

Title 7 STREETS*

Chapters:

7.04 Street and Highway Permits

7.08 Master Street Plan

*See also Curbs, Gutters and Sidewalks in Chapter 8.24 of this code.

**Chapter 7.04
STREET AND HIGHWAY PERMITS**

Sections:

7.04.010 Highway permit ordinance adopted by reference.

7.04.020 Definitions.

7.04.030 Certificates of insurance.

7.04.010 Highway permit ordinance adopted by reference.

There is adopted by reference, as hereinafter provided, as a highway permit ordinance of the city of La Puente, except as hereinafter amended: Ordinance Number 3597 of the county of Los Angeles, the highway permit ordinance, as amended and in effect to date and as further amended by Ordinance Nos. 12,038 and 12,166 of the county of Los Angeles, which ordinance regulates streets and highways and provides for issuance of permits and collection of fees for the moving of buildings, the making of excavations in the public streets, the laying, constructing and repairing of curbs and sidewalks, and sets requirements for underground T.V. distribution systems.

Three copies of Ordinance No. 3597 of the county of Los Angeles, as amended to date and further amended by Ordinance Nos. 12,038 and 12,166 of the county of Los Angeles, have been deposited with the city clerk and shall be at all times maintained by the city clerk for use and examination by the public.

Whenever in Ordinance No. 3597, as amended, reference is made to the unincorporated areas of the county of Los Angeles, such areas shall be deemed to include in its true geographical location the area of the city of La Puente.

(Ord. 454 § 1 (part), 1980)

7.04.020 Definitions.

Whenever any of the following names or terms are used in Ordinance No. 3597 of the county of Los Angeles, as amended, each such name or term shall be deemed and construed to have the meaning ascribed to it in this section, as follows:

(a) "County of Los Angeles" means the city of La Puente, except in such instances when the county of Los Angeles is a correct notation due to circumstances.

(Ord. 454 § 1 (part), 1980)

7.04.030 Certificates of insurance.

If an applicant for a building or encroachment permit is required, as a condition for the issuance of such permit, to indemnify the city from liability or responsibility for any damage or injury to persons or property occurring as a proximate result to activities undertaken pursuant to the permit applied for, the applicant may be required to file a certificate of insurance evidencing coverage of the city of not less than five hundred thousand dollars for bodily injury and/or one hundred thousand dollars for property damage liability to assure compliance with the foregoing indemnification. In the event that the county of Los Angeles is providing services relating to the permit,

the county shall be named as additional insured.

(Ord. 573 § 1, 1987)

Chapter 7.08
MASTER STREET PLAN

Sections:

7.08.010 Master plan of streets and highways adopted.

7.08.020 Glendora Avenue a secondary highway.

7.08.010 Master plan of streets and highways adopted.

The council adopts the Master Plan of Highways of the county, insofar as it affected the area now within the city before incorporation, the intention of this section being that the Master Plan shall have the same effect on the area as it did before incorporation. The city clerk is directed to keep on file in his office for use by the public, three copies of the Master Plan of Highways of Los Angeles County.

(Ord. 1 § 9102, 1956)

7.08.020 Glendora Avenue a secondary highway.

Notwithstanding the designation as set forth on the Master Plan of Highways of Los Angeles County, Glendora Avenue between Hudson Avenue and Valley Boulevard, within the limits of the city, is designated and made a secondary highway with an eighty foot right-of-way and such designation shall be treated and considered in all respects as if the Master Plan of Highways of Los Angeles County had so named said street.

(Ord. 22, 1957; Ord. 1 § 9102.1, 1956)

Title 8 BUILDING REGULATIONS

Chapters:

- 8.03 Building Construction Fees and Charges
- 8.05 Building Code
- 8.09 Plumbing Code
- 8.13 Electrical Code
- 8.16 Swimming Pool Fences
- 8.17 Mechanical Code
- 8.20 Reimbursement Fees from Los Angeles County
- 8.24 Curbs, Gutters and Sidewalks
- 8.36 Excavations
- 8.40 Underground Utilities
- 8.44 Residential Code
- 8.48 Green Building Standards Code
- 8.52 Existing Building Code

Chapter 8.03
BUILDING CONSTRUCTION FEES AND CHARGES*

Sections:

8.03.010 Fees and charges.

*Prior history: Ord. 465.

8.03.010 Fees and charges.

Notwithstanding the provisions of Sections 8.05.010, 8.09.010, 8.13.010 and 8.17.010 of the La Puente Municipal Code, all fees and charges for services rendered or permits issued pursuant to the building code, plumbing code, mechanical code or electrical code, shall be set and may from time to time be amended by resolution of the city council.

(Ord. 711 § 1, 1994)

Chapter 8.05
BUILDING CODE*

Sections:

8.05.010 Adoption of building code.

8.05.020 Definitions.

8.05.070 Violations and penalties.

* Prior history: Ords. 479, 529, 580, 636, 665U, 728U and 729.

8.05.010 Adoption of building code.

Except as hereinafter provided, Title 26 Building Code of the Los Angeles County Code, as amended and in effect on January 1, 2017, adopting the California Building Code, 2016 Edition (Part 2 of Title 24 of the California Code of Regulations) is incorporated herein by reference as if fully set forth below and shall be known and may be cited as the building code of the city of La Puente.

The provisions of the building code applying to dwellings, lodging houses, congregate residences, hotels, motels, apartment houses, or other uses classified as a Group R occupancy, and including Chapters 1, 2, 98 and 99 of said code, are and may be cited as the housing code of the city.

In the event of any conflict between provisions of the California Building Code, 2016 Edition, Title 26 of the Los Angeles County Code, or any amendment to the building code, as set forth in the La Puente Municipal Code, the provisions contained in the La Puente Municipal Code shall control.

A copy of Title 26 of the Los Angeles County Code and the California Building Code, 2016 Edition, have been deposited in the office of the city clerk and shall be at all times maintained by the city clerk for use and examination by the public.

(Ord. 945 § 3, 2017; Ord. 944 § 3, 2016; Ord. 927 § 2, 2014; Ord. 926 § 2, 2013; Ord. 909 § 2, 2011; Ord. 908 § 2, 2010; Ord. 870 § 1, 2008; Ord. 785 § 1 (part), 1999)

8.05.020 Definitions.

Notwithstanding the provisions of Section 8.05.010 of this chapter, whenever any of the following names or terms are used in the building code, each name or terms shall be deemed and construed to have the meaning ascribed to it in this section as follows:

"Board of appeals" means the board of appeals as appointed by the city council of the city of La Puente.

"Building department" means the building and safety division of the city of La Puente.

"Building official" means the building official of the city of La Puente.

"County", "county of Los Angeles" or "unincorporated territory of the county of Los Angeles" means city of La Puente.

"County engineer" means the city engineer, except in such instances when the county engineer is a correct notation due to circumstances.

"Electrical code" means the electrical code of the city of La Puente as contained in Chapter 8.13 of the La Puente Municipal Code.

"Fire code" means the fire code of the city of La Puente as contained in Chapter 9.04 of the La Puente Municipal Code.

"General fund" means the city treasury of the city of La Puente.

"Green building standards code" means the green building standard code of the city of La Puente as contained in Chapter 8.48 of the La Puente Municipal Code.

"Health code" or "Los Angeles County Health Code" means the health code of the city of La Puente as contained in Chapter 4.04 of the La Puente Municipal Code.

"Health officer" means the health officer of the county of Los Angeles acting on behalf of the city of La Puente.

"Jurisdiction" means the city of La Puente.

"Mechanical code" means the mechanical code of the city of La Puente as contained in Chapter 8.17 of the La Puente Municipal Code.

"Plumbing code" means the plumbing code of the city of La Puente as contained in Chapter 8.09 of the La Puente Municipal Code.

"Rehabilitation appeals board" means the rehabilitation appeals board as appointed by the city council of the city of La Puente.

"Residential code" means the residential code of the city of La Puente as contained in Chapter 8.44 of the La Puente Municipal Code.

(Ord. 927 § 3, 2014: Ord. 926 § 3, 2013: Ord. 909 § 3, 2011: Ord. 908 § 3, 2010: Ord. 785 § 1 (part), 1999)

8.05.070 Violations and penalties.

(a) No person shall erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy or maintain any building or structure or perform any grading in the city of La Puente, or cause the same to be done, contrary to or in violation of any of the provisions of the building code of the city of La Puente.

(b) Any person, firm or corporation violating any of the provisions of the building code of the city of La Puente shall be deemed guilty of a misdemeanor, and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of the building code is committed, continued or permitted, and upon conviction of any such violation such person shall be punishable by a fine of not to exceed one thousand dollars or by imprisonment in the county jail for a period of not more than six months or by both such fine and imprisonment. Each day that a violation occurs shall constitute a separate offense.

(Ord. 927 § 5, 2014: Ord. 926 § 5, 2013: Ord. 909 § 4, 2011: Ord. 908 § 4, 2010: Ord. 785 § 1 (part), 1999)

Chapter 8.09 PLUMBING CODE*

Sections:

8.09.010 Adoption of plumbing code.

8.09.020 Definitions.

8.09.030 Violations and penalties.

* Prior history: Ords. 201, 203, 297, 338, 341, 394, 421, 480, 530, 581, 624, 665U, 728U and 729.

8.09.010 Adoption of plumbing code.

Except as hereinafter provided, Title 28, Plumbing Code, of the Los Angeles County Code, as amended and in effect on January 1, 2017, adopting the California Plumbing Code, 2016 Edition (Part 5 of Title 24 of the California Code of Regulations), is hereby incorporated herein by reference as if fully set forth below, and shall be known and may be cited as the plumbing code of the City of La Puente.

In the event of any conflict between provisions of the California Plumbing Code, 2016 Edition, Title 28 of the Los Angeles County Plumbing Code, or any amendment to the Plumbing Code set forth in the La Puente Municipal Code, the provisions contained in the La Puente Municipal Code shall control.

A copy of Title 28 of the Los Angeles County Code and the California Plumbing Code, 2016 Edition, have been deposited in the office of the La Puente city clerk and shall be at all times maintained by the city clerk for use and examination by the public.

