Land Uses in the Institutional and Open Space Zone: A conditional use permit consistent with Article C of the Temple City zoning code will apply to any land uses in the institutional and open space zone that include one (1) or more of the following:

- Any land use with a drive through.
- Any land use with hours of operation past 10:00 p.m. or before 6:00 a.m.
- Any land use that includes live entertainment.

C. Standards for Specific Land Uses in the Institutional and Open Space Zone: Where the last column in Table 9-1K-2-2 includes an Additional Use Requirement Code Reference, the requirements of the referenced section will apply to the use in addition to all other applicable provisions of this zoning code.

Table 9-1K-2-2		
Land Uses and Permit Requirements for the Institutional and Open Space Zone District		
Land Uses	Permit Requirement	Additional Use Requirement
	OS/IS District	
Antennas and Wireless Communication Facilities (Co-location and panel)	C	
Assembly/Meeting Facilities, Public	Y	
Commercial Uses	N	
Cultural Institution	C	
Golf Courses, Public	Y	
Government Facilities	Y	
Manufacturing	N	
Parks and Recreation Facilities, Private	C	
Parks and Recreation Facilities, Public	Y	
Recharging Stations	Y	
Residential Uses	N	
Schools, Private	C	
Short Term Rentals	N	
Utility Structures and Service Facilities	C	

(Ord. 19-1036)

9-1K-3: INSTITUTIONAL AND OPEN SPACE STANDARDS:

A. Institutional and Open Space Zone Standards:

1. For uses requiring a conditional use permit, development standards will be as specified by the conditional use permit.
2. For uses not requiring a conditional use permit, development standards will be as specified by the site plan review.

Table 9-1K-3-1		
Development Standards for Institutional and Open Space Zone District		
	I/OS Zone	Additional Development Requirement
Development Standards		
Building Height (maximum feet)	40	
Building Setbacks	Setbacks to be determined through a CUP or site plan review.	

(Ord. 19-1036)

ARTICLE L. PLANNED DEVELOPMENT ZONE DISTRICT

SECTION:

9-1L-1: Purpose And Intent

9-1L-2: Applicability

9-1L-3: Adoption Of A Planned Development Zoning District And Accompanying Planned Development Plan

9-1L-4: Findings For A Planned Development Zone

9-1L-1: PURPOSE AND INTENT:

The purpose of the Planned Development Zone District is to provide an opportunity for more efficient use of land, a better living environment, a superior site plan, and greater excellence of design than is otherwise possible through strict application of the Zoning Code. The Planned Development Zone is intended to ensure development that meets high standards of environmental quality; promotes public health and safety; provides for efficient use of the city's resources; and furthers the purpose, intent, goals, and policies of the General Plan. The Planned Development Zone is further intended to facilitate development that incorporates a program of amenities that exceeds what would otherwise be required by the Zoning Code, including but not limited to enhanced landscaping, sustainable development, additional and enhanced open space, and improvements to public facilities. (Ord. 19-1036)

9-1L-2: APPLICABILITY:

- A. Initiation: An application to reclassify property to a Planned Development Zone District or to amend an existing Planned Development Zone is processed as a Zoning Amendment in compliance with section 9-1C-6-I.
- B. Application: A property owner may submit an application for a Zoning Amendment to change the zone designation of their property to Planned Development Zone for the purpose of developing a project that would not otherwise be possible through strict application of the Zoning Code, consistent with the requirements of this article.
- C. General Plan Consistency: A development project proposed under a Planned Development Zone must be consistent with the underlying General Plan land use designation and with all goals and policies of the General Plan, unless the Zoning Amendment application is accompanied by a General Plan Amendment application.
- D. Minimum Site Area: A Planned Development Zone may only be requested for a property or contiguous properties with a gross land area of one (1) acre or greater.
- E. Planned Development Plan Required: The rezoning of a site to the Planned Development Zone requires the simultaneous approval of a Planned Development Plan in compliance with section 9-1L-3.
- F. Major Site Plan Review Required: A Major Site Plan Review must be approved prior to the issuance of grading or building permits for a project approved under a

Planned Development Zone. Depending upon the nature and phasing of the project, the Major Site Plan Review application may be processed and approved in conjunction with the Zoning Amendment application or may be processed separately at a later time. For phased projects, the Planned Development Plan may specify the triggers and timing for subsequent Major Site Plan Review applications. (Ord. 19-1036)

9-1L-3: ADOPTION OF A PLANNED DEVELOPMENT ZONING DISTRICT AND ACCOMPANYING PLANNED DEVELOPMENT PLAN:

A. Plan Adopted With Ordinance: The ordinance adopting the Planned Development Zone must incorporate a Planned Development Plan, which constitutes the zoning regulations for the property. The council may at its discretion impose conditions of approval on the development, which are included in the ordinance and become part of the Planned Development Plan.

B. Land Use Regulations: The Planned Development Plan must specify all land use regulations for the Planned Development Zone including all permitted and conditionally permitted uses. No use is allowed in a Planned Development Zone that is inconsistent with the underlying General Plan land use designation. The Planned Development Plan may specify by-right uses as well as uses requiring subsequent approval of a conditional use permit or temporary use permit.

C. Development Standards:

1. The Planned Development Plan must specify all development standards for the Planned Development Zone including but not limited to floor area ratio and residential density.
2. The floor area ratio of a Planned Development may not exceed the maximum floor area ratio allowed by the underlying General Plan land use designation, unless the applicant is seeking approval of a density bonus.
3. The residential density of a Planned Development Zone may not exceed the maximum density allowed by the underlying General Plan land use designation, unless the applicant is seeking approval of a density bonus.

D. Other regulations and procedures. A Planned Development Plan, including conditions of approval imposed by the council, may specify other regulations and procedures related to the implementation of the Planned Development Zone. This may include but is not limited to allowing or requiring phasing of construction, and triggers or thresholds for subsequent entitlements.

E. Commission and Council Action:

1. The commission will consider an application for reclassification to a Planned Development Zone in the same manner as a zoning amendment and must, at the same time, consider the proposed Planned Development Plan.
2. The recommendation of the commission regarding the Planned Development Zone must be accompanied by a recommendation on the Planned Development Plan.
3. The council will consider the application and the commission's recommendation in the same manner as a zoning amendment. The Council's decision regarding the Planned Development Zone must be accompanied by the decision on the Planned Development Plan.

F. Zoning Map Designation: An approved Planned Development Zone will be indicated on the zoning map by the designation "PD" followed by an assigned identifying number.

G. Effective Date of Plan: A Planned Development Plan is effective on the same date as the effective date of the ordinance enacting the Planned Development Zone for which it was approved.

H. Interim Use of Property: The Planned Development Zone is not intended to prevent the continued use of the property in a manner consistent with the prior zoning designation until the project approved under the Planned Development Zone is constructed. Until such time that permits for construction are issued and work commences on the project authorized by the Planned Development Zone, the property may continue to be used pursuant to the use and development standards of the property's prior zone designation, as such standards existed on the effective date of the ordinance approving the Planned Development Zone. Provided, however, that no uses or structures on the property may be established, expanded, or modified in a manner that would require approval of a discretionary planning entitlement including but not limited to a Major or Minor Site Plan Review, Conditional Use Permit, or Variance, except as specified in the Planned Development Plan.

I. Expiration, Extensions, and Revision:

1. Expiration: Approval of a Planned Development Plan expires on the latest of the following dates, unless permits for construction have been issued and work has commenced on the project:
 - a. Two (2) years from the effective date of the ordinance approving the Planned Development Zone; or
 - b. If the project includes a tentative parcel map or tentative tract map, the expiration date of the tentative map; or
 - c. An expiration date specified in the Planned Development Plan.
2. Rezoning: Upon expiration of a Planned Development Plan, the city manager may initiate a zoning amendment to rezone the property to the zoning designation that existed prior to the approval of the Planned Development Zone.
3. Extension: A request to extend the expiration date of a Planned Development Plan must be filed in writing with the Department not less than sixty (60) days and not more than ninety (90) days before expiration of the Planned Development Plan. The council may at its discretion extend the expiration date of a Planned Development Plan if it determines that the applicant has diligently pursued construction of the project since the Planned Development Plan was approved, or that extenuating circumstances exist that warrant extension of the expiration date.
4. Revision to Approved Plan: An application to revise an approved Planned Development Plan will be processed and considered in the same manner as a new application. (Ord. 19-1036)

9-1L-4: FINDINGS FOR A PLANNED DEVELOPMENT ZONE:

A Planned Development Zone may be approved if the council finds that it meets all of the following findings:

- A. The proposed project will produce a comprehensive development of superior quality and excellence of design that would not be possible under otherwise applicable zoning standards. This includes but may not be limited to appropriate variety of structure placement and orientation, appropriate mix of structure sizes, high quality architectural design and materials, significantly increased amounts of landscaping and improved open space, improved solutions for mobility and to the design and placement of parking and loading facilities, incorporation of enhanced amenities and/or facilities beneficial to the public, and appropriate project phasing.
- B. The property is adequate in terms of size, shape, topography, and circumstances to accommodate the proposed development.
- C. Adequate public services and facilities exist, or will be provided, in compliance with the approved Planned Development Plan and conditions of approval, to serve the proposed development. The approval of the proposed development will not result in a reduction of public services to properties in the vicinity to be a detriment to public health, safety, and general welfare.
- D. If the development proposes to mix residential and commercial uses whether done in a vertical or horizontal manner, the residential use is designed in a manner that it is appropriately buffered from the commercial use and is provided sufficiently enhanced amenities to create a comfortable and healthy residential environment and to provide a positive quality of life for the residents. The enhanced amenities may include but are not limited to additional landscaping, additional common and/or private open space and amenities, and private or separated entrances.
- E. The design, location, operating characteristics, and size of the proposed development will be compatible with the existing and future land uses in the vicinity, in terms of aesthetic values, character, scale, and view protection. (Ord. 19-1036)

SECTION:

9-1M-1: Application

9-1M-2: Required Contents Of A Specific Plan

9-1M-3: Land Use And Development Standards

9-1M-4: Adopted Specific Plans

9-1M-1: APPLICATION:

A Specific Plan may be established to implement Sections 65450 through 65457 of the California Government Code. As provided for in the Government Code, a Specific Plan is designed to provide for flexibility, innovative use of land resources and development, a variety of housing and other development types, and an effective and safe method of pedestrian and vehicular circulation. A Specific Plan may be adopted for any property or group of properties meeting the criteria set forth in Article C. The Specific Plan zone will apply to all properties lying within the bounds of a specific plan that has been adopted by resolution or ordinance of the city council. Once adopted, a specific plan will govern all use and development of properties within the bounds of that specific plan. (Ord. 19-1036)

9-1M-2: REQUIRED CONTENTS OF A SPECIFIC PLAN:

The required contents of a specific plan will be as set forth in Government Code Section 65450 et seq. (Ord. 19-1036)

9-1M-3: LAND USE AND DEVELOPMENT STANDARDS:

Each adopted specific plan establishes the land use regulations and development standards applicable to the properties within the specific plan. To the extent that any development standard is not provided by an individual specific plan, such standard will be in accordance with the provisions of the zone that most closely resembles the zone in the specific plan. Director will have the authority to determine which development standard of this Zoning Code will apply where a specific plan is silent. (Ord. 19-1036)

9-1M-4: ADOPTED SPECIFIC PLANS:

Adopted specific plans in Temple City are listed below. These specific plans contain the development standards and guidelines for each corresponding specific plan zone.

A. Specific Plans in city limits:

1. Crossroads Specific Plan (CSP): The Crossroads Specific Plan regulates the development and design of the Crossroads area and is designated CSP on the Zoning Map. Regulations and design elements for the CSP zone, with related implementing actions, are set forth in the Crossroads Specific Plan. (Ord. 19-1036)

ARTICLE N. SITE PLANNING AND GENERAL DEVELOPMENT STANDARDS

SECTION:

9-1N-1: Applicability

9-1N-2: Corner Cutbacks

9-1N-3: Walls And Fences

9-1N-4: Height Measurements And Exceptions

9-1N-5: Yards - Measurements And Requirements

9-1N-6: Encroachments

9-1N-7: Street Improvements

9-1N-8: Tree Replacement Requirements

9-1N-9: Security Bars And Shutters

9-1N-10: Low Impact Development (LID) Standards And Green Streets

9-1N-1: APPLICABILITY:

The standards of this article apply to all zones. These standards will be considered in addition with the standards for each zone established in Article B and development standards found in each zoning district. Where there may be a conflict, the standards specific to the zone or specific land use will override these general standards. All structures, additions to structures, and uses will conform to the standards of this article, as determined applicable by the planning manager. (Ord. 19-1036)

9-1N-2: CORNER CUTBACKS:

A. Visibility Required: To safeguard against vehicular, bicycle, and pedestrian collisions caused by visual obstructions at street and alley intersections, and at any point where a driveway intersects a street or alley, there will be no visual obstruction within the corner cutback area. Such space will be kept free of buildings, structures, and landscaping that constitutes a visual obstruction. In hillside areas, corner cutback treatment will include such grading as may be necessary to provide for reasonable intersection visibility.

B. Corner Cutback Area Description:

1. The triangular-shaped area on a corner lot, or at a point where a driveway intersects a street, formed by measuring the prescribed distance from the intersection of the front (or rear) and street side property lines at an intersecting street or alley, and connecting the lines diagonally across the property making a ninety (90)-degree triangle; and

2. The triangular-shaped area on each side of any driveway intersecting a street or alley.

C. Corner Cutback Required Dimensions:

1. Fifteen feet (15') from the intersection of a street right-of-way and an alley.

2. Fifteen feet (15') from the intersection of two (2) alleys or streets.

3. Ten feet (10') from the corner of an intersecting street right-of-way and a driveway.

D. Irregular Lots: Where, due to an irregular lot shape, the corner cutback area does not provide for intersection visibility, the corner cutback required dimensions will be increased to seventeen feet (17').

E. Limit on corner cutback obstructions: The following will not be erected, placed, planted, or allowed to grow within the corner cutback area:

1. Solid fences, walls, signs, structures, mounds of earth, solid post mail boxes, or other visual obstructions over thirty-six inches (36") in height or over twenty-four inches (24") in height in the Manufacturing zone, and open work fences up to forty-two inches (42") in height.

2. Hedges, shrubbery, and vegetation over or with a growth characteristic over thirty-six inches (36") in height.

3. The lower edge of tree canopies of a single trunk tree will be maintained at a minimum height of seven feet (7') above ground level, as measured from adjacent street curb elevation. (Ord. 19-1036)

9-1N-3: WALLS AND FENCES:

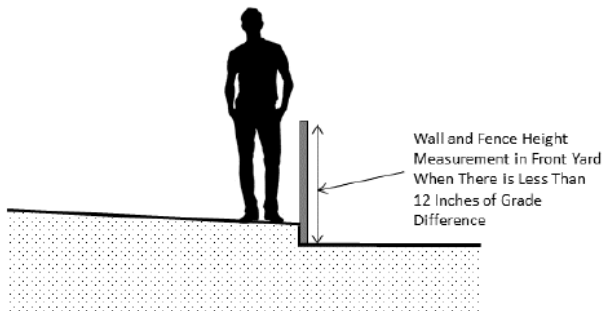
A. Walls and Fences: All proposed walls, fences or hedges, must comply with the requirements of this section.

B. Wall, Fence or Hedge Height Measurement:

1. The maximum height for walls, fences or hedges in the front and street side yard must be measured from the lowest adjacent grade to the top of the wall, provided the grade difference from the public right-of-way is twelve inches (12") or less.

Front Yard Wall, Fence or Hedge Height Measurement Diagram

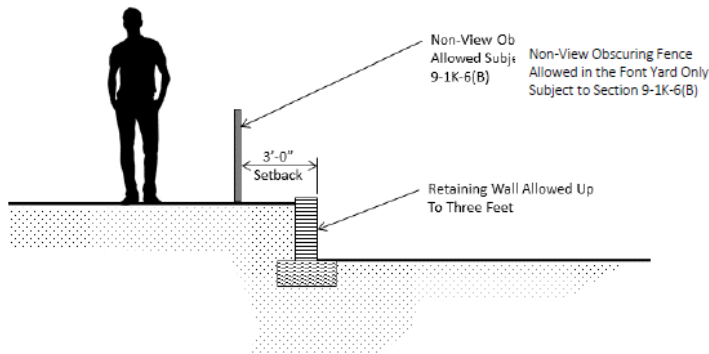
Front Yard Wall, Fence or Hedge Height Measurement Diagram



2. The following provisions apply to grade differences of more than twelve inches (12") abutting a public right-of-way:
- a. For the purposes of this section, a retaining wall is when there is more than twelve inches (12") of difference from the public right-of-way.
 - b. Retaining walls located in the front and street side yard are allowed up to three feet (3') in height.
 - c. Properties with retaining walls in the front yard can install an additional fence if a three-foot (3') setback is provided from the retaining wall. The fence must be non-view obscuring and comply with the height requirements of Section 9-1N-3-C (Height Limits for Walls and Fences in Residential Zones).
 - d. Properties with retaining walls on the street side yard can install an additional fence if a three-foot (3') setback is provided. The fence must comply with the requirements of Section 9-1N-3-C (Height Limits for Walls and Fences in Residential Zones).

Front and Street Side Yard Retaining Wall Diagram

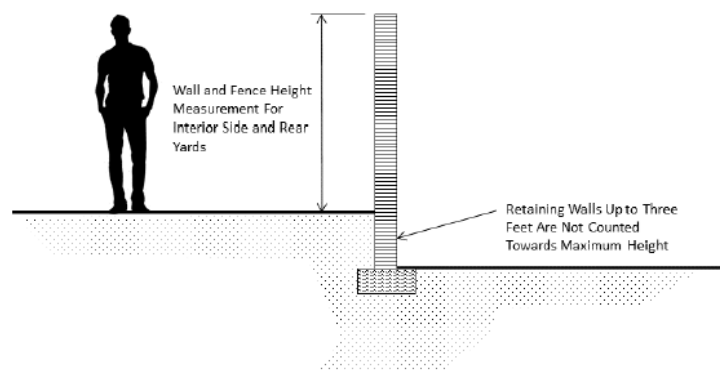
Front and Street Side Yard Retaining Wall Diagram



3. The maximum height for walls and fences on an interior side and rear yard must be measured from the highest adjacent grade. Retaining walls up to three feet (3') in height will not be counted towards the maximum height on the side and rear yard.

Interior Side and Rear Yard Wall Height Measurement Diagram

Interior Side and Rear Yard Wall Height Measurement Diagram

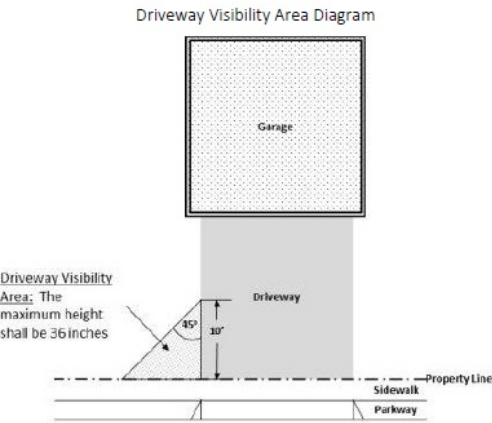


4. The maximum height will be measured in a continuum at each point along the wall or fence.

C. Height Limits for Walls and Fences in Residential Zones:

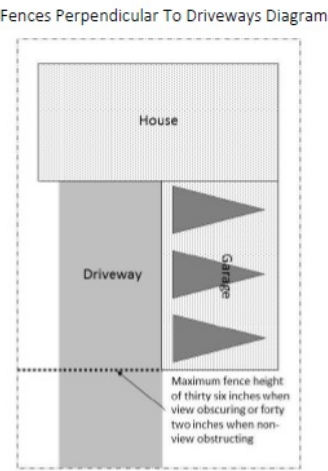
- 1. A wall or fence must not be located in the front yard of a property in a multi-family zone that has a multi-family use onsite. Fences or walls required by the building code are exempt from this requirement.
- 2. A wall, fence, or security gate not more than six feet (6') in height may be located and maintained on any part of an R zoned lot except those areas comprising the front yard and, along a corner side yard, the driveway visibility area.
- 3. In front yards the maximum height of a wall, fence or hedge is limited to a maximum of thirty-six inches (36")_ when view obscuring or a maximum of forty-two inches (42") when non-view obscuring.
- 4. In the driveway visibility area, which only applies to driveways in a corner side yard, the maximum height of a wall, fence or hedge will be thirty-six inches (36"). The driveway visibility area is the triangular area extending at an angle of forty-five (45) degrees from the street property line to a point on the edge of the driveway ten feet (10') from the street property line (see the "Driveway Visibility Area Diagram", of this section). The driveway visibility area shall will not apply to garages taking access from an alley.

Driveway Visibility Area Diagram



- 5. In cases where a garage is located in the front of the property and the garage door is perpendicular to the street any fence crossing the driveway is limited to a maximum of thirty-six inches (36") when view obscuring or a maximum of forty-two inches (42") when non-view obscuring (see the "Fences Perpendicular To Driveways Diagram", of this section).

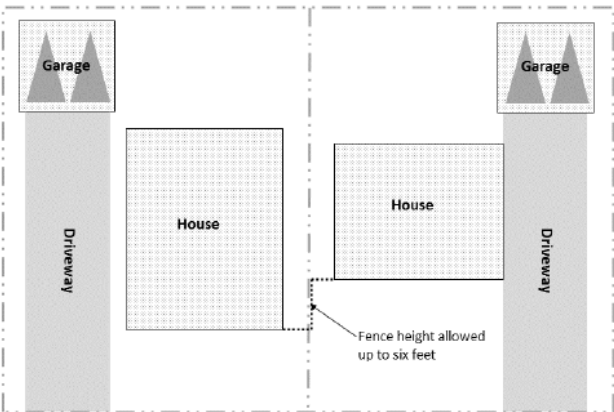
Fences Perpendicular To Driveways Diagram



- 6. A fence or wall up to six feet (6') in height is allowed in the front yard on parcels where the adjacent house or garage is setback further than the house or garage on the parcel as shown in the diagram below. The fence or wall may not be closer to the front lot line than the adjacent house or garage.

Different Front Yard Setback Diagram

Different Front Yard Setback Diagram



D. Nonresidential Zoning Districts: The maximum height of a wall or fence within the commercial and industrial zoning districts, including the Crossroads Specific Plan, must be as follows.