(Ord. 945 § 4, 2017; Ord. 944 § 4, 2016; Ord. 927 § 6, 2014; Ord. 926 § 6, 2013; Ord. 909 § 5 (part), 2011; Ord. 908 § 5 (part), 2010; Ord. 870 § 2, 2008; Ord. 785 § 2 (part), 1999)

8.09.020 Definitions.

Notwithstanding the provisions of Section 8.09.010 of this chapter, whenever any of the following names or terms are used in this plumbing code, each name or terms shall be deemed and construed to have the meaning ascribed to it in this section as follows:

"Board of appeals" means the board of appeals as appointed by the city council of the city of La Puente.

"Building code" means the building code of the city of La Puente as contained in Chapter 8.05 of the La Puente Municipal Code.

"Building department" means the building and safety division of the city of La Puente.

"Building official" means the building official of the city of La Puente.

"County", "county of Los Angeles" or "unincorporated territory of the county of Los Angeles" means city of La Puente.

"County engineer" means the city engineer, except in such instances when the county engineer is a correct notation due to circumstances.

"Electrical code" means the electrical code of the city of La Puente as contained in Chapter 8.13 of the La Puente Municipal Code.

"Fire code" means the fire code of the city of La Puente as contained in Chapter 9.04 of the La Puente Municipal Code.

"General fund" means the city treasury of the city of La Puente.

"Green building standards code" means the green building standard code of the city of La Puente as contained in Chapter 8.48 of the La Puente Municipal Code.

"Health code" or "Los Angeles County Health Code" means the health code of the city of La Puente as contained in Chapter 4.04 of the La Puente Municipal Code.

"Health officer" means the health officer of the county of Los Angeles acting on behalf of the city of La Puente.

"Jurisdiction" means the city of La Puente.

"Mechanical code" means the mechanical code of the city of La Puente as contained in Chapter 8.17 of the La Puente Municipal Code.

"Residential code" means the residential code of the city of La Puente as contained in Chapter 8.44 of the La Puente Municipal Code.

(Ord. 927 § 7, 2014; Ord. 926 § 7, 2013; Ord. 909 § 5 (part), 2011; Ord. 908 § 5 (part), 2010; Ord. 785 § 2 (part), 1999)

8.09.030 Violations and penalties.

Any person, firm or corporation violating any of the provisions of the plumbing code of the city of La Puente shall be deemed guilty

of a misdemeanor, and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of the building code is committed, continued or permitted, and upon conviction of any such violation such person shall be punishable by a fine of not to exceed one thousand dollars or by imprisonment in the county jail for a period of not more than six months or by both such fine and imprisonment. Each day that a violation occurs shall constitute a separate offense.

(Ord. 927 § 8, 2014: Ord. 926 § 8, 2013: Ord. 909 § 5 (part), 2011: Ord. 908 § 5 (part), 2010: Ord. 785 § 2 (part), 1999)

Chapter 8.13

ELECTRICAL CODE

Sections:

8.13.010 Adoption of electrical code.

8.13.020 Definitions.

8.13.030 Violations and penalties.

8.13.010 Adoption of electrical code.

Except as hereinafter provided, Title 27, Electrical Code, of the Los Angeles County Code, as amended and in effect on January 1, 2017, adopting the California Electrical Code, 2016 Edition (Part 3 of Title 24 of the California Code of Regulations), is hereby incorporated herein by reference as if fully set forth below, and shall be known and may be cited as the electrical code of the City of La Puente.

In the event of any conflict between provisions of the California Electrical Code, 2016 Edition, Title 27 of the Los Angeles County Electrical Code, or any amendment to the Electrical Code set forth in the La Puente Municipal Code, the provisions contained in the La Puente Municipal Code shall control.

A copy of Title 27 of the Los Angeles County Code and the California Electrical Code, 2016 Edition, have been deposited in the office of the La Puente city clerk and shall be at all times maintained by the city clerk for use and examination by the public.

(Ord. 945 § 5, 2017; Ord. 944 § 5, 2016; Ord. 927 § 9, 2014: Ord. 926 § 9, 2013: Ord. 909 § 6 (part), 2011: Ord. 908 § 6 (part), 2010: Ord. 870 § 3, 2008: Ord. 785 § 3 (part), 1999: Ord. 729 § 3 (part), 1996: Ord. 728U § 3 (part), 1995: Ord. 665U § 5 (part), 1992: Ord. 590 § 1, 1988: Ord. 550 § 1, 1986: Ord. 496 § 1, 1983: Ord. 442 § 2 (part), 1979)

8.13.020 Definitions.

Notwithstanding the provisions of Section 8.13.010 of this chapter, whenever any of the following names or terms are used in the electrical code, each name or terms shall be deemed and construed to have the meaning ascribed to it in this section as follows:

"Board of appeals" means the board of appeals as appointed by the city council of the city of La Puente.

"Building code" means the building code of the city of La Puente as set forth in Chapter 8.05 of the La Puente Municipal Code.

"Building department" means the building and safety division of the city of La Puente.

"Building official" means the building official of the city of La Puente.

"County", "county of Los Angeles" or "unincorporated territory of the county of Los Angeles" means city of La Puente.

"County engineer" means the city engineer, except in such instances when the county engineer is a correct notation due to circumstances.

"Fire code" means the fire code of the city of La Puente as contained in Chapter 9.04 of the La Puente Municipal Code.

"General fund" means the city treasury of the city of La Puente.

"Green building standards code" means the green building standard code of the city of La Puente as contained in Chapter 8.48 of the La Puente Municipal Code.

"Health code" or "Los Angeles County Health Code" means the health code of the city of La Puente as contained in Chapter 4.04 of the La Puente Municipal Code.

"Health officer" means the health officer of the county of Los Angeles acting on behalf of the city of La Puente.

"Jurisdiction" means the city of La Puente.

"Mechanical code", means the mechanical code of the city of La Puente as contained in Chapter 8.17 of the La Puente Municipal Code.

"Plumbing code" means the plumbing code of the city of La Puente as contained in Chapter 8.09 of the La Puente Municipal Code.

"Residential code" means the residential code of the city of La Puente as contained in Chapter 8.44 of this municipal code.

(Ord. 927 § 10, 2014: Ord. 926 § 10, 2013: Ord. 909 § 6 (part), 2011: Ord. 908 § 6 (part), 2010: Ord. 785 § 3 (part), 1999: Ord. 729 § 3 (part), 1996: Ord. 723U § 3 (part), 1995: Ord. 550 § 2, 1986: Ord. 442 § 2 (part), 1979)

8.13.030 Violations and penalties.

Any person, firm or corporation violating any of the provisions of the electrical code of the city of La Puente shall be deemed guilty of a misdemeanor, and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of the building code is committed, continued or permitted, and upon conviction of any such violation such person shall be punishable by a fine of not to exceed one thousand dollars or by imprisonment in the county jail for a period of not more than six months or by both such fine and imprisonment. Each day that a violation occurs shall constitute a separate offense.

(Ord. 927 § 11, 2014: Ord. 926 § 11, 2013: Ord. 909 § 6 (part), 2011: Ord. 908 § 6 (part), 2010: Ord. 785 § 3 (part), 1999: Ord. 729 § 3 (part), 1996: Ord. 728U § 3 (part), 1995: Ord. 665U § 5 (part), 1992: Ord. 442 § 2 (part), 1979)

Chapter 8.16 SWIMMING POOL FENCES

Sections:

8.16.010 Fences required around swimming pools-Dimensions.

8.16.020 Wood fences.

8.16.030 Wire fences.

8.16.040 Masonry fences.

8.16.050 Approved alternate.

8.16.060 Supervision of pool or pool cover in lieu of fence.

8.16.070 Gate or door-Self-latching devices.

8.16.080 Gate or door-To fill opening-Keeping closed.

8.16.010 Fences required around swimming pools-Dimensions.

Every person who owns or is in possession of any premises on which there is situated on July 1, 1960, or at any time thereafter, a swimming pool, fish pond, wading pool or any other outside body of water created by artificial means, designed or used for swimming or other immersion purposes, by men, women or children, except a portable swimming pool, any portion of which is two feet deep or more shall maintain on the lot or premises upon which such swimming pool is located and completely surrounding such pool, lot or premises, a fence, wall, or other structure not less than five feet in height with no openings, except doors or gates, with an area greater than fifty square inches, except that a rectangular opening having no horizontal dimension exceeding four inches may have a greater area, constructed as provided in this chapter.

(Ord. 1 § 4150, added by Ord. 130; June 28, 1960)

8.16.020 Wood fences.

Wood fences shall have posts not less than three inches by three inches, spaced not over ten feet on centers, and embedded at least eighteen inches into the ground. Posts, other than redwood, shall be treated with a preservative. Fencing shall be at least one-half inch in thickness and fastened securely to at least two rails not less than two inches by three inches in cross section.

(Ord. 1 § 4150(a), added by Ord. 130; June 28, 1960)

8.16.030 Wire fences.

Wire fences shall be constructed of wire mesh of not less than eleven gauge galvanized steel wire supported on one and one-quarter inches diameter galvanized pipe spaced not over ten feet on centers. Posts shall be embedded at least twelve inches into concrete fill-in holes not less than six inches in diameter and eighteen inches in depth.

(Ord. 1 § 4150(b), added by Ord. 130; June 28, 1960)

8.16.040 Masonry fences.

Masonry fences shall be supported on a foundation of concrete extending at least twelve inches below grade, at least twelve inches in width, and at least six inches in thickness. Wall steel when required, shall be embedded sixteen diameters into the footing.

(Ord. 1 § 4150(c), added by Ord. 130; June 28, 1960)

8.16.050 Approved alternate.

If the city engineer finds that any other type of construction has resulted in, or will result in, a fence in all respects the equivalent in strength and durability to a fence constructed as provided in Sections 8.16.020, 8.16.030 or 8.16.040, such type of construction may be used. All fences or walls constructed for the purposes of this chapter shall comply with all of the building code requirements of the city.

(Ord. 1 § 4150(d), added by Ord. 130; June 28, 1960)

8.16.060 Supervision of pool or pool cover in lieu of fence.

In lieu of maintaining a fence, such persons may provide a competent person who shall keep the pool under observation at all times while water is kept in the pool. In the event the pool is not under the observation of a competent person, a pool cover or other protective device approved by the city engineer may be used.

(Ord. 1 § 4150(e), added by Ord. 130; June 28, 1960)

8.16.070 Gate or door-Self-latching devices.

All gates or doors opening through the fence or structure protecting a swimming pool as required by this chapter shall be equipped with self-closing and self-latching devices not less than four feet above grade capable of keeping such gate or door securely closed at all times when not in actual use.

(Ord. 130 (part), 1960; Ord. 1 § 4150.1, 1956)

8.16.080 Gate or door-To fill opening-Keeping closed.

All doors or gates shall be of such size as to completely fill any opening in the fence or wall. The owner or person in possession of the premises on which such swimming pool exists shall keep such doors and gates closed and securely latched at all times when such swimming pool is not in use.

Chapter 8.17

MECHANICAL CODE

Sections:

- 8.17.010 Adoption of mechanical code.
- 8.17.020 Definitions.
- 8.17.030 Violations and penalties.

8.17.010 Adoption of mechanical code.

Except as hereinafter provided, Title 29, Mechanical Code, of the Los Angeles County Code, as amended and in effect on January 1, 2017, adopting the California Mechanical Code, 2016 Edition (Part 4 of Title 24 of the California Code of Regulations), is hereby incorporated herein by reference as if fully set forth below, and shall be known and may be cited as the mechanical code of the City of La Puente.

In the event of any conflict between provisions of the California Mechanical Code, 2016 Edition, Title 29 of the Los Angeles County Mechanical Code, or any amendment to the Mechanical Code set forth in the La Puente Municipal Code, the provisions contained in the La Puente Municipal Code shall control.

A copy of Title 29 of the Los Angeles County Code and the California Mechanical Code, 2016 Edition, have been deposited in the office of the La Puente city clerk and shall be at all times maintained by the city clerk for use and examination by the public.

(Ord. 945 § 6, 2017; Ord. 944 § 6, 2016; Ord. 927 § 12, 2014; Ord. 926 § 12, 2013; Ord. 909 § 7 (part), 2011; Ord. 908 § 7 (part), 2010; Ord. 870 § 4, 2008; Ord. 785 § 4 (part), 1999; Ord. 729 § 4 (part), 1996; Ord. 728U § 4 (part), 1995; Ord. 665U § 6 (part), 1992; Ord. 625 § 1, 1990; Ord. 582 § 1, 1988; Ord. 531 § 1 (part), 1985; Ord. 422 § 1, 1978; Ord. 396 § 1, 1975; Ord. 342 § 1, 1972; Ord. 339 § 1, 1972; Ord. 299 § 1 (part), 1968)

8.17.020 Definitions.

Notwithstanding the provisions of Section 8.17.010 of this chapter, whenever any of the following names or terms are used in the mechanical code, each name or terms shall be deemed and construed to have the meaning ascribed to it in this section as follows:

"Board of appeals" means the board of appeals as appointed by the city council of the city of La Puente.

"Building code" means the building code of the city of La Puente as contained in Chapter 8.05 of the La Puente Municipal Code.

"Building department" means the building and safety division of the city of La Puente.

"Building official" means the building official of the city of La Puente.

"County", "county of Los Angeles" or "unincorporated territory of the county of Los Angeles" means city of La Puente.

"County engineer" means the city engineer, except in such instances when the county engineer is a correct notation due to circumstances.

"Electrical code" means the electrical code of the city of La Puente as contained in Chapter 8.13 of the La Puente Municipal Code.

"Fire code" means the fire code of the city of La Puente as contained in Chapter 9.04 of the La Puente Municipal Code.

"General fund" means the city treasury of the city of La Puente.

"Green building standards code" means the green building standard code of the city of La Puente as contained in Chapter 8.48 of the La Puente Municipal Code.

"Health code" or "Los Angeles County Health Code" means the health code of the city of La Puente as contained in Chapter 4.04 of the La Puente Municipal Code.

"Health officer" means the health officer of the county of Los Angeles acting on behalf of the city of La Puente.

"Jurisdiction" means the city of La Puente.

"Plumbing code" means the plumbing code of the city of La Puente as contained in Chapter 8.09 of the La Puente Municipal Code.

"Residential code" means the residential code of the city of La Puente as contained in Chapter 8.44 of the La Puente Municipal Code.

(Ord. 927 § 13, 2014: Ord. 926 § 13, 2013: Ord. 909 § 7 (part), 2011: Ord. 908 § 7 (part), 2010: Ord. 785 § 4 (part), 1999: Ord. 729 § 4 (part), 1996: Ord. 728U § 4 (part), 1995: Ord. 625 § 2, 1990: Ord. 582 § 2, 1988: Ord. 531 § 1 (part), 1985: Ord. 396 § 2, 1975: Ord. 353 § 1, 1972: Ord. 350 § 1, 1972: Ord. 342 § 2, 1972: Ord. 339 § 2, 1972: Ord. 299 § 1 (part), 1968)

8.17.030 Violations and penalties.

Any person, firm or corporation violating any of the provisions of the mechanical code of the city of La Puente shall be deemed guilty of a misdemeanor, and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of the building code is committed, continued or permitted, and upon conviction of any such violation such person shall be punishable by a fine of not to exceed one thousand dollars or by imprisonment in the county jail for a period of not more than six months or by both such fine and imprisonment. Each day that a violation occurs shall constitute a separate offense.

(Ord. 927 § 14, 2014: Ord. 926 § 14, 2013: Ord. 909 § 7 (part), 2011: Ord. 908 § 7 (part), 2010: Ord. 785 § 4 (part), 1999: Ord. 729 § 4 (part), 1996: Ord. 728U § 4 (part), 1995: Ord. 665U § 6 (part), 1992)

Chapter 8.20 REIMBURSEMENT FEES FROM LOS ANGELES COUNTY

Sections:

8.20.010 Reimbursement district defined-Boundaries.

8.20.020 Reimbursement maps defined.

8.20.030 Reimbursement fees defined.

8.20.040 Payment of reimbursement fees.

8.20.010 Reimbursement district defined-Boundaries.

"Reimbursement district" means that territory which may benefit from utilization of further or additional sewer facilities constructed or agreed to be constructed at the expense of the county of Los Angeles general fund, pursuant to contract entered into between subdividers and county of Los Angeles, in accordance with Section 11543 of the Business and Professions Code of the state of California.

The exterior boundaries of such reimbursement districts have been heretofore established and are reflected in reimbursement maps on file with the county of Los Angeles, and with the city.

(Ord. 19, 1957: Ord. 1 § 8600)

8.20.020 Reimbursement maps defined.

"Reimbursement maps" are those maps on file with the county of Los Angeles, and the city, designating the exterior boundaries of reimbursement districts and reflecting the reimbursement fees chargeable to included territory as a condition of utilization of the sewer facilities for which county funds were expended.

(Ord. 19, 1957: Ord. 1 § 8601)

8.20.030 Reimbursement fees defined.

"Reimbursement fees" are those charges, the imposition of which is authorized by the provisions of the Subdivision Map Act of the state of California, imposed on territory within reimbursement districts, to recoup the cost of further and additional facilities constructed at the cost of the county of Los Angeles. Such fees are reflected on those Reimbursement Maps heretofore referred to in Section 8.20.020.

(Ord. 1 § 8602, added by Ord. 19; January 21, 1957)

8.20.040 Payment of reimbursement fees.

No permit shall be issued for the connection of property lying within a Reimbursement District to a public sewer until applicant shall have first paid to the County of Los Angeles all reimbursement fees attributable to the connecting property as indicated on the reimbursement map. Reimbursement fees shall be paid to the County Engineer of the County of Los Angeles, and payments so made shall become the property of said county in accordance with the provisions of those contracts entered into pursuant to Section 11544 of the Business and Professions Code.

(Ord. 1 § 8603, added by Ord. 19; January 21, 1957)

Chapter 8.24 CURBS, GUTTERS AND SIDEWALKS

Sections:

8.24.010 Construction of curbs, gutters and sidewalks.

8.24.020 Denial of certificate of occupancy authorized.

8.24.030 Waiver from effect of chapter authorized.

8.24.040 Sidewalk variances.

8.24.010 Construction of curbs, gutters and sidewalks.

Any owner, lessee or agent constructing or arranging for the construction of a building or dwelling shall also construct or cause to be constructed cement curbs, gutters and sidewalks in accordance with city specifications, unless concrete curbs, gutters and sidewalks already exist along all street frontages adjoining the lot or lots on which the building or dwelling is to be constructed; provided, however, that in areas not subdivided or parceled into one-half acre or smaller lots, curbs and sidewalks need not be installed for a greater distance than the minimum lot width required by the zoning regulations of this code for the zone in which said area is located. For corner parcels in such unsubdivided areas, the side frontage shall be determined by the minimum area requirements.

(Ord. 1 § 8703, added by Ord. 28; March 18, 1957)

8.24.020 Denial of certificate of occupancy authorized.

The Building Inspector shall deny final public utility connections to any building or dwelling and the certificate of occupancy until said concrete curbs, gutters and sidewalks exist or are constructed or their construction is guaranteed to the satisfaction of the City Council.

(Ord. 1 § 8704, added by Ord. 28; March 18, 1957)

8.24.030 Waiver from effect of chapter authorized.

Upon written application made to the City Council, the City Council may waive by resolution or minute action, the effect of this chapter upon the applicant, when the City Council finds that any of the following conditions exist. The decision of the Council to approve, conditionally approve or deny the application shall be final.

The said conditions are as follows:

(1) The City Council determines that because of the location of the property, the terrain or condition of the property, or other similar reasons, the construction of the curbs, gutters and sidewalks would be impractical or unnecessary.

(2) The City Council determines that because of lack of adequate data in regard to grades, plans or surveys, the construction of the curbs, gutters and sidewalks should be waived.

(3) The City Council determines that the construction of curbs, gutters and sidewalks is included in a budgeted city project or an approved assessment district.

(Ord. 1 § 8705, added by Ord. 28; March 18, 1957)

8.24.040 Sidewalk variances.

(a) Upon written application made to the City Manager, the City Manager may waive the sidewalk requirements of this chapter when the City Manager finds that in the block where the applicant is constructing the dwelling more than fifty (50) per cent of the lots in the block are improved with dwellings and there are no existing sidewalks in the block.