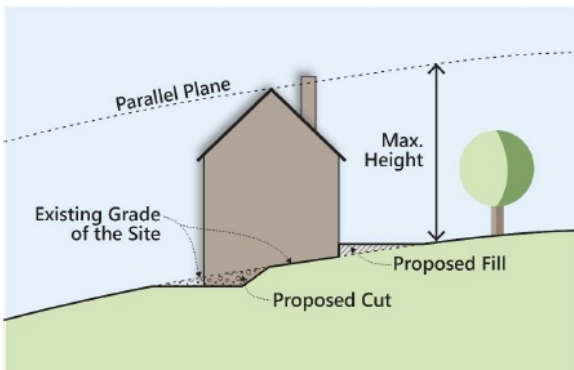
1. Front and corner side setbacks.
 - a. The maximum height of a wall or fence along a street frontage is four feet (4') when the wall or fence is in front of a structure.
 - b. Walls and fences abutting a public sidewalk must have a three-foot (3') setback that is continuously maintained with landscaping and irrigation.
2. Interior side and rear setbacks.
 - a. The maximum height of a wall or fence may be eight feet (8').
 - b. The height of the wall or fence must step down to four feet (4') when located within five feet (5') of the street property line(s).
3. When abutting a residential zoning district. The minimum height of a wall located within five feet (5') of a street property line(s) should be equivalent to the maximum height for a solid wall or fence in the development standards of the abutting residential zoning district.
4. Design standards for walls and fences.
 - a. All walls and fences must be a minimum fifty percent (50%) open, except in the following situations:
 - (1) Walls and fences abutting a residential zoning district will be constructed only from brick, concrete, or masonry that complement the building.
 - (2) A solid masonry wall is required to screen outdoor storage areas.
 - b. All walls and fences within five feet (5') of the front property line must have a stucco appearance or split face to complement the building.
 - c. Walls and fences along the front property line used to screen adjacent parking lots must have a three-foot (3') setback that is landscaped and irrigated.
 - d. Chain-link fences are not allowed in the front or street side yards, but may be allowed in rear and interior side yards.

E. Barb Wire, Concertina Wire, Wrought Iron with Spikes: No fence or wall is allowed to contain barb wire, concertina (razor) wire, wrought iron with spikes, or any similar sharp projections attached to a fence deemed hazardous by the Community Development Director. Electrical fences are prohibited. Security fencing for facilities owned by a public utility or government agency may include items listed above provided the hazardous items are at least seven feet (7') above the natural grade of a public right-of-way. (Ord. 19-1036)

9-1N-4: HEIGHT MEASUREMENTS AND EXCEPTIONS:

A. Height of Structures and Measurement:

1. Structures will not exceed the maximum allowable height for the zone in which the structure is located in compliance with the development standards of each zoning district, except as provided in Exceptions to Height Limits in all Zones below.
2. The max allowable height will be measured as the vertical distance from the existing grade of the site to an imaginary plane located the allowed number of feet above and parallel to the grade not including rooftop appurtenances.



B. Exceptions to Height Limits in Residential Zones: The following exceptions to height limits are allowed for residential buildings, provided compliance is achieved with all other applicable permit requirements and development standards of this Code.

1. Chimneys and Vents: Chimneys and roof-mounted vents will be allowed to exceed height limits to the minimum extent required by Title 16 (Buildings and Construction). Chimneys will be allowed an additional twenty-four inches (24") in height to provide a spark arrestor or a decorative architectural screen that does not exceed two feet in width by four feet in length.
2. Skylights and Roof Windows: When mounted on a minimally pitched roof, skylights or roof windows will be allowed to exceed the maximum height limit by up to six inches (6").
3. Mechanical Equipment: In the R-3 and all non-residential zones, uninhabited penthouses or roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain the building will be allowed to exceed the maximum building height limit by a maximum of ten percent (10%), except as allowed below. No such structures or any space above the height limit will be allowed for the purpose of providing additional living or floor space.

C. Exceptions to Height Limits in All Zones:

1. Architectural Elements. Except as specifically provided in subsection B above, architectural elements that are approved through the Site Plan and Design Review per Article C (Permit Processing Procedures) may exceed the maximum height limit provided that no such structures will be for the purpose of providing additional living or floor space. Roof-mounted mechanical that is entirely screened and incorporated into the design of approved architectural elements may exceed height limitations provided in subsection above.
2. Flagpoles:
 - a. Ground-mounted flagpoles will be allowed in residential zones to a maximum height of twenty-eight feet (28') and in nonresidential zones to a maximum height of thirty-five feet (35').
 - b. Flagpoles mounted on tops of buildings located in nonresidential zones will be allowed to exceed the maximum height limit by more than twenty feet (20'), but in no case will be more than twenty feet (20') taller than the final building height. Roof-mounted flagpoles will not be allowed in residential zones.
3. Antennas: Height exceptions for antennas and other wireless communications facilities are set forth in Article 9-1T-11 (Wireless Communications Facilities).
4. Fences, Hedges and Walls: Refer to each zoning district for exceptions to height limits for these features.
5. Places of Religious Assembly: Structures housing Places of Religious Assembly may be allowed to exceed the maximum height limit subject to the approval of a Site Plan and Design Review application in compliance with Article C. Where more than one (1) structure exists or is proposed for the site, only the primary

structure will be eligible for approval to exceed the maximum height limit. (Ord. 19-1036)

9-1N-5: YARDS - MEASUREMENTS AND REQUIREMENTS:

A. General: This section establishes standards for setback measurement and required yard areas. These provisions, in conjunction with other applicable provisions, are intended to provide for open areas around structures; access to natural light and ventilation, separation of incompatible land uses; space for privacy, landscaping, and recreation; and access to structures for function and safety.

B. Setback areas to remain unobstructed, except for flagpoles, mailboxes, fences, vegetation, or utilities.

C. Setback applies to one (1) property only. No setback area provided around any structure for the purposes of complying with the provisions of this Code will be considered as providing a setback area for any other structure, and no setback area on any adjoining property will be considered as providing a setback area on a site upon which a structure is to be erected, except as may be specifically addressed through a Planned Development Permit or a Specific Plan.

D. Modification of side setback requirement on combined lots. When the common property line separating two (2) or more contiguous lots is covered by a structure or permitted group of structures, or when the placement of a structure or structures with respect to such common property line or lines does not fully conform to the required setback area on each side yard common property line or lines, such lots will constitute a single site for the purposes of the requirements of this Code, and the required side setback area will not apply to such common property line.

E. Special setbacks may be established. The council may, by resolution, adopt a formula or establish standard practices by which to determine an appropriate and practical modification of required front or rear setback areas in any residential zone where geometric shape and dimensions and topography make the literal application of required setback impractical.

F. Setback requirements for property abutting future street right-of-way. No structure will be erected or maintained on any lot which abuts a street or private roadway having only a portion of its required width dedicated unless the setbacks provided and maintained in connection with that structure have a width or depth sufficient to accommodate completion of the public road width, plus the width or depth required to satisfy the setback requirements for the zone in which the property is located. However, this requirement does not require a setback of such width or depth as to reduce the buildable width of a corner lot to less than forty feet (40').

G. Side setback requirements when a dwelling unit fronts the side yard will be determined by the planning manager. The final determination will be based on surrounding development patterns, lot configurations, the front door location, and setbacks on adjacent properties.

H. Measurement of Setbacks:

1. All setback distances will be measured at right angles from the designated property line, and the setback line will be drawn parallel to the designated property line at the required setback distance.
2. Setbacks from private streets will be measured from the curb line from the private street, even if the property line extends to the centerline of a private street, or as may otherwise be established in a Planned Development Permit or Specific Plan.
3. For irregularly shaped lots, the setback will be measured from each portion of the lot that comprises the front, side or rear lot line.
4. For sloped lots, the measurement will be made as a straight, horizontal line from the property line to edge of the structure, not up or down the hill slope.
5. For flag lots, the pole portion of the lot will not be used for defining setback lines. (Ord. 19-1036)

9-1N-6: ENCROACHMENTS:

A. Existing air conditioning units, water heaters, pool equipment, and similar such devices encroaching into a required rear or side yard setback may be replaced, if the size of the encroachment is not increased.

B. New air conditioning units, water heaters, pool equipment, and similar such devices that are not replacing a prior unit and are not a part of a new construction project must provide for a minimum two-foot (2') setback from the side or rear property line.

C. When air conditioning units and water heaters are proposed as part of a new construction project, the units may not encroach into a required setback.

D. All washing machines and dryers must be located within the main structure or accessory structure (in cases where a conditional use permit is approved). New structures must locate the water heater within the structure; this regulation does not apply to tankless water heaters.

E. Permitted Encroachments into Yard Areas:

1. Cornices, eaves, belt course sills, or other similar architectural features are not to be more than thirty inches (30") into required yard setbacks.
2. Fireplace structures not wider than eight feet (8') are not to be more than thirty inches (30") into required yard setbacks.
3. Stairway, balconies, and fire escapes are not to be more than thirty inches (30") into required yard setbacks.
4. Uncovered porches and platforms (which do not extend above the finished floor level) may extend into a required yard no more than five feet (5').
5. Planting boxes or masonry planters are not to be more than thirty inches (30") into required yard setbacks.
6. Guard railings for safety protection around ramps are not to be more than thirty inches (30") into required yard setbacks.
7. Pools and spas may extend into the required side or rear yard, but must maintain a minimum three-foot (3') setback.
8. Permanent clotheslines may extend into the required side or rear yard, but must maintain a two-foot (2') setback.
9. Buttresses and archways are permitted in the required side yard. The height of these features must not extend vertically beyond the top plate of the first floor. They may extend horizontally to the side property line, where they may connect with a perimeter wall or fence. Buttresses or archways are only permitted on the front elevation, where the side yard meets the front yard. These can be designed in conjunction with a side gate. They must be designed consistent with the chosen architectural style (such as Spanish colonial revival).
10. A porte cochere is permitted in the side yard where a driveway leads to a rear garage. The structure must be attached to the building and semi-open, without enclosing walls or gates, and must be consistent with the architectural style of the building. It must be one-story, with a maximum ceiling height of twelve feet (12'). The maximum-allowed area is ten feet (10') (width) by twenty feet (20') (length). The porte cochere must not be located within the front yard and the post or column of the porte cochere must be setback a minimum of four feet from the first floor's front wall. A minimum two (2)-foot setback shall be provided for posts and eaves along the side property-line. Second floors must not extend over the top of a porte cochere. (Ord. 19-1036; amd. Ord. 20-1047)

9-1N-7: STREET IMPROVEMENTS:

A. Improvements required. When deemed necessary due to substantial changes in local traffic by reason of increased vehicular traffic, including truck traffic, increased pedestrian traffic, increased noise, and other activities associated with the proposed development, street improvements may be required by the director to prevent congestion and the other hazards that are related to the intensified use of the land.

B. Types of improvements. The improvements will be to city standards and will include curb, gutter, sidewalk, street and alley paving, street trees, street signs, street lights, fire hydrants, and all required utilities. (Ord. 19-1036)

9-1N-8: TREE REPLACEMENT REQUIREMENTS:

A. Trees protected by covenant between the city and the property owner:

1. Must not be removed without permission of the city;
2. Must be trimmed under the guidance of a licensed arborist;
3. Must be maintained in good health (every reasonable effort must be made to maintain the tree); and

4. Must not be topped (topping of a tree may constitute a removal if the structure is significantly affected).

B. If a property owner removes a tree protected by covenant, a replacement tree or trees must be provided per Table 9-1N-1. If the replacement tree or trees cannot be provided onsite due to insufficient space, then alternative requirements, such as donation of the tree or trees to the city for planting in the parkway along with reasonable costs for staff time to purchase, plant and maintain the tree for three (3) years may be provided.

Table 9-1N-1		
Tree Canopy Replacement Requirements		
Canopy of the Removed Tree (Average distance across the removed canopy*)	Replacement Trees	Alternative Tree
4'-9'	Two 24" Box Size (min.)	One 36" Box Size
10'-27'	Three 24" Box Size	Two 36" Box Size
28'-40'	Four 24" Box Size	Two 48" Box Size
40'-56'	Six 24" Box Size	Two 48" Box & Two 36" Box Size
56'-60'	Two 24" Box & Two 36" Box + Two 48" Box Size	**
60'+	**	**
*Add half of the difference between the two to the narrowest measurement for the average canopy.		
**Replace the tree with a combination of both Tree Canopy and Tree Value Standards. The appropriate standard should be set by the City Arborist.		
Note: Basis of this table is determined by the growth of one 24" box size tree, growing at a rate equivalent to 9 feet of canopy over the course of ten years.		

(Ord. 19-1036)

9-1N-9: SECURITY BARS AND SHUTTERS:

A. On residentially zoned or residentially used structures, metal security bars mounted on the exterior of the structure, roll down security shades, and the like must not be located on the front and corner side elevations. This does not include decorative metal wrought iron that enhances and is in keeping with the building's architecture. In such cases, the decorative wrought iron should be limited to a portion of the window or only to small clerestory windows.

B. On non-residentially used structures or tenant spaces, all metal security bars, roll down shutters, and the like installed on the front or corner side elevation must be located on the interior of the tenant space. (Ord. 19-1036)

9-1N-10: LOW IMPACT DEVELOPMENT (LID) STANDARDS AND GREEN STREETS:

A. Definitions: If the definition of any term contained in this chapter conflicts with the definition of the same term in order no. R4-2012-0175 (Los Angeles County MS4 Permit), then the definition contained in order no. R4-2012-0175 shall govern.

AUTOMOTIVE SERVICE FACILITY:	A facility that is categorized in any one (1) of the following standard industrial classification (SIC) and North American industry classification system (NAICS) codes. For inspection purposes, permittees need not inspect facilities with SIC codes 5013, 5014, 5511, 5541, 7532-7534, and 7536-7539 provided that these facilities have no outside activities or materials that may be exposed to stormwater (order no. R4-2012-0175).
BASIN PLAN:	The water quality control plan, Los Angeles region, "Basin Plan For The Coastal Watersheds Of Los Angeles And Ventura Counties", adopted by the regional water board on June 13, 1994, and subsequent amendments (order no. R4-2012-0175).
BEST MANAGEMENT PRACTICE (BMP):	Practices or physical devices or systems designed to prevent or reduce pollutant loading from stormwater or non-stormwater discharges to receiving waters, or designed to reduce the volume of stormwater or non-stormwater discharged to the receiving water (order no. R4-2012-0175).
BIOFILTRATION:	An LID BMP that reduces stormwater pollutant discharges by intercepting rainfall on vegetative canopy, and through incidental infiltration and/or evapotranspiration, and filtration. Incidental infiltration is an important factor in achieving the required pollutant load reduction. Therefore, the term "biofiltration" as used in this part is defined to include only systems designed to facilitate incidental infiltration or achieve the equivalent pollutant reduction as biofiltration BMPs with an underdrain (subject to approval by the regional board's executive officer). Biofiltration BMPs include bioretention systems with an underdrain and bioswales (order no. R4-2012-0175).
BIORETENTION:	An LID BMP that reduces stormwater runoff by intercepting rainfall on vegetative canopy, and through evapotranspiration and infiltration. The bioretention system typically includes a minimum two foot (2') top layer of a specified soil and compost mixture underlain by a gravel filled temporary storage pit dug into the in situ soil. As defined in this part, a bioretention BMP may be designed with an overflow drain, but may not include an underdrain. When a bioretention BMP is designed or constructed with an underdrain it is regulated by order no. R4-2012-0175 as biofiltration (order no. R4-2012-0175).
BIOSWALE:	A LID BMP consisting of a shallow channel lined with grass or other dense, low growing vegetation. Bioswales are designed to collect stormwater runoff and to achieve a uniform sheet flow through the dense vegetation for a period of several minutes (order no. R4-2012-0175).
CLEAN WATER ACT (CWA):	The federal water pollution control act enacted in 1972, by public law 92-500, and amended by the water quality act of 1987. The clean water act prohibits the discharge of pollutants to waters of the United States unless the discharge is in accordance with an NPDES permit.

COMMERCIAL DEVELOPMENT:	Any development on private land that is not heavy industrial or residential. The category includes, but is not limited to: hospitals, laboratories and other medical facilities, educational institutions, recreational facilities, plant nurseries, car wash facilities; mini-malls and other business complexes, shopping malls, hotels, office buildings, public warehouses and other light industrial complexes (order no. R4-2012-0175).
COMMERCIAL MALLS:	Any development on private land comprised of one (1) or more buildings forming a complex of stores which sells various merchandise, with interconnecting walkways enabling visitors to easily walk from store to store, along with parking area(s). A commercial mall includes, but is not limited to: mini-malls, strip malls, other retail complexes, and enclosed shopping malls or shopping centers (order no. R4-2012-0175).
CONSTRUCTION ACTIVITY:	Any construction or demolition activity, clearing, grading, grubbing, or excavation or any other activity that results in land disturbance. Construction does not include emergency construction activities required to immediately protect public health and safety or routine maintenance activities required to maintain the integrity of structures by performing minor repair and restoration work, maintain the original line and grade, hydraulic capacity, or original purposes of the facility. See "routine maintenance" definition for further explanation. Where clearing, grading or excavating of underlying soil takes place during a repaving operation, state general construction permit coverage by the State of California general permit for storm water discharges associated with industrial activities or for stormwater discharges associated with construction activities is required if more than one acre is disturbed or the activities are part of a larger plan (order no. R4-2012-0175).
CONTROL:	To minimize, reduce or eliminate by technological, legal, contractual, or other means, the discharge of pollutants from an activity or activities (order no. R4-2012-0175).
DEVELOPMENT:	Construction, rehabilitation, redevelopment or reconstruction of any public or private residential project (whether single-family, multi-unit or planned unit development); industrial, commercial, retail, and other nonresidential projects, including public agency projects; or mass grading for future construction. It does not include routine maintenance to maintain original line and grade, hydraulic capacity, or original purpose of facility, nor does it include emergency construction activities required to immediately protect public health and safety (order no. R4-2012-0175).
DIRECTLY ADJACENT:	Situated within two hundred feet (200') of the contiguous zone required for the continued maintenance, function, and structural stability of the environmentally sensitive area (order no. R4-2012-0175).
DISCHARGE:	Any release, spill, leak, pump, flow, escape, dumping, or disposal of any liquid, semisolid, or solid substance.
DISTURBED AREA:	An area that is altered as a result of clearing, grading, and/or excavation (order no. R4-2012-0175).
FLOW THROUGH TREATMENT BMPs:	A modular, vault type "high flow biotreatment" devices contained within an impervious vault with an underdrain or designed with an impervious liner and an underdrain (order no. R4-2012-0175).
FULL CAPTURE SYSTEM:	Any single device or series of devices, certified by the executive officer, that traps all particles retained by a five millimeter (5 mm) mesh screen and has a design treatment capacity of not less than the peak flow rate Q resulting from a one (1)-year, one (1)-hour storm in the subdrainage area (order no. R4-2012-0175).
GENERAL CONSTRUCTION ACTIVITIES STORM WATER PERMIT (GCASP):	The general NPDES permit adopted by the state board which authorizes the discharge of stormwater from construction activities under certain conditions (order no. R4-2012-0175).
GENERAL INDUSTRIAL ACTIVITIES STORM WATER PERMIT (GIASP):	The general NPDES permit adopted by the state board which authorizes the discharge of stormwater from certain industrial activities under certain conditions (order no. R4-2012-0175).
GREEN ROOF:	An LID BMP using planter boxes and vegetation to intercept rainfall on the roof surface. Rainfall is intercepted by vegetation leaves and through evapotranspiration. Green roofs may be designed as either a bioretention BMP or as a biofiltration BMP. To receive credit as a bioretention BMP, the green roof system planting medium shall be of sufficient depth to provide capacity within the pore space volume to contain the design storm depth and may not be designed or constructed with an underdrain (order no. R4-2012-0175).
HILLSIDE:	A property located in an area with known erosive soil conditions, where the development contemplates grading on any natural slope that is twenty five percent (25%) or greater and where grading contemplates cut or fill slopes (order no. R4-2012-0175).

INDUSTRIAL/COMMERCIAL FACILITY:	Any facility involved and/or used in the production, manufacture, storage, transportation, distribution, exchange or sale of goods and/or commodities, and any facility involved and/or used in providing professional and nonprofessional services. This category of facilities includes, but is not limited to, any facility defined by either the standard industrial classifications (SIC) or the North American industry classification system (NAICS). Facility ownership (federal, state, municipal, private) and profit motive of the facility are not factors in this definition (order no. R4-2012-0175).
INDUSTRIAL PARK:	Land development that is set aside for industrial development. Industrial parks are usually located close to transport facilities, especially where more than one transport modalities coincide: highways, railroads, airports, and navigable rivers. It includes office parks, which have offices and light industry (order no. R4-2012-0175).
INFILTRATION BMP:	An LID BMP that reduces stormwater runoff by capturing and infiltrating the runoff into in situ soils or amended on site soils. Examples of infiltration BMPs include infiltration basins, dry wells, and pervious pavement (order no. R4-2012-0175).
LOW IMPACT DEVELOPMENT (LID):	Consists of building and landscape features designed to retain or filter stormwater runoff (order no. R4-2012-0175).
MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4):	A conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains): 1. Owned or operated by a state, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to state law) having jurisdiction over disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under state law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the CWA that discharges to waters of the United States; 2. Designed or used for collecting or conveying stormwater; 3. Which is not a combined sewer; and 4. Which is not part of a publicly owned treatment works (POTW) as defined at 40 CFR section 122.2 (40 CFR section 122.26(b)(8)) (order no. R4-2012-0175).
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES):	The national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements, under CWA section 307, 402, 318, and 405. The term includes an "approved program" (order no. R4-2012-0175).
NATURAL DRAINAGE SYSTEM:	A drainage system that has not been improved (e.g., channelized or armored). The clearing or dredging of a natural drainage system does not cause the system to be classified as an improved drainage system (order no. R4-2012-0175).
NEW DEVELOPMENT:	Land disturbing activities; structural development, including construction or installation of a building or structure, creation of impervious surfaces; and land subdivision (order no. R4-2012-0175).
NONSTORMWATER DISCHARGE:	Any discharge to a municipal storm drain system that is not composed entirely of stormwater (order no. R4-2012-0175).
OUTFALL:	A point source as defined by 40 CFR 122.2 at the point where a municipal separate storm sewer discharges to waters of the United States and does not include open conveyances connecting two (2) municipal separate storm sewers, or pipes, tunnels or other conveyances with connect segments of the same stream or other waters of the United States and are used to convey waters of the United States (40 CFR section 122.26(b)(9)) (order no. R4-2012-0175).
PARKING LOT:	Land area or facility for the parking or storage of motor vehicles used for businesses, commerce, industry, or personal use, with a lot size of five thousand (5,000) square feet or more of surface area, or with twenty five (25) or more parking spaces (order no. R4-2012-0175).
POLLUTANT:	Any "pollutant" defined in section 502(6) of the federal clean water act or incorporated into the California Water Code section 13373 (order no. R4-2012-0175).
PROJECT:	All development, redevelopment, and land disturbing activities. The term is not limited to "project" as defined under CEQA3 (order no. R4-2012-0175).
RAINFALL HARVEST AND USE:	An LID BMP system designed to capture runoff, typically from a roof but can also include runoff capture from elsewhere within the site, and to provide for temporary storage until the harvested water can be used for irrigation or non-potable uses. The harvested water may also be used for potable water uses if the system includes disinfection treatment and is approved for such use by the local building department (order no. R4-2012-0175).
RECEIVING WATER:	"Water of the United States" into which waste and/or pollutants are or may be discharged (order no. R4-2012-0175).

REDEVELOPMENT:	Land disturbing activity that results in the creation, addition, or replacement of five thousand (5,000) square feet or more of impervious surface area on an already developed site. Redevelopment includes, but is not limited to: the expansion of a building footprint; addition or replacement of a structure; replacement of impervious surface area that is not part of routine maintenance activity; and land disturbing activity related to structural or impervious surfaces. It does not include routine maintenance to maintain original line and grade, hydraulic capacity, or original purpose of facility, nor does it include emergency construction activities required to immediately protect public health and safety (order no. R4-2012-0175).
REGIONAL BOARD:	The California regional water quality control board, Los Angeles region.
RESTAURANT:	A facility that sells prepared foods and drinks for consumption, including stationary lunch counters and refreshment stands selling prepared foods and drinks for immediate consumption (SIC code 5812) (order no. R4-2012-0175).
RETAIL GASOLINE OUTLET:	Any facility engaged in selling gasoline and lubricating oils (order no. R4-2012-0175).
ROUTINE MAINTENANCE:	Includes, but is not limited to, projects conducted to: <ol style="list-style-type: none"> 1. Maintain the original line and grade, hydraulic capacity, or original purpose of the facility. 2. Perform as needed restoration work to preserve the original design grade, integrity and hydraulic capacity of flood control facilities. 3. Includes road shoulder work, regrading dirt or gravel roadways and shoulders and performing ditch cleanouts. 4. Update existing lines and facilities to comply with applicable codes, standards, and regulations regardless if such projects result in increased capacity. Updating existing lines includes replacing existing lines with new materials or pipes. 5. Repair leaks. Routine maintenance does not include construction of new lines or facilities resulting from compliance with applicable codes, standards and regulations. New lines are those that are not associated with existing facilities and are not part of a project to update or replace existing lines (order no. R4-2012-0175).
SIGNIFICANT ECOLOGICAL AREAS (SEAs):	An area that is determined to possess an example of biotic resources that cumulatively represent biological diversity, for the purposes of protecting biotic diversity, as part of the Los Angeles County general plan. Areas are designated as SEAs, if they possess one (1) or more of the following criteria: <ol style="list-style-type: none"> 1. The habitat of rare, endangered, and threatened plant and animal species. 2. Biotic communities, vegetative associations, and habitat of plant and animal species that are either one of a kind, or are restricted in distribution on a regional basis. 3. Biotic communities, vegetative associations, and habitat of plant and animal species that are either one of a kind or are restricted in distribution in Los Angeles County. 4. Habitat that at some point in the life cycle of a species or group of species, serves as a concentrated breeding, feeding, resting, migrating grounds and is limited in availability either regionally or within Los Angeles County. 5. Biotic resources that are of scientific interest because they are either an extreme in physical/geographical limitations, or represent an unusual variation in a population or community. 6. Areas important as game species habitat or as fisheries. 7. Areas that would provide for the preservation of relatively undisturbed examples of natural biotic communities in Los Angeles County. 8. Special areas (order no. R4-2012-0175).
SITE:	Land or water area where any "facility or activity" is physically located or conducted, including adjacent land used in connection with the facility or activity (order no. R4-2012-0175).
STORM DRAIN SYSTEM:	Any facility or any parts of the facility, including streets, gutters, conduits, natural or artificial drains, channels and watercourses that are used for the purpose of collecting, storing, transporting or disposing of stormwater and are located within the city.
STORM WATER OR STORMWATER:	Runoff and drainage related to precipitation events (pursuant to 40 CFR section 122.26(b)(13); 55 fed. reg. 47990, 47995 (November 16, 1990)).
URBAN RUNOFF:	Surface water flow produced by storm and non-storm events. Non-storm events include flow from residential, commercial or industrial activities involving the use of potable and non-potable water. (Ord. 13-979)

B. Low Impact Development and Green Streets Policy:

1. Objective: The provisions of this section establish requirements for construction activities and facility operations of development and redevelopment projects to comply with the current "order no. R4-2012-0175", lessen the water quality impacts of development by using smart growth practices, and integrate LID practices and standards for stormwater pollution mitigation through means of infiltration, evapotranspiration, biofiltration, and rainfall harvest and use. LID shall be inclusive of new development and/or redevelopment requirements.

2. Scope: This section contains requirements for stormwater pollution control measures in development and redevelopment projects and authorizes the city to further define and adopt stormwater pollution control measures, and to develop LID principles and requirements, including, but not limited to, the objectives and

specifications for integration of LID strategies, grant waivers from the LID requirements, and collect funds for projects that are granted waivers. Except as otherwise provided herein, the city shall administer, implement and enforce the provisions of this section.

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

- a. All development projects equal to one (1) acre or greater of disturbed area that adds more than ten thousand (10,000) square feet of impervious surface area.
- b. Industrial parks ten thousand (10,000) square feet or more of surface area.
- c. Commercial malls ten thousand (10,000) square feet or more of surface area.
- d. Retail gasoline outlets with five thousand (5,000) square feet or more of surface area.
- e. Restaurants (standard industrial classification (SIC) of 5812) with five thousand (5,000) square feet or more of surface area.
- f. Parking lots with five thousand (5,000) square feet or more of impervious surface area, or with twenty five (25) or more parking spaces.
- g. Streets and roads construction of ten thousand (10,000) square feet or more of impervious surface area. Street and road construction applies to stand alone streets, roads, highways, and freeway projects, and also applies to streets within larger projects.
- h. Automotive service facilities (standard industrial classification (SIC) of 5013, 5014, 5511, 5541, 7532-7534 and 7536-7539) five thousand (5,000) square feet or more of surface area.
- i. Projects located in or directly adjacent to, or discharging directly to an environmentally sensitive area (ESA), where the development will:
 - (1) Discharge stormwater runoff that is likely to impact a sensitive biological species or habitat; and
 - (2) Create two thousand five hundred (2,500) square feet or more of impervious surface area.
- j. Single-family hillside homes.
- k. Redevelopment projects.

(1) Land disturbing activity that results in the creation or addition or replacement of five thousand (5,000) square feet or more of impervious surface area on an already developed site on planning priority project categories.

(2) Where redevelopment results in an alteration to more than fifty percent (50%) of impervious surfaces of a previously existing development, and the existing development was not subject to post-construction stormwater quality control requirements, the entire project must be mitigated.

(3) Where redevelopment results in an alteration of less than fifty percent (50%) of impervious surfaces of a previously existing development, and the existing development was not subject to post-construction stormwater quality control requirements, only the alteration must be mitigated, and not the entire development.

(4) Redevelopment does not include routine maintenance activities that are conducted to maintain original line and grade, hydraulic capacity, original purpose of facility or emergency redevelopment activity required to protect public health and safety. Impervious surface replacement, such as the reconstruction of parking lots and roadways which does not disturb additional area and maintains the original grade and alignment, is considered a routine maintenance activity. Redevelopment does not include the repaving of existing roads to maintain original line and grade.

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

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

- a. A new single-family hillside home development shall include mitigation measures to:
 - (1) Conserve natural areas;
 - (2) Protect slopes and channels;
 - (3) Provide storm drain system stenciling and signage;
 - (4) Divert roof runoff to vegetated areas before discharge unless the diversion would result in slope instability; and
 - (5) Direct surface flow to vegetated areas before discharge, unless the diversion would result in slope instability.
- b. Street and road construction of ten thousand (10,000) square feet or more of impervious surface shall follow USEPA guidance regarding managing wet weather with green infrastructure: green streets (December 2008 EPA-833-F-08-009) to the maximum extent practicable.
- c. The remainder of planning priority projects shall prepare an LID plan to comply with the following:

(1) Retain stormwater runoff on site for the stormwater quality design volume (SWQDv) defined as the runoff from: (1) The eighty fifth percentile twenty four (24)-hour runoff event as determined from the Los Angeles County eighty fifth percentile precipitation isohyetal map; or the volume of runoff produced from a 0.75 inch, twenty four (24)-hour rain event, whichever is greater.

(2) Minimize hydromodification impacts to natural drainage systems as defined in order no. R4-2012-0175.

(3) To demonstrate technical infeasibility, the project applicant must demonstrate that the project cannot reliably retain one hundred percent (100%) of the SWQDv on site, even with the maximum application of green roofs and rainwater harvest and use, and that compliance with the applicable post-construction requirements would be technically infeasible by submitting a site specific hydrologic and/or design analysis conducted and endorsed by a registered professional engineer, geologist, architect, and/or landscape architect. Technical infeasibility may result from conditions including the following:

(A) The infiltration rate of saturated in situ soils is less than 0.3 inch per hour and it is not technically feasible to amend the in situ soils to attain an infiltration rate necessary to achieve reliable performance of infiltration or bioretention BMPs in retaining the SWQDv on site.

(B) Locations where seasonal high groundwater is within five (5) to ten feet (10') of surface grade;

(C) Locations within one hundred feet (100') of a groundwater well used for drinking water;

(D) Brownfield development sites or other locations where pollutant mobilization is a documented concern;

(E) Locations with potential geotechnical hazards;

(F) Smart growth and infill or redevelopment locations where the density and/or nature of the project would create significant difficulty for compliance with the on-site volume retention requirement.

(4) If partial or complete on site retention is technically infeasible, the project site may biofiltrate 1.5 times the portion of the remaining SWQDv that is not reliably retained on site. Biofiltration BMPs must adhere to the design specifications provided in order no. R4-2012-0175. Additional alternative compliance options such as off site infiltration and groundwater replenishment projects may be available to the project site. The project site should contact the City of Temple City to determine eligibility.

(5) The remaining SWQDv that cannot be retained or biofiltered on site must be treated on site to reduce pollutant loading. BMPs must be selected and

designed to meet pollutant specific benchmarks as required per order no. R4-2012-0175. Flow through BMPs may be used to treat the remaining SWQDv and must be sized based on a rainfall intensity of: 0.2 inch per hour, or the one (1)-year, one (1)-hour rainfall intensity as determined from the most recent Los Angeles County isohyetal map, whichever is greater.

5. Additional Requirements: The site for projects not classified with general applicability listed in subsection C of this section, but resulting in the creation or addition or replacement of five hundred (500) square feet or more of impervious surface area shall be designed to control pollutants, pollutant loads, and runoff volume per the Temple City "Low Impact Development Manual". (Ord. 13-979; amd. Ord. 19-1036)



ARTICLE O. WATER EFFICIENT LANDSCAPE

SECTION:

9-10-1: Applicability

9-10-2: Landscape Water Use Standards

9-10-3: Implementation

9-10-4: Guidelines

9-10-5: Delegation

9-10-6: Definitions

9-10-1: APPLICABILITY:

- A. New landscape projects with an aggregate landscape area equal to or greater than five hundred (500) square feet, requiring a building or landscape permit, plan check or design review;
- B. Rehabilitated landscape projects with an aggregate landscaped area equal to or greater than two thousand five hundred (2,500) square feet, requiring a building or landscape permit, plan check or design review;
- C. New or rehabilitated landscape projects with an aggregate landscape area of two thousand five hundred (2,500) square feet or less may comply with the performance requirements of this article or conform to the prescriptive measures contained in appendix A of the guidelines on file in the city;
- D. New or rehabilitated projects using treated or untreated graywater or rainwater capture on site, any lot or parcels within the project that has less than two thousand five hundred (2,500) square feet of landscape area and meets the lot or parcel's landscape water requirement (estimated total water use) entirely with the treated or untreated graywater or through stored rainwater capture on site is subject only to appendix A of the guidelines on file in the city.
- E. This article does not apply to:
 - 1. Registered local, state, or federal historical sites;
 - 2. Ecological restoration projects that do not require a permanent irrigation system;
 - 3. Mined land reclamation projects that do not require a permanent irrigation system; or
 - 4. Plant collections, as part of botanical gardens and arboretums open to the public. (Ord. 19-1036)

9-10-2: LANDSCAPE WATER USE STANDARDS:

- A. For applicable landscape installation or rehabilitation projects subject to section9-10-1, the estimated total water use allowed for the landscaped area must not exceed the MAWA calculated using an ET adjustment factor of 0.55 for residential areas and 0.45 for nonresidential areas, except for special landscaped areas where the MAWA is calculated using an ET adjustment factor of 1.0; or the design of the landscaped area must otherwise be shown to be equivalently water efficient in a manner acceptable to the city; as provided in the guidelines.
- B. Irrigation of all landscaped areas must be conducted in a manner conforming to the rules and requirements, and will be subject to penalties and incentives for water conservation and water waste prevention as determined and implemented by the local water purveyor or as mutually agreed by local water purveyor and the local agency. (Ord. 19-1036)

9-10-3: IMPLEMENTATION:

- A. Prior to installation, a landscape documentation package must be submitted to the city for review and approval of all landscape projects subject to the provisions of this article. Any landscape documentation package submitted to the city must comply with the specifications of the guidelines.
- B. The landscape documentation package must include a certification by a professional appropriately licensed in the State of California stating that the landscape design and water use calculations have been prepared by or under the supervision of the licensed professional and are certified to be in compliance with the provisions of this article and the guidelines. The following are the minimum requirements:
 - 1. Landscape and irrigation plans must be submitted to the city for review and approval with appropriate water use calculations.
 - 2. Verification of compliance of the landscape installation with the approved plans must be obtained through a certification of completion in conjunction with a certificate of use and occupancy or permit final process, as provided in the guidelines. (Ord. 19-1036)

9-10-4: GUIDELINES:

The city's water efficient landscape guidelines are created to guide the implementation of this article. It provides specific technical and procedural guidance for the applicant to comply with this article. It has the same power of this article and compliance with the guidelines is required for all applicable projects. The guidelines are also intended for use and reference by city staff in reviewing and approving the designs and verifying compliance. (Ord. 19-1036)

9-10-5: DELEGATION:

The city may delegate to, or enter into a contract with, a local agency to implement, administer, and/or enforce any of the provisions of this article including the guidelines. (Ord. 19-1036)

9-10-6: DEFINITIONS:

The following definitions are applicable to this article:

AGGREGATE LANDSCAPE AREAS:	The areas undergoing development as one (1) project or for production home neighborhoods or other situations where multiple parcels are undergoing development as one project, but will eventually be individually owned.
APPLIED WATER:	The portion of water supplied by the irrigation system to the landscape.
BUDGET BASED TIERED RATE STRUCTURE:	Tiered or block rates for irrigation accounts charged by the retail water agency in which the block definition for each customer is derived from lot size or irrigated area and the evapotranspiration requirements of landscaping.

ET ADJUSTMENT FACTOR OR ETAF:	A factor that, when applied to reference evapotranspiration, adjusts for plant factors and irrigation efficiency, the two (2) major influences upon the amount of water that needs to be applied to the landscape.
ECOLOGICAL RESTORATION PROJECT:	A project where the site is intentionally altered to establish a defined, indigenous, historic ecosystem.
ESTIMATED TOTAL WATER USE:	The average annual total amount of water estimated to be necessary to keep plants in a healthy state, calculated as provided in the guidelines. It is based on the reference evapotranspiration rate, the size of the landscape area, plant water use factors, and the relative irrigation efficiency of the irrigation system.
GUIDELINES:	Refers to the "Guidelines for Implementation of The Water Efficient Landscape Ordinance", as adopted by the city, which describes procedures, calculations, and requirements for landscape projects subject to this article.
HARDSCAPES:	Any durable material or feature (pervious and non-pervious) installed in or around a landscaped area, such as pavements or walls. Pools and other water features are considered part of the landscaped area and not considered hardscapes for purposes of this article.
IRRIGATION EFFICIENCY:	The measurement of the amount of water beneficially used divided by the amount of water applied. Irrigation efficiency is derived from measurements and estimates of irrigation system characteristics and management practices. The irrigation efficiency for purposes of this article is 0.75 for overhead spray devices and 0.81 for drip systems.
LANDSCAPE CONTRACTOR:	A person licensed by the State of California to construct, maintain, repair, install, or subcontract the development of landscape systems.
LANDSCAPE DOCUMENTATION PACKAGE:	The documents required to be provided to the city for review and approval of landscape design projects, as described in the guidelines.
LANDSCAPE PROJECT:	Total area of landscape in a project, as provided in the definition of "landscaped area", meeting the requirements under section 1.1 of the guidelines.
LANDSCAPED AREA:	All the planting areas, turf areas, and water features in a landscape design plan subject to the maximum applied water allowance and estimated applied water use calculations. The landscaped area does not include footprints of buildings or structures, sidewalks, driveways, parking lots, decks, patios, gravel or stone walks, other pervious or non-pervious hardscapes, and other non-irrigated areas designated for nondevelopment (e.g., open spaces and existing native vegetation).
LOCAL AGENCY:	A city or county, including a charter city or charter county, that is authorized to implement, administer, and/or enforce any of the provisions of this article. The local agency may be responsible for the enforcement or delegation of enforcement of this article including, but not limited to, design review, plan check, issuance of permits, and inspection of a landscape project.
LOCAL WATER PURVEYOR:	Any entity, including a public agency, city, county, or private water company that provides retail water service.
MAXIMUM APPLIED WATER ALLOWANCE OR MAWA:	The upper limit of annual applied water for the established landscaped area as specified in section 2.2 of the guidelines. It is based upon the area's reference evapotranspiration, the ET adjustment factor, and the size of the landscaped area. The estimated applied water use must not exceed the maximum applied water allowance. $MAWA = (ET_o) (0.62) [(ETAF \times LA) + ((1-ETAF) \times SLA)]$
MINED LAND RECLAMATION PROJECTS:	Any surface mining operation with a reclamation plan approved in accordance with the Surface Mining and Reclamation Act of 1975.
NEW CONSTRUCTION:	For the purposes of this article, a new building with a landscape or other new landscape such as a park, playground, or greenbelt without an associated building.
NONPERVIOUS:	Any surface or natural material that does not allow for the passage of water through the material and into the underlying soil.
PERMIT:	An authorizing document issued by local agencies for new construction or rehabilitated landscape.
PERVIOUS:	Any surface or material that allows the passage of water through the material and into the underlying soil.
PLANT FACTOR OR PLANT WATER USE FACTOR:	A factor, when multiplied by ET_o , that estimates the amount of water needed by plants. For purposes of this article, the plant factor range for very low water use plants is zero to 0.1; the plant factor range for low water use plants is 0.2 to 0.3; the plant factor range for moderate water use plants is 0.4 to 0.6; and the plant factor range for high water use plants is 0.7 to 1.0. Plant factors cited in this article are derived from the publication "Water Use Classification of Landscape Species". Plant factors may also be obtained from horticultural researchers from academic institutions or professional associations as approved by the California Department of Water Resources (DWR).
RECYCLED WATER OR RECLAIMED WATER:	Treated or recycled wastewater of a quality suitable for non-potable uses such as landscape irrigation and water features. This water is not intended for human consumption.

REFERENCE EVAPOTRANSPIRATION OR ETo:	A standard measurement of environmental parameters which affect the water use of plants. ETo is given expressed in inches per day, month, or year as represented in appendix A of the guidelines, and is an estimate of the evapotranspiration of a large field of four (4) to seven inch (7") tall, cool season grass that is well watered. Reference evapotranspiration is used as the basis of determining the maximum applied water allowances.
REHABILITATED LANDSCAPE:	Any re-landscaping project that meets the applicability criteria of this article, where the modified landscape area is greater than two thousand five hundred (2,500) square feet.
SMART IRRIGATION CONTROLLER:	An automatic irrigation controller utilizing either evapotranspiration or soil moisture sensor data with nonvolatile memory must be required for irrigation scheduling in all irrigation systems, recommending U.S. EPA WaterSense labeled devices as applicable.
SPECIAL LANDSCAPE AREA:	An area of the landscape dedicated solely to edible plants such as orchards and vegetable gardens, areas irrigated with recycled water, water features using recycled water, and recreational areas dedicated to active play such as parks, sports fields, golf courses, and where turf provides a playing surface.
TURF:	A ground cover surface of mowed grass. Annual bluegrass, Kentucky bluegrass, perennial ryegrass, 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.
VALVE:	A device used to control the flow of water in an irrigation system.
WATER FEATURE:	A design element where open water performs an aesthetic or recreational function. Water features include ponds, lakes, waterfalls, fountains, artificial streams, spas, and swimming pools (where water is artificially supplied). The surface area of water features is included in the high-water use hydrozone of the landscaped area. Constructed wetlands used for onsite wastewater treatment, habitat protection or stormwater best management practices that are not irrigated and used solely for water treatment or stormwater retention are not water features and, therefore, are not subject to the water budget calculation. (Ord. 19-1036)

ARTICLE P. REGULATION OF EXCESSIVE NOISE

SECTION:

9-1P-1: Exemptions

9-1P-2: Definitions

9-1P-3: General Sound Level Standards

9-1P-4: Sound Level Measurement Methodology

9-1P-5: Special Sound Source Standards

9-1P-6: Enforcement

9-1P-7: Duty To Cooperate

9-1P-8: Violations And Penalties

9-1P-1: EXEMPTIONS:

Sound emanating from the following sources is exempt from the provisions of this article:

- A. Facilities owned or operated by or for a governmental agency.
- B. Capital improvement projects of a governmental agency.
- C. The maintenance or repair of public properties.
- D. Construction operation, maintenance, and repairs of equipment, apparatus, or facilities of the parks and recreation department, public works projects, or essential public services and facilities, including those of public utilities subject to the regulatory jurisdiction of the California public utilities commission.
- E. Public safety personnel in the course of executing their official duties, including, but not limited to, sworn peace officers, emergency personnel and public utility personnel. This exemption includes, without limitation, sound emanating from all equipment used by such personnel, whether stationary or mobile.
- F. Public or private schools and school sponsored activities.
- G. Construction projects requiring a building permit are exempt from noise regulations, provided that such construction activities occur on weekdays between 7:00 a.m. and 7:00 p.m., and Saturdays between 8:00 a.m. to 4:00 p.m. No construction work is allowed on Sundays or federal holidays.
- H. Property maintenance, including, but not limited to, the operation of lawn mowers, leaf blowers, etc., provided such maintenance occurs between the hours of 7:00 a.m. and 7:00 p.m.
- I. Motor vehicles, other than off highway vehicles. This exemption does not include sound emanating from motor vehicle sound systems.
- J. Heating and air conditioning equipment.
- K. Safety, warning and alarm devices, including, but not limited to, house and car alarms, and other warning devices that are designed to protect the public health, safety, and welfare.
- L. The discharge of firearms consistent with all state and federal laws.
- M. Any activity as to which the city council or planning commission has issued an exception based on hardship, or to execute phase-in requirements.