(b) The provisions of this section shall be applicable only to areas which are in the R-1 Single Family Residential District, pursuant to the provisions of the zoning regulations of this code.

(c) In the event the City Manager refuses to grant the variance, the applicant has the right of appeal in writing to the City Council. The decision of the City Council shall be final.

(Ord. 1 § 8706, added by Ord. 94; July 1, 1958)

Chapter 8.36 EXCAVATIONS

Sections:

- 8.36.010 Parcel of land defined.
- 8.36.020 Oil well sump-Fence requirements.
- 8.36.030 Oil well sump-Ceasing operations.
- 8.36.040 General rule for fencing, filling.
- 8.36.050 Exceptions.
- 8.36.060 Man-made lakes.
- 8.36.070 Failure to conform-Notice.
- 8.36.080 Appeal for variance-Hearing-Purpose.
- 8.36.090 Notification of appeal decision.
- 8.36.100 Failure to comply with decision-City work.
- 8.36.110 Record of expense kept.
- 8.36.120 Posting notice of expense.
- 8.36.130 Mailing notice of expense.
- 8.36.140 Hearing property owner's objections.
- 8.36.150 Confirming report.
- 8.36.160 Expense declared lien.

- 8.36.170 Recording expense report.
- 8.36.180 Court action authorized.
- 8.36.190 Severability of exceptions.
- 8.36.200 Penalty for violation.

8.36.010 Parcel of land defined.

As used in this chapter, PARCEL OF LAND means a contiguous quantity of land, in the possession of, or owned by, or recorded as the property of, the same claimant or persons.

(Ord. 186; November 27, 1962)

8.36.020 Oil well sump-Fence requirements.

Every person making, maintaining, or using any oil well sump, and every person owning or having possession of any premises on which such sump exists, shall erect and maintain completely around such sump a fence not less than five feet high mounted on steel posts with not less than three strands of barbed wire around the top. Such fence shall be constructed of chain link or woven wire fencing, of not greater than a six-inch mesh.

(Ord. 186; November 27, 1962)

8.36.030 Oil well sump-Ceasing operations.

Every person operating or maintaining an oil well shall cause all sumps, cellars and ditches which were used, or installed, or maintained for use in connection with any well and which have not been used for ninety days for the operation of, or the drilling of, such well or any other well in the vicinity, to be cleaned out and all oil, rotary mud and rubbish removed therefrom.

(Ord. 186; November 27, 1962)

8.36.040 General rule for fencing, filling.

Every person making, maintaining or using any man-made excavation, three feet or more in depth, and every person owning or having possession of any premises on which such excavation exists, shall cover such excavation or erect and maintain around such excavation at all places where the slope is steeper than one foot vertical to two feet horizontal if not under water, or one foot vertical to four feet horizontal if under water, a fence of sufficient height and strength to protect all persons and animals from such excavation, by accident or inadvertence.

(Ord. 186; November 27, 1962)

8.36.050 Exceptions.

Neither Section 3.36.013 nor 3.36.015 applies to:

- (a) An oil well sump constantly and immediately attended while drilling operations are continuously proceeding.
- (b) An excavation covered by Sections 24400, 24401, or 24402 of the Health and Safety Code.
- (c) An excavation more than one-quarter mile from the nearest highway and within one-half mile of which excavation there are less than twenty residences.
- (d) An excavation for the installation of a public utility, if not abandoned.
- (e) An excavation in connection with the construction of a private residence, if not abandoned.

(f) A swimming pool, fish pond, or wading pond on the same lot or parcel of land as a private residence.

(g) An excavation not more than one-half mile in length which becomes a portion of a natural watercourse.

(Ord. 186; November 27, 1962)

8.36.060 Man-made lakes.

Where a man-made excavation is filled with water so that the area of the surface of such water exceeds one acre and the nature of the excavation and water is such as to constitute an artificial lake, a fence or barrier is not required by this ordinance at any portion of the boundary of such excavation where:

(a) The edge of the excavation is not more than one foot above the surface, or at no place is the slope to the water greater than one foot vertical to four feet horizontal.

(b) The slope in the water is not greater than one foot vertical to four feet horizontal to a depth of five feet.

(Ord. 186; November 27, 1962)

8.36.070 Failure to conform-Notice.

Whenever any person fails or refuses to perform any act required by this chapter the chief of police shall serve upon such person, in the manner required by law for the service of summons, a notice in writing requiring that such person, within ten days after the service of such notice, shall either:

(a) Comply with this chapter, or

(b) If such person is of the opinion that this chapter does not require him to comply with such notice, file a protest in writing with the city council.

If any such person cannot be found the chief of police shall post such notice in a conspicuous place at or near the excavation, sump, cellar or ditch.

Compliance with this section is not a condition precedent to a criminal prosecution for a violation of any provisions of this chapter.

(Ord. 186; November 27, 1962)

8.36.080 Appeal for variance-Hearing-Purpose.

Upon filing of any protest the city council may adopt an order that the person protesting is not required to comply. If the city council does not adopt such an order it shall notify such person in writing not less than five days prior thereto, of the time and place of, and shall hold a public hearing to determine what acts, if any, this chapter requires the person filing such protest to perform.

(Ord. 186; November 27, 1962)

8.36.090 Notification of appeal decision.

Upon the hearing of any such protest the city council shall determine what acts, if any, this chapter requires the person filing such protest to perform. It shall notify in writing such person of its decision.

(Ord. 186; November 27, 1962)

8.36.100 Failure to comply with decision-City work.

If a person is notified as provided in this chapter to comply therewith and neither complies or protests within the ten days provided for, or if a person protests and the city council decides that such person should perform certain work and for ten days after notice of

such decision does not do so, the city shall cause the work to be performed at city expense.

(Ord. 186; November 27, 1962)

8.36.110 Record of expense kept.

The finance director shall keep an account of the cost of all work performed at city expense pursuant to this section and shall render an itemized report to the city council showing the cost of protecting each separate excavation, sump, cellar or ditch, upon each separate parcel of land.

(Ord. 186; November 27, 1962)

8.36.120 Posting notice of expense.

Before the report is submitted to the city council, a copy of it shall be posted for at least three days on or near the city hall entrance with a notice of the time when the report will be submitted to the city council, for confirmation.

(Ord. 186; November 27, 1962)

8.36.130 Mailing notice of expense.

A post card notice of the time and place of the submission of the report for confirmation, stating generally the nature of the report, shall be mailed by the city council to the owners of the parcels who have filed with the city council a written request for post card notice within one year prior to the date of mailing the notice, at least seven days prior to the date of submission for confirmation.

(Ord. 186; November 27, 1962)

8.36.140 Hearing property owner's objections.

At the time fixed for receiving and considering the report, the city council shall hear it and any objections of any property owners liable to be assessed for the work of protection.

(Ord. 186; November 27, 1962)

8.36.150 Confirming report.

Thereupon the council may make such modifications in the report as it deems necessary, after which, by order of resolution, the report shall be confirmed.

(Ord. 186; November 27, 1962)

8.36.160 Expense declared lien.

The amounts of the costs for the protection work upon the various parcels of land mentioned in the report as confirmed shall constitute liens on such parcel for the amounts expended thereon by the city.

(Ord. 186; November 27, 1962)

8.36.170 Recording expense report.

The city council shall record a certified copy of the report in the office of the county recorder.

(Ord. 186; November 27, 1962)

8.36.180 Court action authorized.

The city may bring appropriate actions in courts of competent jurisdiction to collect any amounts due for work of protecting excavations performed by the city and to foreclose liens for such amounts.

(Ord. 186; November 27, 1962)

8.36.190 Severability of exceptions.

Should any exception to the provisions of this chapter be held invalid, such exception shall be eliminated from this chapter. The city council declares that it intends this chapter to apply to every excavation which, by reason of constitutional limitations, cannot be excepted from its provisions.

(Ord. 186; November 27, 1962)

8.36.200 Penalty for violation.

Violation of this chapter is a misdemeanor punishable by a fine of not more than five hundred dollars or by imprisonment in the county jail for a period of not more than six months or by both such fine and imprisonment. Each day during any portion of which any violation of any provision of this chapter is committed, continued or permitted is a separate offense.

(Ord. 186; November 27, 1962)

Chapter 8.40 UNDERGROUND UTILITIES

Sections:

- 8.40.010 Conversion of existing overhead utility facilities.
- 8.40.020 Definitions.
- 8.40.030 Public hearing by council.
- 8.40.040 Council may designate underground utility districts by resolution.
- 8.40.050 Unlawful acts.
- 8.40.060 Exception, emergency or unusual circumstances.
- 8.40.070 Other exceptions.
- 8.40.080 Notice to property owners and utility companies.
- 8.40.090 Responsibility of utility companies.
- 8.40.100 Responsibility of property owners.
- 8.40.110 Alternative to Section 8.40.100.
- 8.40.120 Responsibility of city.
- 8.40.130 Extension of time.

8.40.010 Conversion of existing overhead utility facilities.

It is the purpose of the following sections to establish procedures for the removal of overhead utility facilities and the installation of underground facilities in underground utility districts.

(Ord. 303 § 1 (part); November 26, 1968)

8.40.020 Definitions.

Whenever in this chapter the words or phrases hereinafter in this section defined are used, they shall have the respective meanings assigned to them in the following definitions:

- (a) "Commission" means the Public Utilities Commission of the state of California.
- (b) "Underground utility district" or "district" means that area in the city within which poles, overhead wires, and associated overhead structures are prohibited as such area is described in a resolution adopted pursuant to the provisions of Section 8.40.040.
- (c) "Person" means and includes individuals, firms, corporations, partnerships, and their agents and employees.
- (d) "Poles, overhead wires and associated overhead structures" means poles, towers, supports, wires, conductors, guys, stubs, platforms, crossarms, braces, transformers, insulators, cutouts, switches, communication circuits, appliances, attachments and appurtenances located above-ground within a district and used or useful in supplying electric, communication or similar or associated service.
- (e) "Utility" includes all persons or entities supplying electric, communication or similar or associated service by means of electrical materials or devices.

(Ord. 303 § 1 (part); November 26, 1968)

8.40.030 Public hearing by council.

The council may from time to time call public hearings to ascertain whether the public necessity, health, safety or welfare requires the removal of poles, overhead wires and associated overhead structures within designated areas of the city and the underground installation of wires and facilities for supplying electric, communication, or similar or associated service. The city clerk shall notify all affected property owners as shown on the last equalized assessment roll and utilities concerned by mail of the time and place of such hearings at least ten days prior to the date thereof. Each hearing shall be open to the public and may be continued from time to time. At each such hearing all persons interested shall be given an opportunity to be heard. The decision of the council shall be final and conclusive. Prior to holding of such hearing, city engineer shall consult with all affected utilities.

(Ord. 303 § 1 (part); November 26, 1968)

8.40.040 Council may designate underground utility districts by resolution.

If, after any such public hearing the council finds that the public necessity, health, safety or welfare requires such removal and such underground installation within a designated area, the council shall, by resolution, declare such designated area an underground utility district and order the removal and underground installation. The resolution shall include a description of the area comprising the district and shall fix the time within which the removal and underground installation shall be accomplished and within which affected property owners must be ready to receive underground service. A reasonable time shall be allowed for the removal and underground installation, having due regard for the availability of labor, materials and equipment necessary for such removal and for the installation of such underground facilities as may be occasioned thereby.

(Ord. 303 § 1 (part); November 26, 1968)

8.40.050 Unlawful acts.

Whenever the council creates an underground utility district and orders the removal of poles, overhead wires and associated overhead structures therein as provided in Section 8.40.040, it shall be unlawful for any person or utility to erect, construct, place, keep, maintain, continue, employ or operate poles, overhead wires and associated overhead structures in the district after the date when the

overhead facilities are required to be removed by such resolution, except as said overhead facilities may be required to furnish service to an owner or occupant of property prior to the performance by such owner or occupant of the underground work necessary for such owner or occupant to continue to receive utility service as provided in Section 8.40.100 hereof, and for such reasonable time required to remove the facilities after the work has been performed, and except as otherwise provided in this chapter.

(Ord. 303 § 1 (part); November 26, 1968)

8.40.060 Exception, emergency or unusual circumstances.

Notwithstanding the provisions of this chapter, overhead facilities may be installed and maintained for a period, not to exceed ten days, without authority of the council in order to provide emergency service. The council may grant special permission, on such terms as the council may deem appropriate, in cases of unusual circumstances, without discrimination as to any person or utility, to erect, construct, install, maintain, use or operate poles, overhead wires and associated overhead structures.

(Ord. 303 § 1 (part); November 26, 1968)

8.40.070 Other exceptions.

In any resolution adopted pursuant to Section 8.40.040 hereof, the city may authorize any or all of the following exceptions:

- (a) Any municipal facilities or equipment installed under the supervision and to the satisfaction of the city engineer.
- (b) Poles, or electroliers used exclusively for street lighting.
- (c) Overhead wires (exclusive of supporting structures) crossing any portion of a district within which overhead wires have been prohibited, or connecting to buildings on the perimeter of a district, when the wires originate in an area from which poles, overhead wires and associated overhead structures are not prohibited.
- (d) Poles, overhead wires and associated overhead structures used for the transmission of electrical energy at nominal voltages in excess of 34,500 volts.
- (e) Overhead wires attached to the exterior surface of a building by means of a bracket or other fixture and extending from one location on the building to another location on the same building or to an adjacent building without crossing any public street.
- (f) Antennae, associated equipment and supporting structures, used by a utility for furnishing communication services.
- (g) Equipment appurtenant to underground facilities, such as surface mounted transformers, pedestal mounted terminal boxes and meter cabinets, and concealed ducts.
- (h) Temporary poles, overhead wires and associated overhead structures used or to be used in conjunction with construction projects.

(Ord. 303 § 1 (part); November 26, 1968)

8.40.080 Notice to property owners and utility companies.

Within ten days after the effective date of a resolution adopted pursuant to Section 8.40.040 hereof, the city clerk shall notify all affected utilities and all persons owning real property within the district created by said resolution of the adoption thereof. The city clerk shall further notify such affected property owners of the necessity that, if they or any person occupying such property desire to continue to receive electric, communication, or similar or associated service, they or such occupant shall provide all necessary facility changes on their premises so as to receive such service from the lines of the supplying utility or utilities at a new location.

Notification by the city clerk shall be made by mailing a copy of the resolution adopted pursuant to Section 8.40.040, together with a copy of this chapter, to affected property owners as such are shown on the last equalized assessment roll and to the affected utilities.

(Ord. 303 § 1 (part); November 26, 1968)

8.40.090 Responsibility of utility companies.

If underground construction is necessary to provide utility service within a district created by any resolution adopted pursuant to Section 8.40.040 hereof, the supplying utility shall furnish that portion of the conduits, conductors and associated equipment required to be furnished by it under its applicable rules, regulations and tariffs on file with the commission.

(Ord. 303 § 1 (part); November 26, 1968)

8.40.100 Responsibility of property owners.

(a) Every person owning, operating, leasing, occupying or renting a building or structure within a district shall construct and provide that portion of the service connection on his property between the facilities referred to in Section 8.40.090 and the termination facility on or within the building or structure being served.

(b) In the event any person owning, operating, leasing, occupying or renting the property does not comply with the provisions of subparagraph (a) of this section within the time provided for in the resolution enacted pursuant to Section 8.40.040 hereof, the city engineer shall post written notice on the property being served and thirty days thereafter shall have the authority to order the disconnection and removal of any and all overhead service wires and associated facilities supplying utility service to the property.

(Ord. 303 § 1 (part); November 26, 1968)

8.40.110 Alternative to Section 8.40.100.

The city council may, at its discretion, adopt the following procedure in lieu of Section 8.40.100:

(a) Every person owning, operating, leasing, occupying or renting a building or structure within a district shall construct and provide that portion of the service connection on his property between the facilities referred to in Section 8.40.090 and the termination facility on or within the building or structure being served. If the above is not accomplished by any person within the time provided for in the resolution enacted pursuant to Section 8.40.040 hereof, the city engineer shall give notice in writing to the person in possession of such premises, and a notice in writing to the owner thereof as shown on the last equalized assessment roll, to provide the required underground facilities within ten days after receipt of the notice.

(b) The notice to provide the required underground facilities may be given either by personal service or by mail. In case of service by mail on either of such persons, the notice must be deposited in the United States mail in a sealed envelope with postage prepaid, addressed to the person in possession of such premises at such premises, and the notice must be addressed to the owner thereof as the owner's name appears, and must be addressed to the owner's last known address as the same appears on the last equalized assessment roll, and when no address appears, to General Delivery, City of La Puente. If notice is given by mail the notice shall be deemed to have been received by the person to whom it has been sent within forty-eight hours after the mailing thereof. If notice is given by mail to either the owner or occupant of such premises, the city engineer shall, within forty-eight hours after the mailing thereof, cause a copy thereof, printed on a card not less than eight inches by ten inches in size, to be posted in a conspicuous place on the premises.

(c) The notice given by the city engineer to provide the required underground facilities shall particularly specify what work is required to be done, and shall state that if the work is not completed within thirty days after receipt of the notice, the city engineer will provide the required underground facilities, in which case the cost and expense thereof will be assessed against the property benefited and become a lien upon the property.

(d) If upon the expiration of the thirty day period, the required underground facilities have not been provided, the city engineer shall forthwith proceed to do the work; provided, however, if the premises are unoccupied and no electric or communications services are being furnished thereto, the city engineer shall, in lieu of providing the required underground facilities, have the authority to order the disconnection and removal of any and all overhead service wires and associated facilities supplying utility service to the property. Upon completion of the work by the city engineer, he shall file a written report with the city council setting forth the fact that the required underground facilities have been provided and the cost thereof, together with a legal description of the property against which the cost is to be assessed. The council shall thereupon fix a time and place for hearing protests against the assessment of the cost of such work upon the premises, which time shall not be less than ten days thereafter.

(e) The city engineer shall forthwith, upon the time for hearing such protests having been fixed, give a notice in writing thereof to the owner thereof, in the manner hereinabove provided for the giving of the notice to provide the required underground facilities, of the

time and place that the council will pass upon such report and will hear protests against such assessment. The notice shall also set forth the amount of the proposed assessment.

(f) Upon the date and hour set for the hearing of protests, the council shall hear and consider the report and all protests, if there be any, and then proceed to affirm, modify or reject the assessment.

(g) If any assessment is not paid within five days after its confirmation by the council, the amount of the assessment shall become a lien upon the property against which the assessment is made by the city engineer, and the city engineer is directed to turn over to the assessor and tax collector a notice of lien on each of the properties on which the assessment has not been paid, and the assessor and tax collector shall add the amount of the assessment to the next regular bill for taxes levied against the premises upon which the assessment was not paid. The assessment shall be due and payable at the same time as the property taxes are due and payable, and if not paid when due and payable, shall bear interest at the rate of six percent per year.

(Ord. 303 § 1 (part); November 26, 1968)

8.40.120 Responsibility of city.

The city shall remove at its own expense all city-owned equipment from all poles required to be removed hereunder in ample time to enable the owner or user of the poles to remove the same within the time specified in the resolution enacted pursuant to Section 8.40.040.

(Ord. 303 § 1 (part); November 26, 1968)

8.40.130 Extension of time.

In the event that any act required by this chapter or by a resolution adopted pursuant to Section 8.40.040 cannot be performed within the time provided on account of shortage of materials, war, restraint by public authorities, strikes, labor disturbances, civil disobedience, or any other circumstances beyond the control of the actor, then the time within which the act will be accomplished shall be extended for a period equivalent to the time of the limitation.

(Ord. 303 § 1 (part); November 26, 1968)

Chapter 8.44 RESIDENTIAL CODE

Sections:

8.44.010 Adoption of residential code.

8.44.020 Definitions.

8.44.030 Violations and penalties.

8.44.010 Adoption of residential code.

Except as hereinafter provided, Title 30, Residential Code, of the Los Angeles County Code, as amended and in effect on January 1, 2017, adopting the California Residential Code, 2016 Edition (Part 2.5 of Title 24 of the California Code of Regulations), is hereby incorporated herein by reference as if fully set forth below, and shall be known and may be cited as the residential code of the City of La Puente.