- N. Involuntary noise.
- O. Isolated singular noises (not exceeding two (2) seconds) not repeated within sixty (60) minutes.
- P. Matters preempted by state or federal law.
- Q. Matters involving the reasonable exercise of constitutional guarantees unless outweighed by compelling governmental interests or appropriate exercise of the police power.
- R. Emergency work as defined under section 9-11-2 of this article.
- S. Noise as to which there is specific consent from all affected persons. (Ord. 19-1036)

9-1P-2: DEFINITIONS:

As used in this article, the following terms will have the following meanings:

AUDIO EQUIPMENT:	A television, stereo, radio, tape player, compact disc player, MP3 player, iPod or another similar device.
DECIBEL (dB):	A unit for measuring the relative amplitude of a sound equal approximately to the smallest difference normally detectable by the human ear, the range of which includes approximately one hundred thirty (130) decibels on a scale beginning with zero decibels for the faintest detectable sound. Decibels are measured with a sound level meter using different methodologies as defined below:
A-Weighting (dBA):	The standard A-weighted frequency response of a sound level meter, which de-emphasizes low and high frequencies of sound in a manner similar to the human ear for moderate sounds.
Maximum Sound Level (Lmax):	The maximum sound level measured on a sound level meter.
EMERGENCY WORK:	Work made necessary to restore property to a safe condition following a public calamity, or work required to protect persons or property from an imminent exposure to danger or work by public or private utility to restore utility service.
GOVERNMENTAL AGENCY:	The United States, the State of California, the County of Los Angeles, the City of Temple City or any combination of these agencies.
MOTOR VEHICLE:	A vehicle that is self-propelled.
MOTOR VEHICLE SOUND SYSTEM:	A stereo, radio, tape player, compact disc player, MP3 player, iPod or another similar device.
NOISE:	Any loud, discordant or disagreeable sound.
OCCUPIED PROPERTY:	Property upon which is located a residence, business or industrial or manufacturing use.
OFF HIGHWAY VEHICLE:	A motor vehicle designed to travel over any terrain.
PUBLIC OR PRIVATE SCHOOL:	An institution conducting academic instruction at the preschool, elementary school, junior high school, high school, or college level.
PUBLIC PROPERTY:	Property owned by a governmental agency or held open to the public, including, but not limited to, parks, streets, sidewalks, and alleys.
SENSITIVE RECEPTOR:	A land use that is identified as sensitive to noise, including, but not limited to, residences, schools, hospitals, churches, rest homes, cemeteries or public libraries.
SOUND AMPLIFYING EQUIPMENT:	A loudspeaker, microphone, megaphone or another similar device.
SOUND LEVEL METER:	An instrument meeting the standards of the American National Standards Institute for type 1 or type 2 sound level meters or an instrument that provides equivalent data. (Ord. 19-1036)

9-1P-3: GENERAL SOUND LEVEL STANDARDS:

A person must not create any sound, or allow the creation of any sound, on any property that causes the exterior sound level on any other occupied property to exceed the sound level standards set forth by the following standards:

Zone	7:00 A.M. TO 10:00 P.M.	10:00 P.M. TO 7:00 A.M.
Residential	55 dBA	45 dBA
Commercial	65 dBA	55 dBA
Industrial	75 dBA	75 dBA

At the boundary line between two (2) of the above zones, the noise level of the quieter zone will be used. (Ord. 19-1036)

9-1P-4: SOUND LEVEL MEASUREMENT METHODOLOGY:

Sound level measurements may be made anywhere within the boundaries of an occupied property. The actual location of a sound level measurement will be at the discretion of the enforcement officials identified in section 9-11-6 of this article. Sound level measurements will be made with a sound level meter. Immediately before a measurement is made, the sound level meter will be calibrated utilizing an acoustical calibrator meeting the standards of the American National Standards Institute. Following a sound level measurement, the calibration of the sound level meter must be reverified. Sound level meters and calibration equipment must be certified annually. (Ord. 19-1036)

9-1P-5: SPECIAL SOUND SOURCE STANDARDS:

The general sound level standards set forth in section 9-1P-3 of this article apply to sound emanating from all sources, including the following special sound sources, and the person creating, or allowing the creation of, the sound is subject to the requirements of that section. The following special sound sources are also subject to the following additional standards, the failure to comply with which constitute separate violations of this article.

A. Motor Vehicles:

1. Off Highway Vehicles:

- a. A person must not operate an off-highway vehicle unless it is equipped with a USDA qualified spark arrester and a constantly operating and properly maintained muffler. A muffler is not considered constantly operating and properly maintained if it is equipped with a cutout, bypass or similar device.
- b. A person must not operate an off-highway vehicle unless the noise emitted by the vehicle is not more than 96 dBA if the vehicle was manufactured on or after January 1, 1986, or is not more than 101 dBA if the vehicle was manufactured before January 1, 1986. For purposes of this subsection, emitted noise will be measured twenty inches (20") from the vehicle tailpipe using test procedures established by the Society of Automotive Engineers under standard J-1287.
2. Sound Systems: A person must not operate a motor vehicle sound system, whether affixed to the vehicle or not, between the hours of 10:00 p.m. and 7:00 a.m., such that the sound system is audible to the human ear inside any inhabited dwelling. A person must not operate a motor vehicle sound system, whether affixed to the vehicle or not, at any other time such that the sound system is audible to the human ear at a distance greater than one hundred feet (100') from the vehicle.
- B. Power Tools and Equipment: A person must not operate any power tools or equipment between the hours of 10:00 p.m. and 7:00 a.m. such that the power tools or equipment are audible to the human ear inside an inhabited dwelling other than a dwelling in which the power tools or equipment may be located. A person must not operate any power tools or equipment at any other time such that the power tools or equipment are audible to the human ear at a distance greater than one hundred feet (100') from the power tools or equipment.
- C. Audio Equipment: A person must not operate any audio equipment, whether portable or not, between the hours of 10:00 p.m. and 7:00 a.m. such that the equipment is audible to the human ear inside an inhabited dwelling other than a dwelling in which the equipment may be located. A person must not operate any audio equipment, whether portable or not, at any other time such that the equipment is audible to the human ear at a distance greater than one hundred feet (100') from the equipment.
- D. Sound Amplifying Equipment and Live Music: A person must not install, use or operate sound amplifying equipment, or perform, or allow to be performed, live music unless such activities comply with the following requirements. To the extent that these requirements conflict with any conditions of approval attached to an underlying land use permit, these requirements will control.
1. Sound amplifying equipment or live music is prohibited between the hours of 10:00 p.m. and 7:00 a.m. and sound emanating from sound amplifying equipment or live music at any other time must not be audible to the human ear at a distance greater than two hundred feet (200') from the equipment or music.
2. The use of sound amplifying equipment or live music in a condominium complex which exceeds the noise limits as set forth in section 9-1P-3 of this article, measured at any property line, or, measured in another condominium unit within the complex, is in violation of this article. (Ord. 19-1036)

9-1P-6: ENFORCEMENT:

City of Temple City code enforcement personnel and the Los Angeles County sheriff have the primary responsibility for enforcing this article; provided, however, code enforcement personnel and the sheriff may be assisted by the public health department. Violations will be prosecuted as described in section 9-1P-8 of this article, but nothing in this article prevent the sheriff, code enforcement or the department of public health from engaging in efforts to obtain voluntary compliance by means of warnings, notices, or educational programs. (Ord. 19-1036)

9-1P-7: DUTY TO COOPERATE:

A person must not refuse to cooperate with, or obstruct, the enforcement officials identified in section 9-1P-6 of this article when they are engaged in the process of enforcing the provisions of this article. This duty to cooperate may require a person to extinguish a sound source so that it can be determined whether sound emanating from the source violates the provisions of this article. (Ord. 19-1036)

9-1P-8: VIOLATIONS AND PENALTIES:

Any person who violates any provision of this article once or twice within a one hundred eighty (180)-day period is guilty of an infraction. Any person who violates any provision of this article more than twice within a one hundred eighty (180)-day period is guilty of a misdemeanor. Each day a violation is committed or permitted to continue constitutes a separate offense and shall be punishable as such. Penalties shall not exceed the following amounts:

- A. For the first violation within a one hundred eighty (180)-day period the minimum mandatory fine is five hundred dollars (\$500.00).
- B. For the second violation within a one hundred eighty (180)-day period the minimum mandatory fine is seven hundred fifty dollars (\$750.00).
- C. For any further violations within a one hundred eighty (180)-day period the minimum mandatory fine is one thousand dollars (\$1,000.00) or, imprisonment in the county jail for a period not exceeding six (6) months, or both. (Ord. 19-1036)

ARTICLE Q. RESERVED

ARTICLE R. RESERVED

ARTICLE S. DEDICATION OF MAPPED STREETS

SECTION:

9-1S-1: Purpose

9-1S-2: Application

9-1S-1: PURPOSE:

As a result of studies conducted by the city council, planning commission and city staff, it is apparent and so found, that certain streets within the city are of insufficient width to properly accommodate the flow of vehicular traffic generated by uses along that street. It is essential, to fix such deficiencies, that a requirement of dedication for public street purposes be imposed upon the use of property or issuance of building permits thereon, as required in the following section. (Ord. 19-1036)

9-1S-2: APPLICATION:

For lots that have a multi-family or nonresidential zoning designation and abut any street declared in this chapter as being deficient in width, a building permit with an estimated cost of one thousand dollars (\$1,000.00) must not be issued and any new use must not be established. The above does not apply if the owner of the lot makes a formal offer of dedication to the city, for public street purposes, of any area along all street frontage of such lots, which area is needed to provide one-half (½) of the total required ultimate street right of way. (Ord. 19-1036)

ARTICLE T. SPECIAL USES

SECTION:

9-1T-1: Tobacco/E-Cigarette Store

- 9-1T-2: Hookah/Smoke Lounge
- 9-1T-3: Housing For Persons With Special Needs
- 9-1T-4: Single Room Occupancy (SRO) Building
- 9-1T-5: Emergency Shelters
- 9-1T-6: Adult Oriented Business
- 9-1T-7: Mini-Malls
- 9-1T-8: Firework Stands
- 9-1T-9: Large Family Daycare Homes (Rep. by Ord. 20-1047)
- 9-1T-10: Marijuana Facilities And Activities
- 9-1T-11: Wireless Communication Facilities
- 9-1T-12: Massage Establishments
- 9-1T-13: Accessory Dwelling Units And Junior Accessory Dwelling Units
- 9-1T-14: Unattended Collection Boxes
- 9-1T-15: Reverse Vending Machines And Collection Facilities
- 9-1T-16: Home Occupations
- 9-1T-17: Animal Keeping
- 9-1T-18: Sidewalk Dining
- 9-1T-19: Grocery Store
- 9-1T-20: Public Food Market

9-1T-1: TOBACCO/E-CIGARETTE STORE:

A. Definitions:

E-CIGARETTE/VAPORIZER RETAILER:	An establishment for which more than fifty percent (50%) of the floor area is dedicated to the display and retail sale of nicotine enriched solutions and/or vaporizers.
PARAPHERNALIA:	Any apparatus, equipment, or instruments used for smoking tobacco, cannabis, or controlled substances, and/or inhaling mist of nicotine enriched solutions, for the purpose of personal or recreational satisfactions.
TOBACCO RETAILER:	An establishment for which more than fifty percent (50%) of the floor area is dedicated for the display and retail sale of tobacco, cigarettes, and related products. This provision does not include the sales of tobacco and tobacco products from a permitted grocery store and similar permitted retail stores, the primary purpose of which are not the sale of tobacco and tobacco products.

B. Locational Criteria And Minimum Proximity Requirements: A tobacco or e-cigarette/vaporizer retailer will be permitted under the business class of "tobacco shop" in the Downtown Commercial Zone, Las Tunas Commercial Zone, Neighborhood Commercial Zone, and the Industrial Zone, subject to the locational criteria as set forth in the following:

1. No such business will be permitted within one thousand feet (1,000') of a public or private school established for academic education of children or minors under the age of eighteen (18) years old.
2. No such business will be permitted within one thousand feet (1,000') of a public park.
3. No such business will be permitted within one thousand feet (1,000') of an existing tobacco or e-cigarette/vaporizer business.
4. No such business will be permitted within one thousand feet (1,000') of a large childcare center located within the city's limits.

C. Conditional Use Permit Requirement: No such businesses will be permitted without first obtaining a conditional use permit.

D. Visibility Requirements:

1. As a retail store, a tobacco or e-cigarette/vaporizer retailer is required to provide necessary visibility for the in-store business activities. A common way of providing such visibility includes, but is not limited to, creating larger window area for the storefront facing pedestrian and vehicular traffic; maintaining the storefront windows unobstructed at all times during business hours, and using clear glass instead of tinted glass for the storefront windows.
2. Window signs for such businesses must be limited to identifying the name of the business and must not exceed ten percent (10%) of each window area.

E. Limitation on Sales of Paraphernalia: Any commercial retail establishment including a tobacco or e-cigarette/vaporizer retailer selling paraphernalia as accessory products must limit the sale, storage, and display of paraphernalia to no more than twenty percent (20%) of the total floor area. Further, all sale, storage, and display of paraphernalia must be conducted within a separate enclosed room. (Ord. 19-1036)

9-1T-2: HOOKAH/SMOKE LOUNGE:

A. Definition:

HOOKAH/SMOKE LOUNGE:	An establishment for which the configuration of the floor area is to facilitate on site consumption of tobacco, cigarette, and nicotine enriched solutions. For clarification purpose, a hookah/smoke lounge, and/or any other similar uses will be considered an individual business class separated from a tobacco/e-cigarette store.
----------------------	---

B. Hookah/Smoke Lounge Prohibited: No hookah/smoke lounge business or similar operations will be allowed within the city's limits. (Ord. 19-1036)

9-1T-3: HOUSING FOR PERSONS WITH SPECIAL NEEDS:

Section 9-1T-4 accommodates development of housing for individuals with special needs. (Ord. 19-1036)

9-1T-4: SINGLE ROOM OCCUPANCY (SRO) BUILDING:

The provisions of this section are intended to accommodate the development of permanent, affordable housing for small households or persons with special needs.

A. Location: An SRO building will be permitted to locate in the Las Tunas Commercial Zone subject to the approval of a conditional use permit pursuant to section 9-1I-2 of this code.

B. Standards of Development:

1. Las Tunas Corridor Zone Standards: An SRO building will be subject to the standards of development that apply to the Las Tunas Corridor Zone. There is no density standard applicable in that zone.

2. Unit Size: An SRO unit must contain a floor area of not less than one hundred fifty (150) square feet and not more than four hundred (400) square feet.

3. Occupancy: An SRO unit must accommodate a maximum of two (2) persons.

4. Kitchen: An SRO unit may have no kitchen, a partial kitchen or full kitchen facilities. A full kitchen includes a sink, a refrigerator and a stove, range top or oven. A partial kitchen is missing at least one of these appliances. If a full kitchen is not provided, common kitchen facilities must be provided with at least one (1) full kitchen per floor.

5. Bathroom: An SRO unit is required to have a partial bathroom or may contain full bathroom facilities. A partial bathroom facility must have at least a toilet and sink; a full facility must have a toilet, sink, bathtub, shower or bathtub/shower combination. If a full bathroom is not provided, common bathroom facilities must be provided in accordance with the California Building Code for congregate residences with at least one (1) full bathroom per floor that is accessible from a common area or hallway.

6. Closet: Each SRO unit must have a separate closet.

7. Common Area: An SRO building must provide a minimum of two hundred (200) square feet of interior common space plus four additional square feet per SRO unit.

8. Maintenance Facilities: An SRO building must provide a common cleaning supply room or utility closet with a wash sink having hot and cold running water on every floor.

9. Trash Enclosure: An SRO building must provide a trash enclosure to the minimum requirements of section 9-1I-3 this code.

10. Existing Structures: An existing structure may be converted to an SRO building subject to compliance with the provisions of this section.

C. Parking:

1. Vehicular Parking: One (1) off-street parking space must be provided per four SRO units plus an additional one (1) space for the on-site manager, all in a manner consistent with 9-1E of this code.

2. Bicycle Parking: A minimum of one (1) bicycle parking space must be provided for every four (4) SRO units, or an alternate number may be approved by the director.

D. Management:

1. Facility Management: An SRO building with nine (9) units or less must provide a management office on the premises. An SRO building with ten (10) units or more must provide for a resident manager on the premises.

2. Management Plan: A management plan must be submitted with the application to develop or operate an SRO building. The management plan must address planned management and operation of the facility, rental procedures, safety and security of residents and building maintenance. The management plan must be approved by the director prior to occupancy or operation of the SRO building.

E. Business License: The agency or organization operating the SRO building must obtain a city business license before commencing operation. The application submittal requirements must include, but not be limited to, a completed city business license application subject to the provisions of Title 5 of this Code, a written management plan, and letter-sized copies of the site plan and floor plan. (Ord. 19-1036)

9-1T-5: EMERGENCY SHELTERS:

The provisions of this section are intended to provide opportunities for the development of temporary shelters for the homeless and specific populations of the homeless.

A. Location: An emergency shelter will be permitted to locate in the CSP-MU-B and CSP-CC zones only along Rosemead Boulevard between Las Tunas Drive and Broadway, subject to approval of a site plan review pursuant to article 9-1C of this code before commencing operation.

B. Concentration of Emergency Shelters: No more than one (1) emergency shelter will be permitted to locate within a radius of three hundred feet (300') from another emergency shelter.

C. Standards of Development:

1. Maximum Capacity: An emergency shelter will contain a maximum of thirty (30) beds and must serve no more than thirty (30) homeless persons at the same time.

2. Interior Intake Space: An emergency shelter must provide an interior waiting and intake area which contains a minimum of two hundred (200) square feet. No exterior waiting area will be allowed on or off the premises.

3. Common Facilities: An emergency shelter must provide common areas with common facilities including, but not limited to, a central kitchen, dining room, laundry room, and a common gathering area.

4. Open Space: An emergency shelter must provide adequate outdoor open space area with landscaping. All open spaces must be fenced and not visible from Rosemead Boulevard.

5. Lighting: An emergency shelter must provide adequate external lighting for security purposes. The lighting must be stationary, directed away from adjacent properties and public rights-of-way, and with brightness or glare controlled to be compatible with the neighborhood.

6. Maintenance Facilities: An emergency shelter must provide a utility closet for storage of cleaning supplies and equipment, and with a wash sink having hot and cold running water.

7. Trash Enclosure: An emergency shelter must provide a trash enclosure to the minimum requirements of the R-3 zone.

D. Parking: An emergency shelter must provide one off street parking space for every ten (10) beds plus one (1) off-street parking space per each employee and agency vehicle, all in a manner consistent with article 9-1E of this code.

E. Management: The agency or organization operating the shelter must comply with the following requirements:

1. Duration of stay by residents must be limited to a maximum of six (6) months.

2. Supportive services must be provided to assist residents to obtain permanent shelter and income. Such services must be provided at no cost to tenants.

3. The agency or organization operating the emergency shelter must have a written management plan including, as applicable, provisions for staff training, neighborhood outreach, admittance hours, security, screening of residents to ensure compatibility with services provided at the facility, and for training, counseling, and treatment programs for tenants.

4. Emergency shelters must provide for an onsite resident manager, an onsite management office and security during all hours of operation.

F. Business License: The agency or organization operating the emergency shelter must obtain a city business license before commencing operation. The application submittal requirements must include, but not be limited to, a completed city business license application subject to the provisions of Title 5 of this Code, a written management plan, and letter-sized copies of the site plan and floor plan. (Ord. 13-972; amd. Ord. 19-1036)

9-1T-6: ADULT ORIENTED BUSINESS:

A. Definitions: As used in this section, the following words or terms have such meanings herein ascribed to them:

ADULT ORIENTED BUSINESSES:	Any one (1) of the following:
Adult Arcade:	An establishment where, for any form of consideration, one (1) or more still or motion picture projectors, or similar machines, for viewing by five (5) or fewer persons each, are used to show films, computer generated images, motion pictures, videocassettes, slides or other photographic reproductions thirty percent (30%) or more of the number of which are distinguished or characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas.
Adult Bookstore:	An establishment that has thirty percent (30%) or more of its stock in books, magazines, periodicals or other printed matter, or of photographs, films, motion pictures, videocassettes, slides, tapes, records or other form of visual or audio representations which are distinguished or characterized by an emphasis upon the depiction or description of specified sexual activities and/or specified anatomical areas.
Adult Cabaret:	A nightclub, restaurant, or similar business establishment which: 1) regularly features live performances which are distinguished or characterized by an emphasis upon the display of specified anatomical areas or specified sexual activities; and/or 2) which regularly features persons who appear seminude; and/or 3) shows films, computer generated images, motion pictures, videocassettes, slides, or other photographic reproductions thirty percent (30%) or more of the number of which are distinguished or characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas.
Adult Hotel/Motel:	A hotel or motel or similar business establishment offering public accommodations for any form of consideration which: 1) provides patrons with closed circuit television transmissions, films, computer generated images, motion pictures, videocassettes, slides, or other photographic reproductions thirty percent (30%) or more of the number of which are distinguished or characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas; and 2) rents, leases, or lets any room for less than a six (6) hour period, or rents, leases, or lets any single room more than twice in a twenty-four (24) hour period.
Adult Motion Picture Theater:	A business establishment where, for any form of consideration, films, computer generated images, motion pictures, videocassettes, slides or similar photographic reproductions are shown, and thirty percent (30%) or more of the number of which are distinguished or characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas.
Adult Theater:	A theater, concert hall, auditorium, or similar establishment which, for any form of consideration regularly features live performances which are distinguished or characterized by an emphasis on the display of specified anatomical areas or specified sexual activities.
Modeling Studio:	A business which provides, for pecuniary compensation, monetary or other consideration, hire or reward, figure models who, for the purposes of sexual stimulation of patrons, display "specified anatomical areas" to be observed, sketched, photographed, painted, sculpted or otherwise depicted by persons paying such consideration. "Modeling studio" does not include schools maintained pursuant to standards set by the State Board of Education. "Modeling studio" further does not include a studio or similar facility owned, operated, or maintained by an individual artist or group of artists, and which does not provide, permit, or make available "specified sexual activities".
CHURCH:	A structure which is used primarily for religious worship and related religious activities.
DISTINGUISHED OR CHARACTERIZED BY AN EMPHASIS UPON:	The dominant or essential theme of the object described by such phrase. For instance, when the phrase refers to films "which are distinguished or characterized by an emphasis upon" the depiction or description of specified sexual activities or specified anatomical areas, the films so described are those whose dominant or predominant character and theme are the depiction of the enumerated sexual activities or anatomical areas. See <i>Pringle v. City of Covina</i> , 115 Cal.App.3 151 (1981).