In the event of any conflict between provisions of the California Residential Code, 2016 Edition, Title 30 of the Los Angeles County Residential Code, or any amendment to the Residential Code set forth in the La Puente Municipal Code, the provisions contained in the La Puente Municipal Code shall control.

A copy of Title 30 of the Los Angeles County Residential Code and the California Residential Code, 2016 Edition, have been deposited in the office of the La Puente city clerk and shall be at all times maintained by the city clerk for use and examination by the public.

(Ord. 945 § 7, 2017; Ord. 944 § 7, 2016; Ord. 927 § 15, 2014; Ord. 926 § 15, 2013; Ord. 909 § 8 (part), 2011; Ord. 908 § 8 (part), 2010)

8.44.020 Definitions.

Notwithstanding the provisions of Section 8.44.010 of this chapter, whenever any of the following names or terms is used in the residential code, each name or terms shall be deemed and construed to have the meaning ascribed to it in this section as follows:

"Board of appeals" means the board of appeals as appointed by the city council of the city of La Puente.

"Building code" means the building code of the city of La Puente as contained in Chapter 8.05 of the La Puente Municipal Code.

"Building department" means the building and safety division of the city of La Puente.

"Building official" means the building official of the city of La Puente.

"County", "county of Los Angeles" or "unincorporated territory of the county of Los Angeles" means city of La Puente.

"County engineer" means the city engineer, except in such instances when the county engineer is a correct notation due to circumstances.

"Electrical code" means the electrical code of the city of La Puente as contained in Chapter 8.13 of the La Puente Municipal Code.

"Fire code" means the fire code of the city of La Puente as contained in Chapter 9.04 of the La Puente Municipal Code.

"General fund" means the city treasury of the city of La Puente.

"Green building standards code" means the green building standard code of the city of La Puente as contained in Chapter 8.48 of the La Puente Municipal Code.

"Health code" or "Los Angeles County Health Code" means the health code of the city of La Puente as contained in Chapter 4.04 of the La Puente Municipal Code.

"Health officer" means the health officer of the county of Los Angeles acting on behalf of the city of La Puente.

"Jurisdiction" means the city of La Puente.

"Mechanical code" means the mechanical code of the city of La Puente as contained in Chapter 8.17 of the La Puente Municipal Code.

"Plumbing code" means the plumbing code of the city of La Puente as contained in Chapter 8.09 of the La Puente Municipal Code.

(Ord. 927 § 16, 2014; Ord. 926 § 16, 2013; Ord. 909 § 8 (part), 2011; Ord. 908 § 8 (part), 2010)

8.44.030 Violations and penalties.

Any person, firm or corporation violating any of the provisions of the residential code of the city of La Puente shall be deemed guilty of a misdemeanor, and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of the building code is committed, continued or permitted, and upon conviction of any such violation such person shall be punishable by a fine of not to exceed one thousand dollars or by imprisonment in the county jail for a period of not more than six months or by both such fine and imprisonment. Each day that a violation occurs shall constitute a separate offense.

(Ord. 927 § 17, 2014; Ord. 926 § 17, 2013; Ord. 909 § 8 (part), 2011; Ord. 908 § 8 (part), 2010)

CHAPTER 8.48 GREEN BUILDING STANDARDS CODE

Sections:

8.48.010 Adoption of green building standards code.

8.48.020 Definitions.

8.48.030 Violations and penalties.

8.48.010 Adoption of green building standards code.

Except as hereinafter provided, Title 31, Green Building Standards Code, of the Los Angeles County Code, as amended and in effect on January 1, 2016, adopting the California Green Building Standards Code, 2016 Edition (Part 11 of Title 24 of the California Code of Regulations), is hereby incorporated herein by reference as if fully set forth below, and shall be known and may be cited as the green building standards code of the City of La Puente.

In the event of any conflict between provisions of the California Green Building Standards Code, 2016 Edition, Title 31 of the Los Angeles County Green Building Standards Code, or any amendment to the green building standards code set forth in the La Puente Municipal Code, the provisions contained in the La Puente Municipal Code shall control.

A copy of Title 31 of the Los Angeles County Green Building Standards Code and the California Green Building Standards Code, 2016 Edition, have been deposited in the office of the La Puente city clerk and shall be at all times maintained by the city clerk for use and examination by the public.

(Ord. 945 § 8, 2017; Ord. 944 § 8, 2016; Ord. 927 § 18, 2014; Ord. 926 § 18, 2013; Ord. 909 § 9 (part), 2011; Ord. 908 § 9 (part), 2010)

8.48.020 Definitions.

Notwithstanding the provisions of Section 8.48.010 of this chapter, whenever any of the following names or terms are used in the green building standards code, each name or terms shall be deemed and construed to have the meaning ascribed to it in this section as follows:

"Board of appeals" means the board of appeals as appointed by the city council of the city of La Puente.

"Building code" means the building code of the city of La Puente as contained in Chapter 8.05 of the La Puente Municipal Code.

"Building department" means the building and safety division of the city of La Puente.

"Building official" means the building official of the city of La Puente.

"County", "county of Los Angeles" or "unincorporated territory of the county of Los Angeles" means city of La Puente.

"County engineer" means the city engineer, except in such instances when the county engineer is a correct notation due to circumstances.

"Electrical code" means the electrical code of the city of La Puente as contained in Chapter 8.13 of the La Puente Municipal Code.

"Fire code" means the fire code of the city of La Puente as contained in Chapter 9.04 of the La Puente Municipal Code.

"General fund" means the city treasury of the city of La Puente.

"Health code" or "Los Angeles County Health Code" means the health code of the city of La Puente as contained in Chapter 4.04 of the La Puente Municipal Code.

"Health officer" means the health officer of the county of Los Angeles acting on behalf of the city of La Puente

"Jurisdiction" means the city of La Puente.

"Mechanical code" means the mechanical code of the city of La Puente as contained in Chapter 8.17 of the La Puente Municipal Code.

"Plumbing code" means the plumbing code of the city of La Puente as contained in Chapter 8.09 of the La Puente Municipal Code.

"Residential code" means the residential code of the city of La Puente as contained in Chapter 8.44 of the La Puente Municipal Code.

(Ord. 927 § 19, 2014: Ord. 926 § 19, 2013: Ord. 909 § 9 (part), 2011: Ord. 908 § 9 (part), 2010)

8.48.030 Violations and penalties.

Any person, firm or corporation violating any of the provisions of the green building standards code of the city of La Puente shall be deemed guilty of a misdemeanor, and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of the building code is committed, continued or permitted, and upon conviction of any such violation such person shall be punishable by a fine of not to exceed one thousand dollars or by imprisonment in the county jail for a period of not more than six months or by both such fine and imprisonment. Each day that a violation occurs shall constitute a separate offense.

(Ord. 927 § 20, 2014: Ord. 926 § 20, 2013: Ord. 909 § 9 (part), 2011: Ord. 908 § 9 (part), 2010)

Chapter 8.52 EXISTING BUILDING CODE

Sections:

8.52.010 Adoption of existing building code.

8.52.020 Definitions.

8.52.030 Violations-Penalties.

8.52.010 Adoption of existing building code.

Except as hereinafter provided, Title 33, Existing Building Code, of the Los Angeles County Code, as amended and in effect on January 1, 2017, adopting the California Existing Building Code, 2016 Edition (Part 11 of Title 24 of the California Code of Regulations), is hereby incorporated herein by reference as if fully set forth below, and shall be known and may be cited as the existing building code of the City of La Puente.

In the event of any conflict between provisions of the California Existing Building Code, 2016 Edition, Title 33 of the Los Angeles County Green Existing Code, or any amendment to the Existing Building Code set forth in the La Puente Municipal Code, the provisions contained in the La Puente Municipal Code shall control.

A copy of Title 33 of the Los Angeles County Existing Building Code and the California Existing Building Code, 2016 Edition, have been deposited in the office of the La Puente city clerk and shall be at all times maintained by the city clerk for use and examination by the public.

(Ord. 945 § 9, 2017; Ord. 944 § 9, 2017)

8.52.020 Definitions.

Notwithstanding the provisions of Section 8.52.010 of this chapter, whenever any of the following names or terms are used in the existing building code, each name or terms shall be deemed and construed to have the meaning ascribed to it in this section as follows:

"Board of appeals" means the board of appeals as appointed by the city council of the City of La Puente.

"Building code" means the building code of the City of La Puente as contained in Chapter 8.05 of the La Puente Municipal Code.

"Building department" means the Building and Safety Division of the City of La Puente.

"Building official" means the building official of the City of La Puente.

"County, "county of Los Angeles" or "unincorporated territory of the county of Los Angeles" means City of La Puente.

"County engineer" means the city engineer, except in such instances when the county engineer is a correct notation due to circumstances.

"Electrical code" means the electrical code of the City of La Puente as contained in Chapter 8.13 of the La Puente Municipal Code.

"Fire code" means the fire code of the City of La Puente as contained in Chapter 9.04 of the La Puente Municipal Code.

"General fund" means the city treasury of the City of La Puente.

"Health code" or "Los Angeles County Health Code" means the health code of the City of La Puente as contained in Chapter 4.04 of the La Puente Municipal Code.

"Health officer" means the health officer of the county of Los Angeles acting on behalf of the City of La Puente.

"Jurisdiction" means the City of La Puente.

"Mechanical code" means the mechanical code of the City of La Puente as contained in Chapter 8.17 of the La Puente Municipal Code.

"Plumbing code" means the plumbing code of the City of La Puente as contained in Chapter 8.13 of the La Puente Municipal Code.

"Residential code" means the residential code of the City of La Puente as contained in Chapter 8.44 of the La Puente Municipal Code.

(Ord. 945 § 10, 2017; Ord. 944 § 10, 2017)

8.52.030 Violations-Penalties.

Any person, firm or corporation violating any of the provisions of the existing building code of the City of La Puente shall be deemed guilty of a misdemeanor, and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of the building code is committed, continued or permitted, and upon conviction of any such violation such person shall be punishable by a fine of not to exceed one thousand dollars or by imprisonment in the county jail for a period of not more than six months or by both such fine and imprisonment. Each day that a violation occurs shall constitute a separate offense.

(Ord. 945 § 11, 2017; Ord. 944 § 11, 2017)

Title 9 FIRE

Chapters:

9.04 Fire Code

Chapter 9.04 FIRE CODE

Sections:

- 9.04.010 Adoption of Fire Code.
- 9.04.015 Definitions.
- 9.04.040 (Deleted by Ord. 932 § 4, 9/23/14)
- 9.04.050 (Deleted by Ord. 932 § 4, 9/23/14)
- 9.04.060 Public display of fireworks-Permit required.
- 9.04.070 Discharge of fireworks-4th of July.
- 9.04.080 Duty of parents.
- 9.04.090 Permit to sell safe and sane fireworks.
- 9.04.100 Violations and penalties.

9.04.105 List of infractions.

9.04.110 Severability.

9.04.010 Adoption of Fire Code.

Except as hereinafter provided, Title 32 - Fire Code of the Los Angeles County Code, as amended and in effect on April 25, 2014, adopting the California Fire Code, 2013 Edition (Part 9 of Title 24 of the California Code of Regulations) is incorporated herein by reference as if fully set forth below and shall be known and may be cited as the Fire Code of the City of La Puente.

In the event of any conflict between provisions of the California Fire Code, 2013 Edition, Title 32 of the Los Angeles County Code, or any amendment to the fire code, as set forth in the La Puente Municipal Code, the provisions contained in the La Puente Municipal Code shall control.

A copy of Title 32 of the Los Angeles County Code and the California Fire Code, 2013 Edition, have been deposited in the office of the city clerk and shall be at all times maintained by the city clerk for use and examination by the public.

(Ord. 932 § 2, 2014; Ord. 909 § 10, 2011; Ord. 908 § 10, 2010)

9.04.015 Definitions.

Notwithstanding the provisions of Section 9.04.010 of this chapter, whenever any of the following names or terms are used in the building code, each name or terms shall be deemed and construed to have the meaning ascribed to it in this section as follows:

"Building department" means the Building and Safety Division of the City of La Puente.

"Building official" means the building official of the City of La Puente.

"County," "county of Los Angeles" or "unincorporated territory of the county of Los Angeles" means City of La Puente.

"County engineer" means the city engineer, except in such instances when the county engineer is a correct notation due to circumstances.

"Electrical code" means the electrical code of the City of La Puente as contained in Chapter 8.13 of the La Puente Municipal Code.

"Fire code" means the fire code of the City of La Puente as contained in Chapter 9.04 of the La Puente Municipal Code.

"General fund" means the city treasury of the City of La Puente.

"Green building standards code" means the green building standard code of the City of La Puente as contained in Chapter 8.48 of the La Puente Municipal Code.

"Health code" or "Los Angeles County Health Code" means the health code of the City of La Puente as contained in Chapter 4.04 of the La Puente Municipal Code.

"Health officer" means the health officer of the county of Los Angeles acting on behalf of the City of La Puente.

"Jurisdiction" means the City of La Puente.

"Mechanical code" means the mechanical code of the City of La Puente as contained in Chapter 8.17 of the La Puente Municipal Code.

"Plumbing code" means the plumbing code of the City of La Puente as contained in Chapter 8.09 of the La Puente Municipal Code.

"Residential code" means the residential code of the City of La Puente as contained in Chapter 8.44 of the La Puente Municipal Code.

(Ord. 932 § 3, 2014; Ord. 909 § 11, 2011; Ord. 908 § 11, 2010)

9.04.040 (Deleted by Ord. 932 § 4, 9/23/14)

9.04.050 (Deleted by Ord. 932 § 4, 9/23/14)

9.04.060 Public display of fireworks-Permit required.

Any person, firm, corporation, association or organization may obtain a permit for the public display of fireworks from the city council upon complying with the provisions of the state Fireworks Law (Chapter 1 of Part 2 of the Health and Safety Code of the state of California) as amended from time to time.

(Ord. 785 § 5 (part), 1999: Ord. 23, 1957: Ord. 1 § 3102, 1956)

9.04.070 Discharge of fireworks-4th of July.

(a) It is unlawful for any person to use or discharge, any type of fireworks designated as "Safe and Sane," as defined in California Health and Safety Code Section 12529, on any day other than the fourth day of July of each and every year in the city or any other date as may be designated by resolution of the city council of the city.

(b) It is unlawful for any person to sell, offer for sale, use, discharge, possess, store, or transport any type of dangerous fireworks (as defined in California State Health and Safety Code Section 12505) within the city.

(Ord. 847 § 1, 2006: Ord. 839 § 1, 2005: Ord. 817 § 1, 2003: Ord. 785 § 5 (part), 1999: Ord. 23, 1957: Ord. 1 § 3103, 1956)

9.04.080 Duty of parents.

It is unlawful for any parent, guardian or other person having the legal care and custody of any child under the age of eighteen years in the city, to allow, permit, or suffer such child to light, fire, discharge, explode or set off any dangerous fireworks as defined in California State Health and Safety Code Section 12505, on any day of the year, in the city.

(Ord. 847 § 2, 2006: Ord. 840 § 1, 2005: Ord. 839 § 2, 2005: Ord. 785 § 5 (part), 1999: Ord. 23, 1957: Ord. 1 § 3104, 1956)

9.04.090 Permit to sell safe and sane fireworks.

The City Council may issue a permit pursuant to and upon the requirements as set forth in the Health and Safety Code §§ 12500, et seq., ("State Fireworks Law"), as may be amended from time to time, allowing the sale of safe and sane fireworks in the city, as defined in the State Fireworks Law. Not less than ninety days in advance of the date or dates upon which fireworks are desired to be sold, any applicant designated by the city council desiring to sell safe and sane fireworks in the City shall, submit a written application to the city manager. The contents and requirements of the application, including the designation of applicants who may submit an application, and all applicable permit fees, shall be established by resolution of the City Council. The city manager, or his designee, shall make an investigation and submit a report for or against the issuance of the permit together with his or her reasons therefor, to the city council. The city council shall have the power to grant or deny the permit. The retail sale of safe and sane fireworks in the City shall only occur on the 2nd, 3rd and 4th of July each year. However, in the event that July 4th falls on a Tuesday, retail sales may occur on July 1st of such year.

(Ord. 932 § 4, 2014: Ord. 785 § 5 (part), 1999: Ord. 1 § 3105, added by Ord. 23; February 4, 1957)

9.04.100 Violations and penalties.

Any person, firm or corporation violating any of the provisions of the Fire Code of the City of La Puente shall be deemed guilty of a misdemeanor, and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of the fire code is committed, continued or permitted, and upon conviction of any such violation such person shall be punishable by a fine of not to exceed one thousand dollars or by imprisonment in the county jail for a period of not more than six months or by both such fine and imprisonment. Each day that a violation occurs shall constitute a separate offense.

(Ord. 932 § 5, 2014: Ord. 909 § 13, 2011: Ord. 908 § 13, 2010: Ord. 785 § 5 (part), 1999: Ord. 729 § 5 (part), 1996: Ord. 728U § 5

(part), 1995: Ord. 666U § 1 (part), 1992: Ord. 1 § 3110.5 added by Ord. 89; June 4, 1958)

9.04.105 List of infractions.

In accordance with Section 9.04.100, violations, as set forth in Chapter 51 of Title 32 of the Los Angeles County Code shall be deemed infractions.

(Ord. 909 § 14, 2011: Ord. 908 § 14, 2010: Ord. 785 § 5 (part), 1999: Ord. 729 § 5 (part), 1996: Ord. 728U § 5 (part), 1995)

9.04.110 Severability.

If any section, subsection, sentence, clause, phrase or portion of this chapter, including but not limited to any exemption, is for any reason held to be invalid of unconstitutional by the decision of any Court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this chapter. The Council of the city of La Puente hereby declares that it would have adopted this chapter and each section, subsection, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions be declared invalid or unconstitutional.

(Ord. 1 § 3110.6, added by Ord. 89; June 4, 1958 and amended by Ord. 245; August 11, 1964)

Title 10 ZONING

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10.02 Purpose and Applicability of the Zoning Code

10.04 Interpretation of the Zoning Code

10.06 Zoning Map and Zones

Article 2: Zones, Allowable Uses, and Development and Design Standards

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ARTICLE 1: ENACTMENT, APPLICABILITY, AND ENFORCEMENT

Chapter 10.02

PURPOSE AND APPLICABILITY OF THE ZONING CODE

Section

- 10.02.010 Title.
- 10.02.020 Purpose and Authority.
- 10.02.030 Relationship to Prior Ordinances and Other Codes.
- 10.02.040 Relationship to General Plan.
- 10.02.050 Relationship to California Environmental Quality Act.
- 10.02.060 Relationship to Design Guidelines.
- 10.02.070 Relationship to Specific Plans.
- 10.02.080 Prior Rights and Violations.
- 10.02.090 Limitations on Use.
- 10.02.100 Exemptions for City Projects.
- 10.02.110 Severability, Partial Invalidation of Zoning Code.

10.02.010 Title.

This title shall be known as "The City of La Puente Zoning Code" or "Zoning Code." (Ord. 935 § 3 (part), 2015)

10.02.020 Purpose and Authority.

A. Purpose. This Zoning Code is established to regulate the use of land within the City consistent with the La Puente General Plan, and to protect the public health, safety, comfort, welfare, and general prosperity of the City and its residents and businesses through classifying, designating, regulating, and restricting the use of land, buildings, and structures.

B. Authority. This Zoning Code is enacted based on the authority vested in the City of La Puente by the State of California, including but not limited to the State Constitution, Planning and Zoning Law (Government Code Sections 65000 et seq.), the Subdivision Map Act (Government Code Sections 66410 et seq.), and the California Health and Safety Code. (Ord. 935 § 3 (part), 2015)

10.02.030 Relationship to Prior Ordinances and Other Codes.

A. The requirements of this Zoning Code supersede all prior zoning ordinances, as amended, of the City of La Puente.

B. The provisions of this Zoning Code shall not be interpreted to repeal, amend, modify, alter, or change any other ordinance or code that is not specifically repealed, amended, modified, altered, or changed.