ESTABLISHMENT OF AN ADULT ORIENTED BUSINESS:	Any of the following: 1. The opening or commencement of any adult oriented business as a new business; 2. The conversion of an existing business, whether or not an adult oriented business, to any adult oriented business defined herein; 3. The addition of any of the adult oriented businesses defined herein to any other existing adult-oriented business; or 4. The relocation of any such adult oriented business.
JUICE BAR (And Other Places Dispensing Food Or Drink):	Any food or beverage establishment where the persons owning or employed in the preparation or dispensation of such food or beverage appears before (or is discernable by) the patrons of such establishment as being nude, seminude or exhibiting the specified anatomical features, as described herein.
REGULARLY FEATURES:	With respect to an adult theater or adult cabaret means a regular and substantial course of conduct. The fact that live performances which are distinguished or characterized by an emphasis upon the display of specified anatomical areas or specified sexual activities occurs on two (2) or more occasions within a thirty (30) day period; three (3) or more occasions within a sixty (60) day period; or four (4) or more occasions within a one hundred eighty (180) day period, must to the extent permitted by law be deemed to be a regular and substantial course of conduct.
SCHOOL:	Any child or day care facility, or an institution of learning for minors, whether public or private, offering instruction in those courses of study required by the California Education Code and maintained pursuant to standards set by the State Board of Education. This definition includes a nursery school, kindergarten, elementary school, middle or junior high school, senior high school, or any special institution of education, but it does not include a vocational or professional institution of higher education, including a community or junior college, college, or university.
SEMINUDE:	A state of dress in which clothing covers no more than the genitals, pubic region, buttocks, areola of the female breast, as well as portions of the body covered by supporting straps or devices.
SPECIAL HEARING OFFICER:	The city manager of this city or his designee.
SPECIFIED ANATOMICAL AREAS:	Any of the following: 1. Less than completely and opaquely covered human: a. Genitals or pubic region; b. Buttocks; and c. Female breast below a point immediately above the top of the areola; 2. Human male genitals in a discernibly turgid state, even if completely and opaquely covered; 3. Any device, costume or covering that simulates any of the body parts included in subsection 1 or 2 of this definition.
SPECIFIED SEXUAL ACTIVITIES:	Any of the following, whether performed directly or indirectly through clothing or other covering: 1. The fondling or other erotic touching of human genitals, pubic region, buttocks, anus, or female breast; 2. Sex acts, actual or simulated, including intercourse, oral copulation, or sodomy; 3. Masturbation, actual or simulated; 4. Excretory functions as part of or in connection with any of the other activities described in subsections 1 through 3 of this definition.

B. Locational Criteria and Minimum Proximity Requirements: An adult oriented business may be established or located in the Mixed-Use Low zone of Industrial zone subject to certain distances of certain specified land uses or zones as set forth below:

1. No such business will be permitted within six hundred feet (600') of a public or private school for the academic education of children or minors under the age of eighteen (18) or a church.
2. No such business will be permitted within three hundred feet (300') of residentially zoned property or property used for residential purposes.
3. No such business will be permitted within three hundred feet (300') of premises selling alcoholic beverages.
4. No such business will be permitted within one thousand feet (1,000') of another such adult oriented business.
5. The distances set forth above will be measured from the external property boundaries of the property upon which the adult oriented business is located to the nearest property line or lines of the property so zoned or used without regard to intervening structures or parcels or rights-of-way.
6. The above locational criteria apply in all applicable zones, except Industrial zoned properties, south of Lower Azusa Road and east of Miller Drive.
7. The city council recognizes the constitutional limitation of completely barring such businesses from the entire city. In the event, a court of final resort finds that these regulations improperly limit the siting of such activities, then the council declares that if a court orders more siting locations, properties abutting the streets known as Las Tunas Drive and Temple City Boulevard must be the last areas to be opened for such activities.

C. Amortization Of Nonconforming Adult Oriented Business Uses: Any use of real property existing on the date of the acceptance of this section, which does not conform to the provisions of subsection D of this section, but which was constructed, operated, and maintained in compliance with all previous regulations, will be regarded as a nonconforming use which may be continued for three (3) years after the effective date hereof. On or before such date, all such nonconforming uses must be terminated unless an extension of time has been approved by the special hearing officer in accordance with the provisions of subsection F of this section.

1. Abandonment: Notwithstanding the above, any discontinuance or abandonment of the use of any lot or structure as an adult oriented business will result in a loss of legal nonconforming status of such use.
2. Amortization; Annexed Property: Any adult oriented business which was a legal use at the time of annexation of the property and which is located in the city, but which does not conform to the provisions of subsection D of this section will be terminated within one (1) year of the date of annexation unless an extension of time has been approved by the special hearing officer in accordance with the provisions of subsection F of this section.

D. Extension of Time for Termination of Nonconforming Use: The owner or operator of a nonconforming use as described in subsection E of this section may apply under the provisions of this subsection F to the special hearing officer for an extension of time within which to terminate the nonconforming use.

1. Time And Manner Of Application: An application for an extension of time within which to terminate a use made nonconforming by the provisions of subsection E of this section, may be filed by the owner of the real property upon which such use is operated, or by the operator of the use. Such an application must be filed with the special hearing officer at least ninety (90) days but no more than one hundred eighty (180) days prior to the time established in subsection E of this section for termination of such use.

2. Content of Application; Fees: The application must state the grounds for requesting an extension of time. The filing fee for such application must be the same as that for a variance as is set forth in the schedule of fees established by resolution from time to time by the city council.

3. Special Hearing Procedure: The city manager will appoint a special hearing officer to hear such applications. The Hearing Officer will set the matter for hearing within fifteen (15) days of receipt of the application. All parties involved will have the right to offer testimonial, documentary and tangible evidence bearing on the issues; may be represented by counsel; and will have the right to confront and cross examine witnesses. Any relevant evidence may be admitted that is the sort of evidence upon which reasonable persons are accustomed to relying in the conduct of serious affairs. Any hearing under this subsection D may be continued for a reasonable time for the convenience of a party or a witness. The decision of the hearing officer will be final and subject to judicial review pursuant to Code of Civil Procedure section 1094.5 or 1094.6.

4. Approval of Extension; Findings: An extension under the provisions of this subsection F will be for a reasonable period of time commensurate with the investment involved, and will be approved only if the special 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 prior to adoption of this chapter.

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 subsection D of this section. (Ord. 19-1036)

9-1T-7: MINI-MALLS:

A. Definition:

MINI-MALL:	A commercial center consisting of two (2) or more commercial units or business on a freestanding (self-contained) development site of less than sixty-five thousand (65,000) square feet of land area with parking situated between the building or a portion of the building and the street. For purposes of defining a mini mall, a freestanding (self-contained) development consists of any commercial center which does not have reciprocal parking and/or reciprocal vehicular access with any other abutting or adjoining site.
------------	--

B. Development Standards for Mini-Malls:

1. Any development site with eighteen thousand (18,000) square feet of land area or less must be limited to no more than two (2) commercial units or businesses.

2. The minimum size of a commercial unit in any mini-mall development project must be one thousand (1,000) square feet of gross floor area.

3. Parking will be required based upon use, occupancy, gross floor area and number of individual units; provided, however, that no less than seven (7) parking spaces shall be provided per commercial unit or business on the street (ground) level. Parking requirements for a second story and subsequent stories shall be regulated by provisions of this section of the zoning code based upon the proposed use, occupancy, gross floor area and number of individual units.

4. Any mini-mall development project shall be subject to a conditional use permit.

5. A traffic report by a registered traffic engineer shall be conducted and shall be submitted in conjunction with any proposed mini-mall use.

6. Any proposed mini-mall development shall be consistent with and complementary to the surrounding neighborhood to assure preservation of neighborhood character and ambiance.

a. Landscaping:

(1) Ten percent (10%) of all parking areas shall be devoted to landscaped open space. Landscape plans shall be prepared by a licensed architect or landscape contractor.

(2) To buffer surface parking areas from adjacent sidewalks and/or parkways, a five-foot-wide landscaped area shall be provided. Said landscaping may consist of a landscaped berm, hedge or similar planting material. Hardscape or decorative block materials shall not constitute landscaping.

(3) All landscaped areas shall be improved with an irrigation system. Said irrigation system shall consist of an automatic drip system or similar water conservation apparatus.

(4) Shade producing trees shall be planted in all parking areas at a ratio of one twenty-four-inch (24") box size tree for every four (4) parking spaces.

b. Maintenance:

(1) The exterior condition of all properties, including, but limited to, parking areas, exterior walls or landscaped areas shall always be maintained in the state of good repair.

(2) Maintenance of landscaped areas shall include the continuous operations of watering, removal of weeds, mowing, trimming, edging, cultivation, reseeding, plant replacement, fertilization, spraying, control of pests, insects and rodents, or other operations necessary to ensure normal plant growth.

(3) When a new commercial development is approved, a covenant and agreement shall be signed by the owner ensuring the continuous maintenance of the premises regardless of future ownership.

c. Signage: No roof signs shall be permitted. All other signage shall be governed by the zoning code.

d. Security: Adequate security measures shall be incorporated into the design for a commercial center to ensure a reasonable level of safety.

e. Public Notices: Public notices for any public hearing shall be mailed to all property owners within five hundred feet (500') of the subject site. (Ord. 19-1036)

9-1T-8: FIREWORK STANDS:

A. Fireworks stands shall be permitted on any non-residentially zoned site or any public-school site with frontage on a primary street as designated on the adopted general plan.

B. Fireworks stand staging areas/distribution points shall be prohibited in any zone. (Ord. 19-1036)

9-1T-9: LARGE FAMILY DAYCARE HOMES:

(Rep. by Ord. 20-1047)

9-1T-10: MARIJUANA FACILITIES AND ACTIVITIES:

A. Definitions: The words, phrases, and terms used in this section shall have the following meanings for the purposes of this section only:

ACCESSORY STRUCTURE:	A detached non-habitable structure that is fully enclosed with walls for all perimeters of the building, including, without limitation, a storage shed located on the same legal parcel as a private residence.
COMMERCIAL MARIJUANA ACTIVITY:	The cultivation, possession, manufacture, distribution, processing, storing, laboratory testing, labeling, transportation, or sale of marijuana and marijuana products for commercial purposes, whether or not conducted with a license issued in accordance with division 10 of the Business and Professions Code.
CULTIVATE OR CULTIVATION:	Any activity involving the planting, growing, harvesting, drying, curing, grading, or trimming of marijuana.
ESTABLISH OR OPERATE:	Means and includes any of the following involving marijuana: the opening, commencement, conversion of an existing business, facility, use, establishment, or location, or the addition to any other existing business, facility, use, establishment or location, for marijuana purposes as set forth in this section.
LEGAL PARCEL:	Any parcel of real property that may be separately sold in compliance with the Subdivision Map Act.
MANUFACTURE:	The commercial production, preparation, propagation, or compounding of marijuana or marijuana products either directly or indirectly or by extractions and chemical synthesis at a fixed location that packages or repackages marijuana or marijuana products or labels or re-labels its container.
MARIJUANA:	All parts of the plant cannabis, whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. It includes marijuana infused in foodstuff. It does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except resin extracted therefrom), fiber, oil, or cake, or the sterilized seeds of the plant that are incapable of germination. Marijuana does not include: <ol style="list-style-type: none"> 1. Industrial hemp, as defined in Health and Safety Code section 11018.5; or 2. The weight of any other ingredient combined with marijuana to prepare topical or oral administrations, food, drink or other product. The terms marijuana and cannabis shall be synonymous and have the same meaning.
MARIJUANA CULTIVATION FACILITY:	Any business, facility, use, establishment, or location where the cultivation of marijuana occurs.
MARIJUANA PRODUCTS:	Marijuana that has undergone a process whereby the plant material has been transformed into a concentrate, including, but not limited to, concentrated cannabis, or an edible or topical product containing marijuana or concentrated cannabis and other ingredients.
MEDICAL MARIJUANA:	Marijuana used for medical purposes where that medical use is deemed appropriate and has been recommended by a physician who has determined that the person's health would benefit from the use of marijuana in the treatment of acquired immune deficiency syndrome ("AIDS"), anorexia, arthritis, cancer, chronic pain, glaucoma, migraine, spasticity, or any other serious medical condition for which marijuana is deemed to provide relief as defined in subsection (h) of Health and Safety Code section 11362.7.
MEDICAL MARIJUANA DISPENSARY:	Any business, facility, use, establishment or location, whether fixed or mobile, where medical marijuana is made available to, delivered to and/or distributed by or to three (3) or more of the following: a "primary caregiver", "a qualified patient", or a person with an "identification card", as these terms are defined in California Health and Safety Code section 11362.5 and following. A "medical marijuana dispensary" does not include the following uses, as long as the location of such uses are otherwise regulated by this code or applicable law: a clinic licensed pursuant to chapter 1 of division 2 of the Health and Safety Code, a healthcare facility licensed pursuant to chapter 2 of division 2 of the Health and Safety Code, a residential care facility for persons with chronic life threatening illness licensed pursuant to chapter 3.01 of division 2 of the Health and Safety Code, a residential care facility for the elderly licensed pursuant to chapter 3.2 of division 2 of the Health and Safety Code, a residential hospice, or a home health agency licensed pursuant to chapter 8 of division 2 of the Health and Safety Code, as long as any such use complies strictly with applicable law including, but not limited to, Health and Safety Code section 11362.5 and following.

NON-MEDICAL MARIJUANA FACILITY:	Any building, facility, use, establishment, property, or location where any person or entity establishes, commences, engages in, conducts, or carries on, or permits another person or entity to establish, commence, engage in, conduct, or carry on, any activity that requires a State license or nonprofit license under Business and Professions Code sections 26000 and following, including, but not limited to, marijuana cultivation, marijuana distribution, marijuana transportation, marijuana storage, manufacturing of marijuana products, marijuana processing, the sale of any marijuana or marijuana products, and the operation of a marijuana microbusiness.
OUTDOOR:	Any location within the City of Temple City that is not within a fully enclosed structure. Open patio covers or partially enclosed patio covers shall be considered "outdoor" for the purposes of this section.
PREMISES:	A single, legal parcel of property. Where contiguous legal parcels are under common ownership or control, such contiguous legal parcels shall constitute a single "premise" for purposes of this section.
PRIVATE RESIDENCE:	A legally existing house, apartment unit, mobile home, or other similar dwelling. A legally existing accessory structure located on the same legal parcel as a private residence shall be considered a part of that private residence.
RESIDENTIAL STRUCTURE:	Any building or portion thereof legally existing which contains living facilities, including provisions for sleeping, eating, cooking and sanitation on a premises or legal parcel located within a zoning district authorizing such use and which may be legally occupied by persons.

B. Prohibited Activities:

1. Medical marijuana dispensaries and non-medical marijuana facilities are prohibited in all zones in the city and shall not be established or operated anywhere in the city.
2. Except for personal marijuana cultivation in a private residence per subsections E through G of this section, marijuana cultivation and marijuana cultivation facilities are prohibited in all zones in the city and shall not be established or operated anywhere in the city.
3. Commercial marijuana activities are prohibited in all zones in the city and shall not be established or operated anywhere in the city.
4. No person may own, establish, open, operate, conduct, or manage any marijuana dispensary, non-medical marijuana facility, or marijuana cultivation facility in the city, or be the lessor of property where a marijuana dispensary, non-medical marijuana facility, or marijuana cultivation facility is located. No person may participate as an employee, contractor, agent, volunteer, or in any manner or capacity in any marijuana dispensary, non-medical marijuana facility, or marijuana cultivation facility in the city.
5. No use permit, site development permit, tentative map, parcel map, variance, grading permit, building permit, building plans, zone change, business license, certificate of occupancy or other applicable approval will be accepted, approved or issued for the establishment or operation of a marijuana dispensary, non-medical marijuana facility, or marijuana cultivation facility.
6. No person or entity may deliver or transport marijuana from any fixed or mobile location, either inside or outside the city, to any person or location in the city, except that a person may deliver or transport medical marijuana to a qualified patient or person with an identification card, as those terms are defined in Health and Safety Code section 11362.7, for whom he or she is the primary caregiver within the meaning of Health and Safety Code sections 11362.5 and 11362.7(d).
7. Nothing contained in this section shall be deemed to permit or authorize any use or activity which is otherwise prohibited by any state or federal law.

C. Enforcement: The city may enforce this section in any manner permitted by law. The violation of this section shall be and is hereby declared to be a public nuisance and contrary to the public interest and shall, at the discretion of the city, create a cause of action for injunctive relief.

D. Personal Marijuana Cultivation: Personal marijuana cultivation may only be conducted within private residences, and in compliance with subsections E through G of this section, and state law.

1. It shall be unlawful and a public nuisance for any person twenty- one (21) years of age or older who owns, leases, occupies, or has charge or possession of any private residence within any zoning district in the City of Temple City to cultivate marijuana for personal use except as provided for in subsections E through G of this section.
2. It shall be unlawful and a public nuisance for any person under twenty-one (21) years of age to cultivate marijuana.

E. Indoor Marijuana Cultivation in a Private Residence: the following is required before marijuana may be cultivated within a private residence.

1. **Plant Limitation:** Not more than a total of six (6) living marijuana plants may be planted, cultivated, harvested, dried, or processed inside a single private residence or inside an accessory structure located on the grounds where the private residence is located, at any one time.
2. **Residency Requirement:** Any person who cultivates marijuana for personal use shall reside full-time on the premises where the marijuana cultivation occurs.
3. **Location and Use:**
 - a. Primary residential structures used for marijuana cultivation shall always remain a residence, with legal and functioning cooking, sleeping, and sanitation facilities, with proper ingress and egress.
 - b. Cultivation shall not be permitted in rooms when it impedes the room's primary use, such as cooking of meals, sleeping, and bathing.
 - c. Any room or area being converted for the purposes of cultivating marijuana shall receive planning and building approval, and shall comply with all applicable Building, Mechanical, Electrical, Plumbing, and Fire Codes.
 - d. Cultivation shall not occur in carpeted areas or other areas deemed hazardous by the city's building official.
 - e. Cultivation shall be limited to a cumulative area totaling up to fifty (50) square feet.
 - f. Marijuana cultivation shall not occur in a garage that is required by this title. All required garage parking spaces must remain free and clear of marijuana cultivation equipment or living marijuana plants.
 - g. Any person who cultivates marijuana for personal use shall reside full-time on the premises where the marijuana cultivation occurs.
 - h. The private residence shall not be used primarily for marijuana cultivation.
 - i. A renter seeking to cultivate marijuana shall have written consent from the property owner.
 - j. Personal marijuana cultivation shall not be allowed in a residence if any of the following activities also occur on the premises - childcare center, community care facility, daycare center, youth center, group home, or any other facility caring for children that do not allow the cultivation of marijuana by law or policy.

- k. Marijuana cultivation lighting shall not exceed a total of one thousand two hundred (1,200) watts for the cultivation area within the private residence.
 - l. The indoor use of generators and/or the indoor use of gas products, including, without limitation, carbon dioxide, butane, propane, and natural gas shall be prohibited for the cultivation of marijuana.
 - m. Marijuana cultivation shall not be conducted in such a manner as to emit detrimental odor outside of the private residence.
 - n. Marijuana cultivation shall require proper ventilation to prevent mold damage and to prevent marijuana odors or particles from being a public nuisance.
 - o. Marijuana cultivation shall not be hazardous due to use or storage of materials, processes, and products or wastes.
 - p. Marijuana cultivation shall not create dust, glare, heat, noise, smoke, traffic, vibration, or other impacts deemed a public nuisance.
 - q. Not more than a total of six (6) living marijuana plants may be planted, cultivated, harvested, dried, or processed inside a single private residence and/or inside an accessory structure located on the grounds where the private residence is located, at any one time.
 - r. Marijuana cultivation activities, including marijuana plants and equipment, shall not be allowed on balconies, patios, porches, and the like.
 - s. Marijuana cultivation activities, including marijuana plants and equipment, shall not be visible from the public right-of-way, private driveway, or fire lane.
4. Access and Security:
- a. Marijuana cultivation areas shall have an adequate mechanical locking or electronic security system installed prior to marijuana cultivation.
 - b. Marijuana cultivation areas shall always remain secure and shall not be accessible to persons under twenty-one (21) years of age.
 - c. The living marijuana plants and any marijuana produced by the plants in excess of 28.5 grams shall be kept within the private residence or accessory structure located upon the premises, in a locked space, and not visible by normal unaided vision from a public view.

F. Outdoor Marijuana Cultivation: It shall be unlawful and a public nuisance for any person owning, leasing, occupying, or having charge or possession of any legal parcel or premises within any zoning district in the City of Temple City to cause, or allow such parcel or premises to be used for, the outdoor cultivation of marijuana or marijuana products. (Ord. 19-1036)

9-1T-11: WIRELESS COMMUNICATION FACILITIES:

A. Applicability: The design and installation provision set forth herein are applicable to all new wireless communication facilities (WCF) within the City of Temple City, not located within or over a public right-of-way.

B. Definitions:

ANTENNA:	One or more rods, poles, panels, disks, or similar devices used for the transmission or reception of radio frequency signals. This definition includes omnidirectional antennas (whips), directional antennas (panels), and parabolic antennas (disks).
ANTENNA, BUILDING FACADE MOUNTED:	A flat panel installed by flush mounting the antenna to the building's facade and painting it to match the wall's color and texture. In some cases, the antenna is incorporated into or hidden by one of the structure's design elements.
ANTENNA, FLAGPOLE:	A slim line monopole with a flag attached. It has a thicker diameter than a typical flagpole.
ANTENNA, LATTICE POWER LINE TOWER:	This design takes advantage of the existing lattice power transmission towers used by utility companies.
ANTENNA, LIGHT STANDARD FLUSH MOUNTED:	Usually found at sports fields with ballpark lighting. The antenna panels are mounted near the pole and under the lights. However, antennas can also be placed within a stealth cylinder on top of a light standard.
ANTENNA, LOLLYPOP:	Consists of a thin pole that holds a panel antenna. Employed in open space or below the ridgeline in canyons or areas of hilly terrain. Sometimes the antenna is blended with faux or natural vegetation.
ANTENNA, MONOBROADLEAF:	Mimics a broadleaf tree to hide antennas, using the same monopole structure.
ANTENNA, MONOPALM:	Covers a monopole design with palm fronds and a growth pod to hide the cell site's antennas.
ANTENNA, MONOPINE:	Similar to a monopole design pole with simulated bark covering, in addition to simulated branches and pine needles.
ANTENNA, MONOPOLE:	A tall pole topped with a triangular structure to mount the antenna array. This is one of the earlier design types used for wireless communications facilities.
ANTENNA, SATELLITE EARTH STATION:	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.
ANTENNA, SLIM LINE MONOPOLE:	A slender pole mounted with a four (4) to six (6)-foot-high radome that has an eighteen (18) to twenty four (24) inches diameter to conceal the antennas.
ANTENNA, STEALTH INSTALLATION:	In addition to monopine, monopalm, and monobroadleaf, can include faux chimneys, rooftop screen walls, steeples, clock towers, and faux water tanks.
ANTENNA, WATER TANK:	Uses a preexisting, aboveground structure to attach facade mounted antennas.
ANTENNA, WHIP:	A thin metal/fiberglass pole that serves as a receiving and transmitting device. Typically measures 18 inches to 10 feet in length and 0.5 inch to four inches in diameter. Typically installed on fire department buildings, police department buildings, and city maintenance facilities.
COLLOCATION:	The sharing of a wireless communication facility by two (2) or more wireless communication service providers.

INSTITUTIONAL:	Includes churches, temples and other places of religious worship; educational institutions; government facilities; lodges, meeting halls and social clubs; and parks and playgrounds. This does not include residential uses, community care facilities (large and small), modular homes, supportive housing, transitional housing, commercial off-street parking spaces, homes for the aged, hospitals, nursery schools, daycare centers, and psychiatric hospitals.
RADOME:	An enclosure made of radio frequency-transparent materials used to screen and/or protect wireless communication antennas.
WIRELESS COMMUNICATION FACILITY:	For purposes of this article, a wireless communications facility is any unstaffed facility for the transmission and/or reception of wireless telecommunication services, usually consisting of an antenna array, connection cables, an equipment enclosure or facility, and a tower structure or other building or structure used to achieve the necessary elevation.

C. Types Of Wireless Communication Facilities Permitted In Designated Zone Districts: No person may place, affix, attach, mount, construct, erect, install, develop, use, operate and maintain, or modify a wireless facility, wireless transmission device, support structure and/or accessory equipment within the city without meeting the permitting requirements in the table below. Notwithstanding the foregoing, administrative collocation may be allowed as approved in subsection J of this section.

Type of Wireless Facility	R-Zone	M Zone	OS/FC Zones	CSP Zones	NC Zone	LTC Zone	DC Zone	MU- L Zone	MU- M Zone
Building Façade Mounted	C1	S		S	S	S	S	S	S
Flagpole		C	C	C	C	C	C	C	C
Lattice power line tower		C	C	C	C	C	C	C	C
Light standard flush mounted	C1	C	C	C	C	C	C	C	C
Lollypop									
Monopole									
Monopole	C1	C			C	C			
Satellite Earth Station (≤1m in dia.)	P	P	P	P	P	P	P	P	P
Satellite Earth Station (>1m and <2m in dia.)		C		C	C	C	C	C	C
Satellite Earth Station (≥2m in dia.)		C		C	C	C	C	C	C
Slim line monopole		S			S	S			S
Stealth installation antenna	C1	S	C	S	S	S	S	S	S
Water tank									
Whip (>18 in. in length)	P	P	P	P	P	P	P	P	P
Whip									
(>18 in. and <60 in. in length)	C	P	C	P	P	P	P	P	P
Whip									
(≥60 in. in length)		C							
Legend: C = Conditional Use Permit; P = Permitted, no reviews; S = Site plan review, minor; ZC = Zoning Clearance; Blank = Prohibited									
Note: 1. The applicable type of wireless communication facility is allowed, with the appropriate entitlement, only on sites where the primary use is institutional.									

D. Design Standards: The city shall apply the following design standards to all proposed wireless communications facilities:

1. Building Facade Mounted Antenna:

- An antenna less than 1.5 square feet in surface area that is mounted to a building facade shall be treated to match or complement the existing facade's color and texture. Such antenna shall be mounted flush to the building or with low profile brackets, as well as skirted. The antenna's profile shall not extend more than twelve inches (12") outward from the building facade, and shall not extend above the height of the facade.
- An antenna with a surface area greater than 1.5 square feet that is mounted on any commercial building's facade shall be fully screened using materials that match the existing facade's color and texture.
- Antenna screening systems shall be architecturally integrated with the building to the greatest possible extent.
- Antenna screens shall be fully enclosed to prevent birds from nesting in the screen structures.
- The facade mounted antennas and screening shall not extend above the parapet and must be designed to the minimum feasible depth.
- The structure's walls, conduits, chases, or concealment type devices that are integrated into the building's architecture shall hide all coaxial cables to the greatest possible extent. All exposed cable shall be painted to match the underlying surface.
- Antennas shall not extend above the height of the parapet. Installations proposing antennas greater than the height of the parapet shall be designed as a stealth installation.

2. Flagpole Antenna:

- Flagpoles, not exceeding fifty-five feet (55') in height with the antenna concealed inside the pole, are allowable in conjunction with commercial or industrial uses.
- The radome must not exceed an eighteen-inch (18") diameter.
- The poles must be able to fly flags. U.S. flags that are not removed every day at sunset must be appropriately lit.
- The pole diameters shall be the minimum necessary to meet engineering requirements to accompany and conceal the inner coaxial cabling.
- Different carriers' antennas should be distributed on multiple flagpoles to minimize the poles' overall diameter.

3. Lattice Power Line Tower Antenna:
 - a. No new lattice towers shall be allowed.
 - b. Collocation on existing power line towers may be allowed subject to city approval.
 - c. Antennas should be mounted to the vertical portion of the structure, using low profile mounting brackets.
 - d. All pipe mounts must be concealed behind the antenna. The accompanying coaxial cables shall be run inside the tower structure.
 - e. Accompanying communications equipment shall be located under or close to the tower structure. The equipment shall be enclosed by an appropriate screening wall.
4. Light Standard Flush Mounted Antenna:
 - a. An allowable light standard antenna shall be a low profile/flush mounted antenna with a maximum height of thirty-five feet (35') measured from the existing grade to the top of the antenna.
 - b. The antenna shall be painted to match the light standard, and all cables shall be concealed within the light standard.
 - c. The radome shall not exceed eighteen inches (18") in diameter and six and one-half feet (6.5') in height above the light pole.
5. Lollypop Antenna:
 - a. A lollypop antenna shall be approved only when other stealth installation types are more intrusive, such as on steep slopes or hillsides. Lollypop antennas are not permitted on buildings.
 - b. Such antennas shall be installed below ridgelines wherever possible to avoid the antennas' profile appearing above a slope top.
 - c. Cross braces between individual antenna poles add additional bulk to the installation and shall be discouraged.
 - d. Antennas and their support poles must be painted the appropriate colors that blend with the surrounding environment.
 - e. In cases where irrigation is available, natural shrubs shall be planted behind lollypop antennas.
 - f. In cases where irrigation is unavailable or impractical, faux shrubs (subject to planning department review) may be installed to conceal antenna arrays.
 - g. All coaxial cables that connect the antennas to their accompanying communications equipment cabinet shall be underground.
 - h. The height from the base of the antenna shall not exceed fifteen feet (15').
6. Monotree Antenna:
 - a. Monobroadleaf Antenna:
 - (1) A monobroadleaf antenna shall be designed for a minimum of two (2) carriers if feasible.
 - (2) The monobroadleaf structure shall exhibit enough branches to conceal all antennas.
 - (3) Branch dispersal shall be random, with intermingled long and short branches, to appear natural.
 - (4) The height of branches shall exceed all antennas by at least twelve inches (12").
 - (5) Branches shall begin a minimum of fifteen feet (15') above the ground.
 - (6) The top of the faux tree shall be a minimum of five feet (5') above the highest antenna.
 - (7) Branch foliage shall reflect varying colored "leaves" to mimic a real broadleaf tree. The foliage shall be extruded in these colors instead of painted. A sample branch with foliage must be submitted for city approval prior to fabrication.
 - (8) A custom colored sample of bark cladding must be submitted for city approval prior to fabrication.
 - (9) Leafed antenna socks that match the approved foliage color must cover all antennas.
 - (10) Antennas shall be mounted using standoff mounts (frame type mounts are unacceptable). Antenna support pipe mounts must be painted a darker shade of green or black with a flat paint finish that reduces reflection and mounting visibility.
 - (11) The tower (trunk) shall conceal all coaxial cables, with access to the antenna through the structure base.
 - (12) The maximum monobroadleaf structure height is forty feet (40').
 - b. Monopalm Antenna:
 - (1) The structure shall be designed for a minimum of two (2) carriers if feasible.
 - (2) The monopalm structure shall exhibit enough palm fronds to simulate a natural palm tree.
 - (3) The antenna shall be concealed within the growth pod and/or the monopalm trunk. The top of the faux tree's palm fronds shall extend a minimum of five feet (5') above the top of the antenna.
 - (4) Frond foliage color shall vary in olive green shades to simulate palm tree colors. A sample palm frond shall be submitted for city approval prior to fabrication.
 - (5) A custom colored sample of bark cladding shall be submitted for city approval prior to fabrication.
 - (6) The tower (trunk) shall conceal all coaxial cables, with access to the antenna through the base of the structure.
 - (7) The maximum monopalm structure height (tower portion) shall be forty feet (40').
 - c. Monopine Antenna:
 - (1) Monopine antennas shall be designed for a minimum of two (2) carriers.
 - (2) Monopine antennas shall have a minimum of 3.1 branches per foot for full density coverage, limiting spacing between the branches. Seventy percent of the branches shall be eight feet (8') or longer.
 - (3) Branch dispersal shall be random, with intermingled long and short branches, to appear natural.
 - (4) Branches shall extend beyond all antennas by at least twelve inches (12").
 - (5) Branches shall begin a minimum of fifteen feet (15') above the ground.
 - (6) The top of the faux tree shall be a minimum of five feet (5') above the highest antenna.
 - (7) Branch foliage must be multicolored with greens and browns, matching those of a natural pine tree. The foliage must be extruded (made from plastic) in these colors instead of painted. A sample shall be submitted for city approval prior to fabrication.

- (8) A bark cladding sample with custom color shall be submitted for city approval prior to fabrication.
- (9) Pine needle antenna socks that match the approved foliage colors shall cover all antennas.
- (10) Antennas shall be mounted using standoff mounts (frame type mounts are unacceptable). Antenna support pipe mounts shall be painted a darker shade of green or black with a flat paint finish that reduces reflection and mounting visibility.
- (11) Coaxial cables shall access the structure through the base.
- (12) The maximum monopine height is forty feet (40').

7. Monopole Antenna:

- a. Not allowed, except as slim line monopoles.
- b. New antenna collocation on existing monopoles requires the approval of a new conditional use permit.

8. Satellite Earth Station Antenna:

a. The following satellite earth station antennas of one (1) meter or less in diameter are permitted as an accessory use in all zone districts and may be installed without a zone clearance or building permit.

(1) An antenna that satisfies all the following criteria: is used to receive direct broadcast satellite service, including direct to home satellite service, or to receive or transmit fixed wireless signals via satellite; is one (1) meter or less in diameter; and does not exceed twelve feet (12') in height as measured from the surface on which it is mounted and does not exceed twelve feet (12') above the height limit of the applicable zone district.

(2) An antenna that satisfies all the following criteria: is used to receive video programming services via multipoint distribution services, including multichannel multipoint distribution services, instructional television fixed services, and local multipoint distribution services, or to receive or transmit fixed wireless signals other than via satellite; is one (1) meter or less in diameter or diagonal measurement; and does not exceed twelve feet (12') in height as measured from the surface on which it is mounted and does not exceed twelve feet (12') above the height limit of the applicable zone district.

(3) An antenna that satisfies all of the following criteria: is used to receive television broadcast signals; is one (1) meter or less in diameter; and does not exceed twelve feet (12') in height as measured from the surface on which it is mounted and does not exceed twelve feet (12') above the applicable height limit of the applicable zone district.

(4) For purposes of this section, the term "fixed wireless signals" means any commercial non-broadcast communications signals transmitted via wireless technology to and/or from a fixed customer location. This term does not include, among other things, A.M. radio, F.M. radio, amateur (ham) radio, or citizens band (CB) radio.

b. A satellite earth station antenna between one (1) and two (2) meters in diameter that satisfies the criteria set forth below is permitted as an accessory use, subject to approval of a conditional use permit, in any zone district where commercial or industrial uses are generally permitted.

(1) The diameter of the antenna is more than one (1) meter and less than or equal to two (2) meters.

(2) The antenna does not exceed twelve feet (12') in height as measured from the surface on which it is mounted and does not exceed twelve feet (12') above the applicable height limit of the zone district.

c. The following safety standards shall apply to all satellite earth station antennas that are greater than one (1) meter in diameter in all zone districts.

- (1) No antenna shall be installed in a manner that impedes normal vehicular or pedestrian circulation.
- (2) Any mast used to elevate an antenna shall be constructed of noncombustible and corrosive resistant materials.
- (3) Antennas must be installed with adequate ground wire to protect against a direct lightning strike.
- (4) Antennas shall be separated from adjacent power lines in accordance with electrical code requirements and other applicable laws.
- (5) Any mast used to elevate an antenna shall be secured by a separate safety wire in a direction away from adjacent power lines and other potential hazards.
- (6) To the extent feasible, all cables, wires, and similar electrical transmission devices associated with the antenna shall be placed underground.
- (7) No antenna or any supporting parts shall encroach into the public right-of-way.
- (8) Antennas shall be maintained in good repair and condition and in compliance with the building code, electrical code, fire code, and other applicable laws.

9. Slim Line Monopole Antenna:

a. Antennas and cables shall be mounted inside the structures. Radomes exceeding eighteen inches (18") in diameter shall not be allowed. Overall monopole height shall not exceed fifty-five feet (55').

b. The structure's coloring shall be light gray, olive green, light blue, or another appropriate color to blend with the antenna's predominant background, as determined through the conditional use permit process.

10. Stealth Installation Antenna:

a. Faux Chimney Antenna:

- (1) Faux chimney antennas may be allowed, depending on the extent of the site application's integration with the existing building's architecture.
- (2) The number, height, width, and depth of the antennas must balance with the existing structure's bulk and scale.

(3) The antenna must not exceed ten feet (10') above the maximum roof height for all level roofed buildings and must not exceed the maximum roof height of a peak roofed building.

b. Rooftop Screen Wall Antenna:

- (1) Antennas must not exceed ten feet (10') above the maximum roof height for level roofed buildings.
- (2) Walls must be set back at least three feet (3') from the roof's edge.
- (3) Walls are required to match or complement the building facade's color and texture.

c. Steeple Antenna:

- (1) Antennas mounted inside existing steeples can utilize the full space.
- (2) Antennas must match the existing structure's color and texture and be fully screened.
- (3) Any modification to the steeple's outward appearance must be integrated with the overall structural design.

(4) New steeple construction on an existing structure must be consistent with the current architectural design and be no more than forty-five feet (45') in height as measured from the existing grade to the top of the steeple.

d. Clock Tower:

(1) A clock tower installation must be appropriate for the location and must be designed for a minimum of two (2) carriers.

(2) The installation is allowed, up to forty-five feet (45') in height, depending on the surrounding environment.

(3) The design must be consistent with the environmental and built setting in which it is located.

(4) In most cases, use of a clock tower stealth antenna shall be limited to institutional sites and commercial projects greater than two acres in size where the clock tower is architecturally consistent with the design of the development and the location on site appears to have been considered with the original development's site plan.

11. Water Tank Antenna:

a. Facade mounted antennas on a water tank structure shall not extend above the top of the tank.

b. Antennas and coaxial cables shall be painted to match the color of the structure.

12. Whip Antenna:

a. Whip antennas eighteen inches (18") or less in length are allowable on any structure in any zone.

b. Antennas greater than eighteen inches (18") but less than sixty inches (60") in length are allowable on any commercial or industrial building provided that the antenna does not exceed the roofline by more than ten feet (10').

c. A whip antenna's base must be set back from the roof's edge by a distance equal to its height.

E. Equipment Location and Screening Systems: All equipment installation types require all coaxial, telephone, and electric cables/wires to be concealed.

1. Equipment Vault: Belowground equipment vaults are encouraged for all wireless installations at park facilities, parking lots, and wireless facilities in the public right of way.

2. Tenant Improvement: Tenant improvement is encouraged for all wireless installations on existing buildings, where enough space is available within the building's interior. If enough space is not available within the existing building structure, equipment room additions are allowed subject to standard building/zoning codes. Equipment room addition design is required to be consistent with the existing building's architecture and must be effectively mitigated with the required landscape setbacks.

3. Prefabricated Equipment Shelter:

a. These shelters are discouraged for most wireless installation applications.

b. Prefabricated equipment shelters can be utilized in commercial areas where the shelter is not visible to any public view.

4. Site Constructed Equipment Shelter: These shelters are encouraged, provided they are architecturally integrated into the surrounding environment. The height of the equipment shelter must not exceed that which is consistent with the adjacent building. Air conditioning condensing units (A/C units) must be located on the ground adjacent to the structure or mounted on the roof. A/C units must be fully screened and must not exceed any applicable noise ordinances. Landscape standards also apply.

5. Outdoor Communications Equipment Cabinet: These cabinets must be located within equipment enclosures (except communications equipment in the public right of way), with sufficiently high walls that completely conceal the equipment cabinets from public view. Equipment enclosures must have lattice type covering to prevent unauthorized access. All city screening and mitigation requirements also apply.

6. Rooftop Equipment Platform:

a. These platforms must be fully screened and, if possible, integrated with a rooftop antenna installation. Equipment screening height must not exceed ten feet (10') above the maximum roof height of level roofed buildings; others are subject to staff review.

b. In evaluating the appropriate design for a particular property, existing uses of the property, landscaping and optimal location of the facility must be considered.

F. Regulation of Facilities:

1. Wireless communication facilities allowable without review and approval of the planning division or issuance of a zoning clearance include the following:

a. In residential zones, a whip antenna of eighteen inches (18") or less in height.

b. In nonresidential zones, a whip antenna of sixty inches (60") or less in height.

c. In all zones, a satellite earth station antenna of one (1) meter or less in diameter.

2. Wireless communication facilities requiring planning division approval of a minor site plan review include the following:

a. Building facade antennas in the I, CSP, NC, LTC, DC, MU-L, and MU-M zones.

b. Slim line monopoles in the I, NC, LTC, and MU-M zones.

c. Stealth installations in the I, CSP, NC, LTC, DC, MU-L, and MU-M zones.

3. Except where prohibited, all other wireless communication antennas require city planning commission approval of a conditional use permit prior to installation.

4. All permitted antennas must comply with the city building code, electrical code, fire code, and other applicable laws.

G. City Use of Consultants: The director may require the applicant to provide an authorization to permit the city to hire an independent, qualified consultant to evaluate any technical aspect of the proposed use, including issues involving radio frequency emissions, alternative designs, and alternative sites. Any authorization for this purpose must include an agreement by the applicant to reimburse the city for all reasonable costs associated with the consultation. Any proprietary information disclosed to the city or the consultant is deemed not to be a public record and must remain confidential and not to be disclosed to any third party without the express consent of the applicant, unless otherwise required by law.

H. Enforcement: The city may withhold the issuance of business licenses, building permits, grading permits, certificates of occupancy, and other land use entitlements and may issue stop work orders for a WCF project failing to comply with the provisions of this article. If any improvements authorized by this article are either rendered unusable or discontinued, the property owner and tenant may be subject to enforcement procedures in compliance with Title 4, "Law Enforcement", of this code.

I. Radio Frequency Emissions Compliance: Upon installation of the facility, the applicant must demonstrate that the project will not result in levels of radio frequency emissions that exceed federal communications commission standards, including FCC office of engineering technology (OET) bulletin 65, "Evaluating Compliance With FCC Guidelines For Human Exposure To Radiofrequency Electromagnetic Fields", as amended. Additionally, if the director determines the wireless telecommunications facility, as constructed, may emit radio frequency emissions that are likely to exceed federal communications commission uncontrolled/general population standards in the FCC office of engineering technology (OET) bulletin 65, "Evaluating Compliance With FCC Guidelines For Human Exposure To Radiofrequency Electromagnetic Fields", as amended, in areas accessible by the general population, the director may require post-installation testing to determine whether to require further mitigation of radio frequency emissions. The cost of any such testing and mitigation must be borne by the applicant. Applications for amateur radio antennas or antennas installed for home entertainment purposes are exempt from this requirement.

J. Collocation: The collocation of antennas on a single support structure is encouraged. This includes collocation with other wireless telecommunications antenna facilities including those of public and quasi-public agencies using similar technology unless specific technical constraints preclude collocation.

1. Wireless Facilities And Wireless Transmission Devices: No person may place, affix, attach, mount, construct, erect, install, develop, use, operate and maintain, or modify a wireless facility, wireless transmission device, support structure and/or accessory equipment within the city without a conditional use permit approved by the planning commission, or the city council in the course of an appeal, following a noticed public hearing on the matter. Notwithstanding the foregoing, administrative collocation may be allowed as approved in subsection J.3 of this section.

2. Collocation - General: No person may collocate a wireless facility or wireless transmission device, including related accessory equipment, without meeting the requirements of subsection C of this section. Notwithstanding the foregoing, administrative collocation is allowed as approved in the following manner.

3. Administrative Collocation: If, following the submission of a completed application form and all required materials, the community development director determines that a proposed collocation qualifies as an "administrative collocation" as defined herein, such proposal does not require a conditional use permit but must be approved by the community development director through the issuance of a zoning clearance permit. The foregoing notwithstanding, an administrative collocation approval must be subordinate and subject to the conditions of approval associated with the wireless telecommunications collocation facility to which it relates and administrative collocation must not defeat the existing concealment elements of the facility to which it relates or otherwise violate or be inconsistent with the conditions associated with the prior approval of the facility to which it relates (unless the inconsistency does not exceed the "substantial change" thresholds identified in federal communications commission regulations or orders). Also, the life of a zoning clearance approval may not exceed the life of the underlying conditional use permit or other underlying discretionary authorization corresponding to the wireless telecommunications collocation facility upon which the proposed wireless transmission device and corresponding accessory equipment will be placed or installed.

K. Justification Study: The applicant must submit a justification study indicating the rationale for selecting the proposed use, a detailed explanation of the coverage gap that the proposed use would serve, and how the proposed use is the least intrusive means for the applicant to provide wireless service.

L. Public Rights-of-Way and Publicly Owned Property: See Title 6, Chapter 4, Article A of this code for regulations on telecommunications facilities and wireless telecommunications facilities in public rights-of-way.

M. Update of Wireless Communications Facility Regulations: As the wireless industry and its services evolve, its equipment will change as well. The WCF regulations will need periodic updates to incorporate the wireless industry's changing environment and the progress made toward "stealth" antennas and equipment. (Ord. 19-1036)

9-1T-12: MESSAGE ESTABLISHMENTS:

A. Applicability: This section applies to message establishments as defined in Title 5, Chapter 2, Article E of this code. This section does not apply to massage therapy provided as an incidental use.

B. Location: Message establishments are permitted in the following zones, subject to approval of a conditional use permit: LTC, NC, MU-L, MU-M zones. The Land Use table in the Crossroads Specific Plan provides for the regulation and location of message uses in that area. Message uses are prohibited in the residential, DC, OS, and M zones.

C. Separation: No message establishment may be located within five hundred feet (500') of another message establishment, as measured from the property lines of the properties on which the message establishments are located.

D. Buffering From R-1 Zone: No message establishment may be located within one hundred feet (100') of a property that is zoned R-1, as measured from the property line of the property on which the message business is located to the property line of the nearest R-1 property. This requirement does not apply to message establishments located on lots with street frontage on Last Tunas Drive between Kauffman Avenue and Baldwin Avenue.

E. Incidental Use: Massage therapy as defined in Title 5, Chapter 2, Article E of this code is permitted as an incidental use in the CSP, DC, LTC, and NC zones subject to either item 1 or 2 below:

1. The massage therapy is incidental to a medical office, state licensed hospital, nursing home, or state licensed physical or mental health facility where the massage therapy is provided exclusively by physicians, surgeons, chiropractors, osteopaths, naturopaths, podiatrists, acupuncturists, physical therapists, registered nurses or vocational nurses duly licensed to practice their respective profession in the state.

2. The massage therapy is incidental to a barbershop, beauty parlor, beauty salon, hair salon, day spa, or nail salon where the massage therapy is provided exclusively by barbers, cosmetologists, estheticians, or manicurists licensed to practice their respective profession under the laws of the state while performing activities within the scope of their license, provided that such massage is limited solely to the neck, face, scalp, feet, hands, arms, and lower limbs up to the knees of their patrons. (Ord. 19-1036)

9-1T-13: ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS:

A. Applicability: Accessory dwelling units are permitted in any zone that allows residential uses and is developed with residential uses. Junior accessory dwelling units are permitted in R-1, R-2, and R-3 zones where there is an existing or proposed single-family dwelling.

B. Application:

1. Ministerial Review: A proposal of an accessory dwelling unit and/or a junior accessory dwelling unit will be reviewed ministerially.

2. Length Of Review:

a. Applications will be approved or denied within sixty (60) days when a complete application is filed for an accessory dwelling unit or a junior accessory dwelling unit associated with an existing single-family or an existing multi-family dwelling.

b. If the permit application for an accessory dwelling unit or a junior accessory dwelling unit is submitted with a permit application for a new single-family dwelling, the City may delay acting on the permit application for the accessory dwelling unit or the junior accessory dwelling unit until the permit application for the new single-family dwelling is approved.

3. Complete Application: The length of review begins when the application is complete. To be considered a complete application, the architectural drawings for the project must provide necessary details and information to allow a decision to be made. If a complete application cannot be provided, the applicant can request the City to conduct a pre-application review and pay an applicable fee before completing the application.

C. Single Family Sites: The following rules apply to certain accessory dwelling units and junior accessory dwelling units on lots with a single-family dwelling unit.

1. Junior Accessory Dwelling Units: The following standards apply to all junior accessory dwelling units.

a. Number: There may only be one (1) junior accessory dwelling unit per lot. The junior accessory dwelling unit must be contained within the walls of an existing or proposed single-family residence.

b. Junior Accessory Dwelling Units In The Rear: A junior accessory dwelling unit must be located in the rear half of an existing or proposed single-family residence, unless such design is infeasible.

c. Studios, Only: A junior accessory dwelling unit is limited to a studio unit.

d. Owner Occupied: The owner must occupy the property, unless the owner is a governmental agency, land trust, or housing organization.

e. Maximum Size: The junior accessory dwelling unit must be no more than five hundred (500) square feet.

f. Separate Entrance: The junior accessory dwelling unit must include a separate entrance from the main entrance to the proposed or existing single-family residence.

g. Efficiency Kitchen: The junior accessory dwelling unit must include an efficiency kitchen.

h. Deed Restriction: Building permits will not be finalized until the owner of the property records and executes a deed restriction on the sale of the junior accessory dwelling unit separate from the sale of the single-family residence. The deed restriction must be in a form acceptable to the City and include:

- (1) A statement that the deed restriction may be enforced against future purchasers; and
 - (2) A requirement that the owner reside in either the remaining portion of the structure or the newly created junior accessory dwelling unit.
2. Internal Accessory Dwelling Units And Junior Accessory Dwelling Units: The following standards apply to internal accessory dwelling units and internal junior accessory dwelling units:
- a. Number: One accessory dwelling unit or a junior accessory dwelling unit is allowed on a lot with a proposed or existing single-family dwelling.
 - b. Limited Expansions For Internal Units: If the proposed accessory dwelling unit or junior accessory dwelling unit is within: (a) the proposed space of a new single-family dwelling; or (b) the existing space of an existing single-family dwelling or accessory structure, the accessory structure may be expanded no more than one hundred fifty (150) square feet, for the limited use of accommodating ingress and egress.
 - c. Independent Exterior Door: The accessory dwelling unit or junior accessory dwelling unit must provide an exterior door independent from the proposed or existing single-family dwelling.
3. Detached, New Construction, Accessory Dwelling Units: The following standards apply to detached, new construction accessory dwelling units.
- a. Four-Foot Setbacks: The minimum side, street side, and rear yard setback is four feet (4').
 - b. Minimum Size: The accessory dwelling unit may not be more than eight hundred (800) square feet.
 - c. Maximum Height: The maximum height of a detached accessory dwelling unit must not exceed sixteen feet (16'), measured from the natural grade to the highest roof ridge or parapet. The height of the top plate must not exceed nine feet (9').
- D. Multi-Family Zones And Uses: Accessory dwelling units are allowed on lots zoned for multi-family residential uses (including residential mixed use) and with an existing multi-family structure or structures. The following standards apply:
1. Internal Accessory Dwelling Units:
 - a. Location: The accessory dwelling units must be located within portions of the existing multi-family dwelling structures that are not used as livable space. This may include, but is not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages.
 - b. State Building Standards: Each accessory dwelling unit must comply with state building standards for dwellings.
 - c. Number: A multi-family site may contain at least one (1) accessory dwelling unit. The number of additional accessory dwelling units may not result in an increase of more than twenty-five percent (25%) over the existing density of the site.
 2. Detached Accessory Dwelling Units:
 - a. Number: No more than two (2) detached accessory dwelling units are allowed on lots that contain the existing multifamily dwellings.
 - b. Maximum Height: The maximum height of a detached accessory dwelling unit must not exceed sixteen feet (16'), measured from the natural grade to the highest roof ridge or parapet. The height of the top plate must not exceed nine feet (9').
 - c. Four-Foot Setbacks: The minimum setbacks for the rear and sides is four feet (4').
- E. Standards For All Accessory Dwelling Units:
1. Application: The development of accessory dwelling units or junior accessory dwelling units must comply with all other applicable zoning standards and specific plans standards, except otherwise modified by this Section or state law.
 2. Minimum Size: No accessory dwelling unit may be smaller than two hundred twenty (220) square feet.
 3. Maximum Size:
 - a. Studio Accessory Dwelling Units: Accessory dwelling units designed as a studio may not exceed six hundred (600) square feet. This limitation does not apply to junior accessory dwelling units.
 - b. One Bedroom Accessory Dwelling Units: One (1) bedroom accessory dwelling units may not exceed eight hundred fifty (850) square feet.
 - c. More Than One Bedroom Accessory Dwelling Units: Accessory dwelling units may not exceed one thousand (1,000) square feet.
 4. Development Standards That Preclude ADUs: The following development standards set forth in the zoning code may not be applied to preclude the construction of an accessory dwelling unit that is at least eight hundred (800) square feet:
 - a. Floor area ratio;
 - b. Lot coverage;
 - c. An accessory use must not exceed fifty percent (50%) the size of the primary dwelling; and
 - d. Open space.
 5. Maintaining Existing Setbacks: Existing side, street side, and rear yard setbacks may be maintained for any existing garage or other permitted existing accessory structure.
 6. Shared Utilities: The accessory dwelling unit may share utility connections and meters with the primary dwelling or may be separately connected and metered.
 7. Park Construction Fees: Accessory dwelling units of seven hundred fifty (750) square feet or more are subject to park construction fees, to be assessed in proportion to the square footage of the primary dwelling unit.
 8. Fire Sprinklers: An automatic residential fire sprinkler system is required for all accessory dwelling units. However, the installation of fire sprinklers are not required in an accessory dwelling unit if sprinklers are not required for the primary dwelling.
 9. Certificates Of Occupancy: A certificate of occupancy for an accessory dwelling unit should not be issued before the certificate of occupancy for the primary dwelling.
 10. Parking Requirements:
 - a. One (1) open parking space is required for a detached accessory dwelling unit involving new square footage and having at least one (1) bedroom. The space may be provided in tandem on an existing driveway.
 - b. New parking spaces for an accessory dwelling unit may be located in the side and rear setbacks provided that a three (3)-foot landscaped buffer will be created along the property line(s).
 - c. When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an accessory dwelling unit or converted to an accessory dwelling unit, replacement parking is not required.
 - d. If a house addition is also proposed for the primary dwelling in conjunction with a new accessory dwelling unit, replacement of the off-street parking must first be provided for the primary dwelling.
 - e. Notwithstanding the parking standard for accessory dwelling units, parking will not be required for an accessory dwelling unit in any of the following instances:

- (1) The accessory dwelling unit is located within one-half (½) mile of a public transit.
- (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 (1) block of the accessory dwelling unit.

F. Design Standards: The following design standards apply if feasible. A design standard will be considered infeasible if implementing it will physically prohibit the creation of an ADU or JADU.

1. Doors Cannot Be Visible: The doors to all accessory dwelling units and junior accessory dwelling units may not be visible from the public right-of-way. If the accessory dwelling unit or junior accessory dwelling unit is located on the second floor of the main dwelling, the stairs leading to the unit must be located on the interior of the structure.
 2. Garage Door Removal: When converting a garage into an accessory dwelling unit or junior accessory dwelling unit the garage door must be removed and sealed using a material the same as that of the adjoining wall material.
 3. Front Entries: Accessory dwelling units and junior accessory dwelling units must be provided with a covered front porch or a recessed entry. The area may not be less than three feet (3') deep measured to the post if it is a porch or to the wall if it is a recessed entry.
 4. Walls And Fences: All attached and detached accessory dwelling units must have a view obscuring six-foot (6') high wall or fence in good repair along the side and rear property lines nearest the accessory dwelling units.
 5. Open Space: Accessory dwelling units should have a minimum of four hundred (400) square feet of open space with dimensions of no less than ten feet (10'). The open space should be directly accessible to the accessory dwelling unit.
 6. Hedges: All attached and detached accessory dwelling units must have fifteen (15)-gallon privacy hedges planted five feet (5') on center along the side and rear property lines nearest the structure. This is not required for the conversion of an existing structure to an ADU if the setbacks are less than five feet (5').
 7. Further Subdivision: The following are prohibited:
 - a. Rooms not accessible to all occupants;
 - b. Bedrooms with exit doors; and
 - c. Wet bars in bedrooms or in a common living area.
 8. Types Of Rooms: An accessory dwelling unit can only include a kitchen, bedroom(s), and one (1) of the following: living room, family room, den, office, rumpus room, etc.
 9. Number Of Bathrooms: The number of bathrooms (not including powder rooms) cannot exceed the number of bedrooms. A powder room may be allowed if it is accessed from a common living area. A powder room is a bathroom that includes a sink and a toilet and does not include a bathtub and shower.
 10. Common Living Areas: An accessory dwelling unit must have no more than one (1) common living area. A common living area is a room meant to be shared and used by all occupants and generally does not require a door to access. Examples of common living areas include living rooms, family rooms, dens, sunrooms, enclosed porches, rumpus rooms, dining rooms, recreation rooms, and the like.
 11. Existing Architectural Styles: All accessory dwelling units must be consistent with the architectural style of the main dwelling including but not limited to the roof pitch, articulation, window size, proportion of window units to wall size, direction of opening, muntin pattern, exterior building materials, lighting fixtures, garage door design, and paint colors.
 12. Exterior Doors: No more than one (1) exterior door, not including a vehicle garage door, may be provided for the accessory dwelling unit.
 13. Laundry Facilities: All proposed laundry facilities must be located within a structure and only accessible from the interior of the structure.
- G. Other Requirements: The following standards will apply to accessory dwelling units and junior accessory dwelling units as stated below.
1. Short-Term Rentals: Rentals of less than a month are prohibited for accessory dwelling units, junior accessory dwelling units, and the primary residential dwellings associated with accessory dwelling units or junior accessory dwelling units.
 2. Existing Garages: Garages and carports constructed after January 1, 2020 cannot be converted to accessory dwelling units or junior accessory dwelling units unless the site is modified to meet the off-street parking requirement and floor area ratio.
 3. Easements: An accessory dwelling unit should not be constructed within an easement area.

H. Conflict Provisions: Except as expressly provided in this section, to the extent that any provisions of this code conflict with any provisions of this section, the provisions of this section will control. To the extent any provisions of this section conflict with state law, the mandatory requirements of state law will control, but only to the extent legally required. (Ord. 19-1036; amd. Ord. 20-1040U; Ord. 20-1048)

9-1T-14: UNATTENDED COLLECTION BOXES:

A. General Provisions:

1. Violations: Failure to comply with any of the provisions of this section is declared to be prima facie evidence of an existing violation and a declared public nuisance, and may be abated by the director in accordance with the provisions of Title 4, Chapter 2, Article C of this code (public nuisances). Any person in violation may be subject to administrative penalties, citations, civil action, or other legal remedies.
2. Responsibility: The property owner and the UCB operator (operator) have joint and several liability for public nuisance conditions and compliance with this section, including fees, administrative citations, civil actions, and/or legal remedies relating to a UCB. The property owner remains liable for any violation of duties imposed by this section even if the property owner has, by agreement, imposed on the operator the duty of complying with the provisions of this section.
3. Definitions: The following definitions apply only to this section.

AGENT:	A person who is authorized by the property owner or UCB operator to act on their behalf to be the applicant for a UCB permit. To be considered an agent, a person must be given express written authorization on a form provided by the city to apply specifically for a UCB permit. For this section, a person who is only given general authorization to act for various activities and transactions regarding a property is not considered an agent.
DIRECTOR:	The Director of the Community Development Department or their designee.
NUISANCE OR PUBLIC NUISANCE:	The conditions as set forth in Title 4, Chapter 2, Article C, "Prohibited Public Nuisance Conditions", of this code.
OPERATOR:	A person or entity who operates or maintains any UCB.

PROPERTY OWNER:	The owner of real property on which any UCB is or is proposed to be placed.
UCB PERMIT:	Temple City's annually renewable permit required to place, operate, maintain, or allow a UCB within the city.
UNATTENDED COLLECTION BOXES (UCBs):	As defined in 9-1A-14 of this Code.
UNPERMITTED UCB:	A UCB established without a valid UCB permit or established prior to the effective date of ordinance 17-1026.

B. Permit Requirement and Process:

1. Permit Required For UCBs: Except for UCBs described in subsection B.1.b., "Enclosed Or Accessory To The Principal Activity", of this section, it is unlawful to place, operate, maintain, or allow a UCB on any property unless the parcel owner, agent, or operator first obtains a UCB permit from the city.

a. Second UCBs: A separate UCB permit is required for each UCB unless a second UCB is required for overflow items per subsection C.1.k., "One UCB Per Parcel", of this section, in which case the permit for the first UCB can include the second UCB on a parcel.

b. Enclosed or Accessory to The Principal Activity: UCBs that are either enclosed within a main building or are accessory to a principal activity on a property owned or leased by the operator would not require a UCB permit. However, UCBs that are accessory to a principal activity on a property owned or leased by the operator must meet all other requirements of this section, except the requirements contained in subsections C.1.a. through C.1.c. of this section (location requirements).

c. Applicant and Transferring Applications: The UCB permit applicant must include the UCB operator and the permit may not be transferred to another person or entity.

d. Decisionmaker: Decisions regarding UCB permit applications will be made by the Director.

2. Application Requirements: The UCB permit application must be made on a form provided by the Community Development Department. All applications must be filed with the Community Development Department and include:

- a. A signed agreement stating that the property owner and operator must abide by all the processes and requirements described in this section;
- b. A non-refundable application fee in an amount set by city council resolution;
- c. A signed affidavit, under penalty of perjury, stating whether the UCB existed at the proposed location prior to the effective date of ordinance number 17-1026;
- d. Signed authorization from the property owner allowing placement of the UCB;
- e. Signed acknowledgement of responsibility from the property owner and the operator for joint and several liability for violations of conditions or regulations, and public nuisances relating to the UCB;
- f. Proof of general liability insurance of at least one million dollars (\$1,000,000) covering the applicant's UCB and naming the City of Temple City as an additional insured;
- g. Proof of an active business license with the City of Temple City, unless the property owner or operator is exempt from business licensing requirements;
- h. Name, address, email, website, and telephone number of the UCB operator and property owner, including twenty-four (24)-hour contact information;
- i. Vicinity map showing:
 - (1) The proposed location;
 - (2) The distance between the site and all existing UCBs within one thousand feet (1,000') of the proposed UCB location;
 - (3) Photographs of the location and adjacent properties;
- j. Site plan containing the following:
 - (1) Location and dimensions of all parcel boundaries;
 - (2) Location of all buildings;
 - (3) Proposed UCB location;
 - (4) Distance between the proposed UCB and parcel lines buildings; and
 - (5) Location and dimension of all existing and proposed driveways, garages, carports, parking spaces, maneuvering aisles, pavement, and striping/markings;
- k. Description and diagram of the proposed locking mechanism;
- l. Maintenance plan (including graffiti removal, pick-up schedule, and litter and trash removal on and around the UCB) that is enough to prevent public nuisance conditions from remaining nearby the UCB; and
- m. Any other reasonable information regarding time, place, and manner of operation, placement, or maintenance that the director requires to evaluate the proposal consistent with the requirements of this section.

3. UCB Permit Expiration and Renewal: Unless renewed as described below, each UCB permit will expire annually on the anniversary of its date of issuance.

a. Renewal Permit Application Timing: A UCB operator may apply for permit renewal by submitting to the community development department at least thirty (30) days prior to the expiration of the active UCB permit. Late submittals may be processed as new applications.

b. Contents of Renewal Permit Application: The UCB permit renewal application must be made on a form provided by the community development department. All applications must be filed with the community development department and include the items listed in subsections B.2.a. through B.2.m. of this section.

c. Timing of Review: The Director will either approve or deny the renewal of a UCB permit within thirty (30) days of receipt of the complete renewal application and payment of the renewal fee. The failure of the community development department to act within this timeframe will constitute approval of the UCB permit renewal.

d. Findings for Review: The director will approve the renewal of a UCB permit if the director finds that no circumstances existed during the term of the UCB permit, or existed at any time during the review of the application for renewal, that are inconsistent with any criteria required for approval of a new UCB permit as specified in subsection B.4., "Findings For Approval And Renewal", of this section or that would justify the revocation of the UCB permit as specified in subsection D, "Revocation Of Permit", of this section.

e. Removal If Permit Expires or Is Not Renewed: If the permit expires and is not renewed, the collection box must be removed from the real property within fifteen (15) days after expiration of the permit.

4. Findings for Approval and Renewal: The director may not issue a UCB permit or renewal unless each of the following is true:

- a. The applicant has submitted a complete and accurate application accompanied by the applicable fee;

- b. There are no open citations, unpaid fines or unresolved violations or complaints related to any UCB managed by the proposed operator;
 - c. All existing unpermitted UCBs that are managed by the proposed operator have been removed or the director at his discretion may allow an unpermitted UCB to remain during the permit process if it otherwise complies with the requirements of this section;
 - d. Any verified public nuisance on the subject property has been abated and any case of a complaint to the city regarding nuisance conditions on the subject property has been closed; and
 - e. The proposal is consistent with all the requirements of this section.
 - f. For renewals, the site does not have a history of being an attractive nuisance even if incidents of nuisances were abated. For this subsection, "history of attractive nuisance" means three (3) verified nuisance complaints in the previous twelve (12) months.
5. Time Limit for Final Decision: The director will provide a written decision regarding the placement of a UCB within sixty (60) days of the submission of a complete application for a UCB permit.

C. Standards and Requirements:

1. Location Requirements:

- a. Allowed Zones: UCBs are only allowed in the following zones, subject to the requirements of this section:
 - (1) LTC;
 - (2) NC;
 - (3) CSP;
 - (4) I;
 - (5) MU-L; and
 - (6) MU-M.
- b. Buffering from Residences: No UCB may be located within fifty feet (50') of a residential dwelling unit, as measured from nearest point of the dwelling unit to the UCB.
- c. Separation: No UCB may be located within five hundred feet (500') of another UCB, as measured from the property lines of the properties on which the UCBs are located, except for those UCBs exempted by subsection B.1.a., "Second UCBs", of this section.
- d. Dwelling Units: No UCB may be allowed on a lot with a residential dwelling unit.
- e. Vacant Lots: No UCB may be allowed on a lot without a main building.
- f. Occupied Structure: A UCB is only permitted on a lot that also contains a main building that contains at least one (1) legal operating business or other ongoing activity, not including a commercial parking lot.
- g. Prohibited Locations: UCBs are prohibited:
 - (1) In the public right-of-way and within twenty feet (20') of the public right-of-way;
 - (2) Five feet (5') from any property line; and
 - (3) In a landscaped area.
- h. No Blocking: UCBs cannot block or impede access to:
 - (1) Required parking or driveways;
 - (2) Pedestrian routes;
 - (3) Emergency vehicle routes;
 - (4) Building entries or exits;
 - (5) Required handicapped accessibility routes;
 - (6) Easements;
 - (7) Trash enclosure areas or access to trash bins/trash enclosures; and
 - (8) Fire lanes.
- i. Impeding Functions: UCBs cannot impede the functioning of exhaust, ventilation, or fire extinguishing systems.
- j. View Obstructions: UCBs cannot interfere with an access drive, off-street parking lot maneuvering lane, or required off-street parking space to an extent which would cause safety hazards or unnecessary inconvenience to vehicular or pedestrian traffic.
- k. One UCB Per Parcel: No more than one (1) UCB is permitted per parcel unless documented evidence is submitted to the director that a second UCB is required due to the volume of items delivered to the site. A UCB must be operating at a site for at least ninety (90) days to establish that a second UCB is required. Both UCBs must have the same operator. No fee is required to apply for this second UCB.

l. Visibility: The collection area must be visible from an entrance, exit, or window of the main building.

m. Lighting: The collection area must be no more than ten feet (10') from a continually operating light source of at least one (1) foot-candle.

2. Physical Attributes: UCBs must:

- a. Be fabricated of durable waterproof and rustproof material;
- b. Be locked so that the contents cannot be accessed by anyone other than those responsible for the retrieval of the contents;
- c. Be equipped with a safety chute to limit the public's access to the box;
- d. Be placed on ground that is paved with durable paving;
- e. Not be more than seven feet (7') high, six feet (6') wide and six feet (6') deep;
- f. Not be electrically or hydraulically powered or otherwise mechanized;
- g. Not be a fixture of the site or considered an improvement to real property; and
- h. Have the following information conspicuously displayed on at least two-inch (2") type visible from the front on the UCB:
 - (1) The name, address, twenty-four (24)-hour telephone number, website, and email address of the owner, operator of the UCB, and agent;

- (2) Address of the site;
- (3) Instructions on the process to register a complaint regarding the UCB to the city;
- (4) The type of material that may be deposited;
- (5) A notice stating that no material may be left outside the UCB;
- (6) The pickup schedule for the UCB; and
- (7) A city-approved identification system that identifies the box as being properly permitted by the city.

3. Maintenance:

- a. Nuisances: No public nuisance may be within twenty feet (20') of the UCB including, but not limited to collection overflow, litter, debris, and dumped material.
- b. Maintenance Requirements: UCBs must be maintained and in good working order. Items to be repaired, removed, and/or abated include, but are not limited to graffiti, removed, or damaged signs and notifications, peeling paint, rust, and broken collection operating mechanisms.
- c. Servicing Schedule: UCBs must be serviced not less than weekly between 7:00 a.m. and 7:00 p.m. on weekdays and 10:00 a.m. and 6:00 p.m. on weekends. This servicing includes the removal of collected material and abatement of the public nuisance described in this section. The director may require additional servicing, if evidence is provided that items to be collected exceed the UCBs capacity or if items to be collected are being left outside the UCB.
- d. E-Mail and Telephone Contact: The operator must maintain an active email address and a twenty-four (24)-hour telephone service with recording capability for the public to register complaints.
- e. No Solid or Hazardous Waste: UCBs cannot be used for the collection of solid waste and/or any hazardous materials.

4. Liability: Applicants and/or owner/owner's agent must maintain a minimum general liability insurance of 1,000,000 dollars for the duration of the operation of a UCB at each site, to cover any claims or losses due to the placement, operation, or maintenance of the UCB and naming the City of Temple City as additional insured.

D. Revocation of Permit:

1. Revocation: The director may revoke a UCB permit under any of the grounds specified in failure to comply with the provisions of this section, the provisions of this code, or any other law.
2. Notice of Revocation: The director will provide a written notification to the permittee and property owner stating the specific grounds for a revocation and a demand for correction and abatement. The notice will allow the permittee up to fifteen (15) days from mailing of the notice to correct or abate the violation. Upon failure to make the correction or abatement, the director will revoke the permit. Afterwards, the permittee will not be eligible for a permit at any location for one (1) calendar year.
3. Removal of Revoked UCB: Upon revocation, or if appealed, after any appeal as set forth in subsection F, "Appeal to The Planning Commission", of this section, the collection box will be removed from the real property within fifteen (15) days by the permittee. If the UCB is not removed within fifteen (15) days, the city may remove, store or dispose of the UCB at the expense of the permittee or property owner. The property owner will be responsible for all costs associated with the removal of the UCB incurred by the city. Costs may be pursued by the city pursuant to Title 4, Chapter 2, Article C of this Code.
4. Violation of Other Laws: A permit for a UCB may be revoked if any governmental authority or agency determines that the UCB has violated the California Consumer Protection Act and/or the Charitable Organizations and Solicitations Act.

E. Procedure for Removal:

1. Content of Removal Sign: Any UCB scheduled to be removed by either order of the city or the operator must clearly display a notice on the UCB with at least four-inch (4") type visible from the front on the UCB that states the following text in capital letters: "THIS BOX WILL BE REMOVED BY" followed by the date the UCB is scheduled for removal. The operator and property owners are jointly and severally responsible for the placement of the notice.
2. Public Right-Of-Way: Unpermitted UCBs in the public right-of-way may be removed without prior notice to the owner. The city must notify the owner within one (1) business day after removing the UCB and must store the item for fourteen (14) calendar days after notice is given. If no communication is received by the owner of the UCB within fourteen (14) calendar days of receiving notice the city may dispose of the UCB. The owner of the UCB must be given fourteen (14) days to retrieve the UCB.

F. Appeal to The Planning Commission: Any person aggrieved by the decision rendered by the Director in granting, denying, or revoking any application for a permit under this section may appeal the decision to the planning commission according to the requirements of Article C of this Chapter. (Ord. 17-1026; amd. Ord. 19-1036)

9-1T-15: REVERSE VENDING MACHINES AND COLLECTION FACILITIES:

A. Development and Operating Standards: All reverse vending machines and collection facilities must comply with the following specific standards:

1. Reverse Vending Machines: Reverse vending machines located on a commercial site do not require additional parking spaces for customers, and are permitted in all commercial and manufacturing districts, subject to zoning clearance, pursuant to article 9-1C of this, and compliance with the following standards.
 - a. Accessory Use Only: The reverse vending machines may only be installed as an accessory use.
 - b. Indoor Locations: If located inside a structure, the reverse vending machines must be within thirty feet (30') of the entrance and may not obstruct pedestrian circulation.
 - c. Maximum Size: The reverse vending machines may not occupy more than fifty (50) square feet, including any protective enclosure, and may not be more than eight feet (8') in height. A reverse vending machine or collection of reverse vending machines greater than fifty (50) square feet is considered a collection facility.
 - d. Signs: The reverse vending machines may only have a maximum sign area of four (4)-square feet per machine, exclusive of operating instructions.
 - e. Lighting: The reverse vending machines must be illuminated to ensure comfortable and safe operation for any operating hours between dusk and dawn.
 - f. Materials: If located outside a structure, the reverse vending machines must be constructed of durable waterproof and rustproof material.
 - g. Hours of Operation: The reverse vending machines may only have operating hours within the operating hours of the main use.
 - h. Prohibited Locations: Reverse vending machines are prohibited within any of the following locations:
 - (1) Public right-of-way and within twenty feet (20') of the public right-of-way;
 - (2) Five feet (5') from any property line; and
 - (3) Landscaping.
2. Collection Facilities: Collection facilities are permitted within all commercial and manufacturing zones, subject to conditional use permit approval and compliance with the following standards.
 - a. Location Requirements: Collection facilities:
 - (1) Must be set back at least forty-five feet (45') from any public right-of-way, and not obstruct pedestrian or vehicular circulation and
 - (2) Must permanently locate any containers provided for after-hours collection of recyclable materials at least thirty feet (30') from any property zoned or

occupied for residential use.

b. Maximum Size: Collection facilities may not be larger than five hundred (500) square feet and may not occupy more than three (3) parking spaces, except for spaces that will be periodically needed for removal of materials or exchange of containers.

c. Appearance of Facility: Collection facilities, site fencing, and signs must be of a color and design compatible with the surrounding uses and neighborhood.

d. Landscaping and Screening: The collection facility:

- (1) May not reduce or eliminate any required landscaping;
- (2) Must be screened from view from adjacent public rights-of-way using fences, landscape, or other approved materials; and
- (3) Must be subject to additional landscaping and screening as determined through conditional use permit.

e. Parking Requirements:

(1) No additional parking space is required for customers of a collection facility located in the established parking lot of the main use.

(2) Mobile or portable collection facilities must have an area clearly marked to prohibit other vehicular parking during hours when the mobile collection facility is scheduled to be present.

(3) Use of parking spaces by the facility and by the employee may not reduce available parking spaces below the minimum number required for the main use unless a parking study shows that existing capacity is not fully utilized during the time the collection facility will be on the site.

f. Signs: Signs may be provided as follows:

(1) Collection facilities may have identification signs with a maximum area of fifteen percent (15%) or twelve (12) square feet per side of the structure whichever is greater. In the case of a wheeled facility, the side will be measured from the ground to the top of the container;

(2) The sign must contain the hours of operation, redemption values, and the name of the operator or property owner; and

g. Operating Standards: Collection facilities:

(1) May not accept household hazardous waste, electronic waste, or other products that may cause a risk to the health and safety of the community;

(2) May not use any power-driven processing equipment except for reverse vending machines;

(3) Must use containers that are constructed with durable waterproof and rustproof material, that are covered when the site is not attended, secured from unauthorized removal of material, and of a capacity enough to accommodate materials collected and the collection schedule;

(4) Must store all materials in containers or in the mobile unit vehicle, and may not leave materials outside of containers when attendant is not present; and

(5) Mobile facilities, at which trucks or containers are removed at the end of each collection day, must be swept at the end of each collection day.

h. Hours of Operation: Attended facilities located within one hundred feet (100') of a property zoned or occupied by a residential use may only operate between the hours of 9:00 a.m. and 7:00 p.m.

i. Trash Enclosure: The collection facility must either use the trash dumpster for the primary use or construct an adjacent fully enclosed trash enclosure, with a six-foot (6') concrete block wall and a metal gate, surrounded with a minimum of three feet (3') of automatically irrigated landscaping.

3. General Standards: All reverse vending machines and collection facilities must comply with the following standards:

a. Signs: Recycling and collection facilities may be provided identification and informational signs, as follows, provided that all signs meet the standards of the applicable zoning district.

(1) All collection facilities and reverse vending machines must be clearly marked to identify the type of material which may be deposited, and display a notice stating that no material can be left outside the enclosure or machine; and

(2) The recycling and collection facility must be clearly marked to identify the name and telephone number of the operator and the hours of operation.

(3) Directional signs bearing no advertising message, may be installed with prior approval of the director if found necessary to facilitate traffic circulation or if the collection facility is not visible from the public right-of-way.

b. Refuse Disposal: Sites with reverse vending machines and collection facilities must maintain adequate on-site refuse containers for the disposal of non-recyclable, non-hazardous waste. Trash cans must be placed adjacent to facilities and be emptied periodically so as not to create litter in the adjacent area.

c. Maintenance and Cleanliness: The site must be maintained clean, sanitary, and free of litter, waste materials, and loose debris. Temporarily stored materials must be moved to an approved processing site as soon as practical.

d. Locations:

(1) Dwelling Units: No reverse vending machine or collection facility may be allowed on a lot with a residential dwelling unit.

(2) Vacant Lots: No reverse vending machine or collection facility may be allowed on a lot without a main building.

(3) Occupied Structure: A reverse vending machine or collection facility is only permitted on a lot that also contains a main building that contains at least one (1) operating business or other ongoing activity, not including a commercial parking lot.

(4) Required Parking: No reverse vending machine or collection facility may be in required parking spaces or a driveway.

(5) No Blocking: Reverse vending machines and collection facilities, including patrons of the facilities, cannot block or impede access to: required parking or driveways; pedestrian routes; emergency vehicle routes; building entries or exits; required handicapped accessibility routes; easements; trash enclosure areas or access to trash bins/trash enclosures; and fire lanes.

(6) Near Residences: No reverse vending machine or collection facility may be within fifty feet (50') of a residential structure. (Ord. 19-1036)

9-1T-16: HOME OCCUPATIONS:

A. Development and Operating Standards: A home occupation license may be issued to an occupant of a dwelling unit, located in any R Zone, provided the home occupation meets the following:

1. There is no display or outdoor storage of goods, wares, merchandise, or stock in trade maintained on the premises; and

2. There shall be no items sold on-site, and

B. There is not more than one (1) person regularly employed in such occupation; and only a resident of the dwelling unit shall be employed in the operation of a home occupation use. No volunteers, interns or independent contractors shall be part of a home occupation permit.

C. There is no equipment used in conjunction with such occupation, which emits dust, fumes, noise, odor, etc., which would or could interfere with the peaceful use and enjoyment of adjacent properties; and

D. There is not more than two hundred (200) square feet of the floor space of the dwelling devoted to such use; and

E. There is no appreciable increase of traffic, pedestrian and vehicular, by reason of such occupation, calling or profession; and

- F. There is no alteration of the structure or loss of any required parking; and
- G. There is no use of any sign not otherwise permitted in the zone in which the occupation is located; no signage whatsoever shall be permitted in conjunction with the home occupation. Evidence of a violation of this prohibition against home occupation related signage shall be grounds for revocation or suspension of all applicable permits.
- H. Violation: Any code violation or any failure to comply with the above regulations will be grounds for revocation of the home occupation license in accordance with section 5-1B-16 of this code. (Ord. 19-1036)

9-1T-17: ANIMAL KEEPING:

- A. Development and Operating Standards. Animals may be kept in any residential unit provided the keeping of animals complies with the development and operating standards of this section and Title 3, Chapter 6 of this code.
- Household Pets. The maximum number of household pets over four (4) months of age shall not exceed the limitations set forth below:
 - If there is only one (1) residential dwelling unit on said lot, then the limitation shall be three (3) such household pets; and
 - If there are two (2) residential units on said lot, then the limitation shall be two (2) household pets per unit; and
 - If there are three (3) or more such units on said lot, then the limitation shall be one (1) household pet per unit.
 - Not more than two (2) rabbits or hens or ducks over four (4) months of age per two thousand (2,000) square feet of lot area; and,
 - No turkeys or other livestock or fowl.
 - Animals may not be sold commercially.
 - No on-site slaughtering of animals.
 - Hen enclosures must be:
 - At least five feet (5') from a property line.
 - Any walls or fences within ten feet (10') of a property line must be solid.
 - Aviaries for pigeons, song or decorative birds, provided the following conditions are met:
 - Not more than twelve (12) adult birds are so maintained; and
 - The purpose of the maintenance of such aviary is primarily for hobby purposes and not for commercial exploitation; and
 - The structures housing such aviaries shall not be located within ten feet (10') of any side or rear lot line upon the lot where located, unless separated from adjoining property by a solid wall or fence at least one inch (1") thick; nor shall the same be located in front of any residential structure; nor within thirty five feet (35') of any main building; nor shall the same be higher than any yard wall located within ten feet (10') thereof; and
 - Any person may apply to the city council for a special permit for aviaries containing more than twelve (12) birds, provided that such applicant pays a fee for inspections in the amount set by the city council by separate motion, and provided further that the applicant may show to the satisfaction of the city council that such aviary will be maintained without damage or nuisance to neighboring properties; and
 - All existing nonconforming structures erected for the housing of birds shall comply with new regulations and standards on or before January 1, 1971.
 - Nothing contained in this section shall prevent the keeping of animals or fowl by a tax supported eleemosynary or public educational institution, which are utilized as a part of such institution's curriculum; and
 - No person shall allow or permit animals to run at large upon any public street or place, or to trespass upon the property of another.
 - No person shall keep upon any premises, any animals, poultry or household pets in a foul, offensive, obnoxious, filthy or unsanitary condition.
 - No person, firm or corporation shall keep bees within the corporate limits.
 - No person may keep more than one (1) pygmy pig or hog, commonly referred to as a Vietnamese pot-bellied pig, pygmy pig, or mini-pig, that stands no higher than twenty inches (20") at the shoulder and is no longer than forty inches (40") from the tip of the head to the end of the buttocks, and weighs no more than one hundred twenty (120) pounds.
 - The owner or custodian of a pygmy pig must provide written confirmation to the city from a licensed veterinarian that the pig has been neutered or spayed; and
 - The breeding of pygmy pigs is prohibited.
 - Violation: Violation of this section is a public nuisance and subject to enforcement in accordance with applicable law. (Ord. 19-1036)

9-1T-18: SIDEWALK DINING:

A. Definition:

SIDEWALK CAFÉ:	Any group of tables and chairs, and its authorized decorative an accessory devices, situated and maintained upon the public sidewalk o along the existing "malls" at the rear of the building for us in connection with consumption of food and beverage sold to the public from or in an adjoining indoor restaurant.
----------------	--

- B. Sidewalk Café Permitted: A sidewalk café is a permitted accessory use and will be administratively reviewed in accordance with the criteria set forth herein. The director may impose any other additional conditions as deemed necessary and appropriate; any action of the direction is subject to appeal to the planning commission.
- C. Limitation and Requirements: A sidewalk café may be permitted only in zoning districts which allow indoor restaurants and then only if the sidewalk café is situated adjacent, as specified below, to an indoor restaurant and the sidewalk café's operation is incidental to and a part of the operation of the adjacent indoor restaurant.
- Existing indoor restaurants must conform to all section of the Code to be eligible for approval of sidewalk services.
 - A sidewalk café may be located on the public sidewalk immediately adjacent to and abutting the indoor restaurant which operate the café, provided the area in which the sidewalk café is located extend no further along the sidewalk's length than the actual sidewalk frontage of the operating indoor restaurant and all other applicable provisions of the this section are fulfilled.
 - A sidewalk café may be located on an area of the public sidewalk which is not immediately adjacent to and abutting the indoor restaurant which operates the café, provided all applicable provisions of this section are fulfilled and provided that the majority of the area in which the sidewalk café will be located is situated on the public sidewalk directly in front of the indoor restaurant which operates the café. That area of the public sidewalk which would be enclosed by a perpendicular projection of the indoor restaurant's sidewalk frontage over the sidewalk, will be considered as being "directly in front of the indoor restaurant" for the purpose of this subsection.

4. An indoor restaurant may be permitted to operate only one (1) sidewalk café and each sidewalk café must be confined to a single location on the sidewalk.
5. A sidewalk café may be permitted only where the sidewalk is wide enough to adequately accommodate both the usual pedestrian traffic in the area and the operation of the proposed café. There must be a minimum forty-eight inch (48") clear distance free of all obstructions, in order to allow adequate pedestrian movement. Any sidewalk café must be established and operated to be consistent with ADA standards and criteria.
6. All outdoor dining furniture, including tables, chairs, umbrellas, and planters, must be movable. Umbrellas must be secured with a minimum base of not less than sixty (60) pounds. Outdoor heaters, amplified music, or speakers must be reviewed at the time of application.
7. No signs are be allowed at any outdoor café.
8. A sidewalk café may serve only food and beverages prepared or stocked for sale at the adjoining indoor restaurant; provided that the service of beer or wine, or both, solely for on-premises consumption by customers within the area of the sidewalk café has been authorized as part of the application review. Each of the following requirements must also be met:
 - a. The area in which the sidewalk café is authorized is identified in a manner which will clearly separate and delineate it from the areas of the sidewalk, which will remain open to pedestrian traffic.
9. The sidewalk café operation is duly licensed, or prior to the service of any beer or wine at the café, will be duly licensed, by state authorities to sell beer or wine, or both, for consumption within the area of the sidewalk café.
10. The outdoor preparation of food and busing facilities are prohibited at sidewalk cafes.
11. All exterior surfaces within the café must be easily cleanable and must always be kept clean by the permittee.
12. Restrooms for the café must be provided in the adjoining indoor restaurant and the café seating must be counted in determining the restroom requirements of the indoor restaurant.
13. Trash and refuse storage for the sidewalk café must not be permitted within the outdoor dining area or on adjacent sidewalk areas and the permittee must remove all trash and litter as it accumulates. The permittee is be responsible for maintaining the outdoor dining area, including the sidewalk surface and furniture and adjacent areas in a clean and safe condition.
14. Hours of operation must be identical to those of the indoor restaurant. All furniture used in the operation of an outdoor café must be removed from the sidewalk and stored indoors whenever the indoor restaurant is closed.
15. The city has the right to prohibit the operation of a sidewalk café at any time because of anticipated or actual problems or conflicts in the use of the sidewalk area. Such problems and conflicts may arise from, but are not limited to, scheduled festivals and similar events, parades, repairs to the street or sidewalk, or emergencies occurring in the area. To the extent possible, the permittee will be given prior written notice of any time period during which the operation of the sidewalk café will be prohibited by the city.
16. The sidewalk café will not require the provision of additional off-street parking.

D. Findings and Conditions: In connection with approval, the community development director may impose such conditions as deemed necessary to assure the appropriate operation of the business and assure that the public safety and welfare are protected.

E. Terms and Renewal: Any approved sidewalk café may be subject to review based upon neighborhood complaints, unlawful assembly, excessive noise, or other similar public nuisances. The director may impose additional conditions as deemed necessary to address identified problems associated with the use. Any action taken by the director may be appealed to the planning commission. The planning commission has the authority to revoke authorization for any sidewalk café. Any action of the planning commission may be appealed to the city council.

F. Revocation: Approval for the sidewalk café and/or the business license for the restaurant use may be revoked following notice to the permittee and a public hearing, upon a finding that one or more conditions of the permit or of this section have been violated or that the sidewalk café is being operated in a manner which constitutes a nuisance, or that the operation of the sidewalk café unduly impedes or restricts the movement of pedestrians past the sidewalk café. (Ord. 19-1036)

9-1T-19: GROCERY STORE:

All grocery stores established after the effective date of this section must abide by the following standards to be classified as "Retail sales, under 10,000 square feet."

- A. Existing loading docks must comply with the requirements of Section 9-1E-6 to the extent physically feasible.
- B. Alcohol sales areas must be no more than 15 percent of the interior square footage of the market.
- C. Fresh food (not canned, dried, or frozen) must be at least 20 percent of the interior square footage of the market.
- D. Accessory uses including fast casual or fast food, banks, pharmacies, and other similar uses (excluding public food markets) determined by the Community Development Director are permitted. The total floor area of accessory uses must not exceed 10 percent of the interior building area.
- E. A security plan must be reviewed and approved by the Community Development Director and continually instituted if calls for service to the Los Angeles County Sheriff's Department exceeds the City average for a grocery store.
- F. Exterior windows without tinting must be provided on at least 25 percent of the front elevation of building's main entrance facade.
- G. All electronic kiosks, unattended collection boxes, vending machines, online retailer lockers, and such must be located indoors.
- H. Items displayed outdoors must be displayed using high quality materials such as finished wood, and not pallets, cardboard, or plastic crates and boxes.
- I. Items for sale indoors must not be stored or displayed in or on cardboard boxes, plastic crates and boxes, metal crates, pallets, wire shelves, or bakery shelves.
- J. The Community Development Director may restrict loading dock utilization if complaints to code enforcement or the Los Angeles County Sheriff's Department exceed the City average for a grocery store.
- K. Fluorescent or LED light tubes shall be shielded from view.
- L. Aquariums and the like must be maintained in good condition. This includes free of algae and debris. Glass must be kept clean.
- M. The grocery store must provide high quality video cameras inside and outside of each entrance and make such videos available to the Los Angeles County Sheriff's Department when requested. Videos must be kept for 15 days. (Ord. 1055, 6-1-2021)

9-1T-20: PUBLIC FOOD MARKET:

All public food markets must abide by the following.

- A. Findings for Approval: The Planning Commission may not approve a conditional use permit unless the Planning Commission finds:
 1. The proposed public food market will include high-quality improvements and materials.
 2. The proposed public food market will be managed by an entity or person with experience overseeing a successful public food market or similar use.
- B. The applicant must submit for the Planning Commission's review and approval a plan for the mix of tenants and operation. The plan must focus the public food market's vendors on food and food related products (cookbooks, cooking materials, and ingredients) or homemade products and crafts. The following guidelines should be used as guidelines for such a plan.
 1. No more than 33 percent of the floor area of the market can be leased to vendors selling food intended to be consumed onsite.

2. No more than 10 percent of the floor area of the market can be leased to vendors selling general merchandise.
- C. An applicant for a public food market must submit and implement an interior design program written by a licensed architect which requires quality materials, regulates how to display products, and sets requirements for keeping spaces clean and well maintained. The program must include requirements related to counter height, demising partitions, merchandising, display, lighting, material, storage, and signs.
- D. Stalls must be designed with a rear entrance to provide access and storage.
- E. Stalls selling prepared foods for onsite consumption may provide seating at a bar.
- F. A communal seating area for patrons to eat foods cooked onsite may be included. If so, one larger seating area must be provided; smaller seating areas spread throughout the market may be provided in addition to the larger seating area.
- G. Alcohol sales must be limited to one tenant per 30,000 square feet and limited to rare, high quality, small-batch, or "craft" brews. Single-serve alcohol must not be sold for offsite consumption. Containers of alcohol less than 8 ounces must not be sold for offsite consumption.
- H. Cigarettes, other tobacco products, other tobacco related products, vaping products and products containing psycho-tropic cannabis related products must not be sold. Tenants selling non-psycho-tropic CBD products are limited to one per 30,000 square feet.
- I. Non-food vendors must be in non-prominent areas such as along rear walls or in spaces furthest from the entrance.
- J. The market must have its own entrance from the building's main façade.
- K. Flower or seasonal sales stalls must be provided on at least one side of the building's main entrance unless the market is along a city-owned sidewalk where outdoor sales is prohibited. In such cases, setting the building back to provide seasonal outdoor sales is encouraged.
- L. In cases where the required parking is not city-owned, the required parking for the market may be used as an exterior "Market Square" once a week if permitted by or subject to conditions of the business's conditional use permit or a separate temporary use permit.
- M. Indoor and outdoor displays must be attractive and orderly. Cardboard boxes, plastic crates, wire shelves, wood pallets and other low-quality storage is not allowed.
- N. Besides cooked or prepared foods, the vendors must not sell food or products that release obnoxious odors. Areas for fish vendors and greengrocers must be maintained to eliminate odor.
- O. The business will be inspected quarterly and pay the Community Preservation inspection fee as defined in the City's Fee and Fine Schedule. (Ord. 21-1056, 5-4-2021)