C. Whenever the provisions of this Zoning Code are different from the provisions of any other ordinance or adopted code, the more restrictive provisions shall apply, except as the same may be superseded by resolution or ordinance. (Ord. 935 § 3 (part), 2015)

10.02.040 Relationship to General Plan.

This Zoning Code provides the legislative framework to enhance and implement the goals, policies, plans, principles, and standards of

the City of La Puente General Plan. This Zoning Code is the primary regulatory document used by the City to carry out the General Plan goals and policies. It is intended that all provisions of this Zoning Code be consistent with the General Plan and that any development, land use, or subdivision approved in compliance with these regulations will also be consistent with the General Plan. (Ord. 935 § 3 (part), 2015)

10.02.050 Relationship to California Environmental Quality Act.

When a project application pursuant to the provisions of this Zoning Code is determined to be subject to the provisions of the California Environmental Quality Act (CEQA), the application shall be reviewed in accordance with the provisions of this Zoning Code, the California Environmental Quality Act (Public Resources Code, Section 21000 et seq.), the CEQA Guidelines (Title 14, California Code of Regulations, Section 15000 et seq.), and any environmental guidelines and other applicable rules adopted by the City. (Ord. 935 § 3 (part), 2015)

10.02.060 Relationship to Design Guidelines.

Any design guidelines adopted by the City shall be considered complementary to the development and design standards set forth in this Zoning Code. In the event of any conflict between adopted design guidelines and the provisions of the Zoning Code, the provisions of the Zoning Code shall govern. (Ord. 935 § 3 (part), 2015)

10.02.070 Relationship to Specific Plans.

Whenever an area of the City has been included in a specific plan adopted pursuant to California Government Code §§ 65450 et seq., and if such plan contains any standards relating to land usage, such standards shall supersede the provisions of this Zoning Code unless otherwise stated in the specific plan. (Ord. 935 § 3 (part), 2015)

10.02.080 Prior Rights and Violations.

A. The rights granted by any permit, license, or other approval under any ordinance repealed by this Zoning Code shall be continued, but in the future, to the extent permitted by law, such rights shall be exercised in accordance with the provisions of this Zoning Code.

B. Nothing in this Title shall be interpreted to authorize the use of a lot or parcel in any way that is in violation of any other applicable statute, code, or regulation.

C. The provisions of this Zoning Code are not intended to abrogate any easements, covenants, or other existing agreements which are more restrictive than the provisions of this Zoning Code.

D. No requirement of this Zoning Code shall validate or legalize a land use or structure that was established, constructed, or maintained in violation of the prior zoning ordinance, as amended, unless it is specifically authorized by this Zoning Code and is in compliance with all other applicable City ordinances and regulations. (Ord. 935 § 3 (part), 2015)

10.02.090 Limitations on Use.

Except as provided in the Chapter 10.02 (Purpose and Applicability of the Zoning Code), no building shall be erected, reconstructed, or structurally altered, nor shall any building or land be used for any purpose other than is specifically permitted in the zone in which such building or land is located. (Ord. 935 § 3 (part), 2015)

10.02.100 Exemptions for City Projects.

Except as otherwise required by law, any activities, developments, and/or projects of or initiated by the City shall be exempt from the requirements of this Zoning Code. However, the City will strive to meet the requirements to the maximum extent practical based on individual circumstances.

10.02.110 Severability, Partial Invalidation of Zoning Code.

If any section, subsection, clause, or phrase of this Zoning Code is for any reason held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of the Zoning Code, it being expressly declared that this Zoning Code and each chapter, section, subsection, sentence, clause, or phrase hereof would have been prepared, proposed, adopted, approved, or ratified irrespective of the fact that an one or more chapters, sections, subsections, sentences, clauses, or phrases be declared invalid or unconstitutional. (Ord. 935 § 3 (part), 2015)

Chapter 10.04 INTERPRETATION OF THE ZONING CODE

Sections:

- 10.04.010 Purpose.
- 10.04.020 Rules of Interpretation.
- 10.04.030 Procedures for Interpretation.
- 10.04.040 Uses Not Classified.
- 10.04.050 Text Takes Precedence over Graphics.

10.04.010 Purpose.

The purpose of this Chapter is to specify the authority and procedures for clarifying any ambiguity in the regulations of this Zoning Code, and to ensure consistent interpretation and application. (Ord. 935 § 3 (part), 2015)

10.04.020 Rules of Interpretation.

In interpreting and applying the provisions of this Zoning Code, affected parties shall be held to the minimum requirement for the promotion of the public health, safety, comfort, convenience, and general welfare. It is not intended by this Zoning Code to interfere with or abrogate or annul any easement, covenant, or other agreement between parties. When this Zoning Code imposes a greater restriction upon the use of buildings or land, or upon the height of buildings, or requires larger open spaces than are imposed or required by other provisions of the Municipal Code or by easements, covenants, or agreements, the provisions of this Zoning Code shall control. (Ord. 935 § 3 (part), 2015)

10.04.030 Procedures for Interpretation.

A. Ambiguity of Provisions. If ambiguity arises concerning the meaning or applicability of any provision of the Zoning Code, the Director, as described in Section 10.110.060 (Director), shall have the responsibility to review pertinent facts, determine the intent of the provision, and to issue an administrative interpretation. The Director may refer any such matter to the Commission for decision.

B. Appeals of Interpretations. Interpretations by the Director and Commission may be appealed to the designated Appeal Authority as described in Chapter 10.114 (Appeals).

C. Terminology. When used in this Zoning Code, the following rules apply to all provisions:

1. Language. The words "shall," "must," "will," "is to," and "are to" are always mandatory. "Should" is not mandatory but is strongly recommended, and "may" is permissive.
2. Tense. The present tense includes the past and future tense, and the future tense includes the present.
3. Number. The singular number includes the plural number, and the plural the singular, unless the natural construction of the

words indicates otherwise.

4. Conjunctions. "And" indicates that all connected items or provisions shall apply. "Or" indicates that the connected items or provisions may apply singly or in any combination. "Either ... or" indicates that the connected items and provisions shall apply singly but not in combination. "Includes" and "including" shall mean "including but not limited to ...".

5. Local Reference. "City" as used in this Zoning Code means the City of La Puente and all public officials, bodies, and agencies referenced herein are those of the City unless otherwise stated.

6. Number of Days. Whenever the number of days is specified in this Zoning Code, or in any permit, condition of approval, or notice issued or given as provided in this Zoning Code, the number of days shall be construed as calendar days. When the last of the specified number of days falls on a weekend or City holiday, time limits shall extend to the end of the next working day, unless otherwise provided by law.

7. Partial Numbers. All partial or fractional numbers shall be rounded up to the next highest whole number, except in the case of residential density, which shall be rounded down to a whole number, and parking space requirement, which shall be rounded up or down to the nearest whole number.

D. Minimum Requirements. When interpreting and applying the regulations of this Zoning Code, all provisions shall be considered to be minimum requirements, unless specifically stated otherwise. (Ord. 935 § 3 (part), 2015)

10.04.040 Uses Not Classified.

A. Uses not Classified Are not Allowed; Exceptions.

For any use not specifically listed or described in this Zoning Code, that use shall not be allowed, except as may provided in paragraph B.

B. Director's Determination.

1. The Director shall have the authority to make an administrative determination as to whether a specific use is substantially similar to one of the listed uses in Article 2 (Zones, Allowable Land Uses, and Development and Design Standards). The Director may at his or her discretion refer the determination to the Commission.

2. In making a determination that a proposed use is or is not similar to those listed, the Director or Commission shall consider:

- a. Whether the characteristics of, and activities associated with, the proposed use are equivalent to those of one or more of the uses listed in the zone as allowable, and will not involve a greater level of activity, population density, intensity, traffic generation, parking, dust, or noise than the uses listed in the zone;
- b. The purposes of the applicable zone and/or specific plan; and
- c. The goals and policies of the General Plan.

3. The Decision of the Director or Commission is appealable to the Council pursuant to the provisions of Chapter 10.114 (Appeals). All such final determinations shall be recorded in writing to include a finding that the proposed use is substantially similar to uses permitted in the proposed zone and consistent with the intent of the applicable zone. (Ord. 935 § 3 (part), 2015)

10.04.050 Text Takes Precedence over Graphics.

In case of a conflict between the Zoning Code text and any diagram, illustration, or image contained in the Zoning Code, the text shall control. (Ord. 935 § 3 (part), 2015)

Chapter 10.06 ZONING MAP AND ZONES

Sections:

10.06.010 Purpose.

10.06.020 Establishment of Zones.

10.06.030 Official Zoning Map.

10.06.040 Uncertainty of Boundaries.

10.06.050 Classification of Annexed Lands and Unclassified Property.

10.06.010 Purpose.

Zones have been established in order to classify, regulate, restrict, and segregate the uses of land and buildings; regulate and restrict the height and bulk of buildings; regulate the area of yards and other open spaces about buildings; and regulate the density of population. (Ord. 935 § 3 (part), 2015)

10.06.020 Establishment of Zones.

This Zoning Code establishes the following zones which are to be known as follows:

Base Zone	Zone Symbol	General Plan Land Use Designation Implemented by Zone
Residential Zones		
Residential Estate Low Density Residential Medium Density Residential Medium-High Density Residential High Density Residential	R-E R-1 R-2 R-3 R-4	Low Density Residential (LDR) Low Density Residential (LDR) Medium Density Residential (MDR) Medium High Density Residential (MHDR) High Density Residential (LDR)
Commercial, Industrial, Public, and Open Space Zones		
Neighborhood Commercial General Commercial	C-1 C-2	Neighborhood Commercial (NC) Business/Employment (BE) General Commercial (GC)
Commercial-Manufacturing Zone	CM	Business/Employment (BE)
Public Facility Zone	PF	Public/Institutional (P/I)
Open Space Zone	OS	Public Open Space (OSPU) Private Open Space (OSPR)
Specific Plan Zones		
Cottrell Ranch Specific Plan	SP 87-1	All designations
Sunny Garden Specific Plan	SP 87-1	All designations
La Puente Downtown Business District Specific Plan	SP 91-1	All designations
Glendora Specific Plan	SP 91-2	All designations

(Ord. 935 § 3 (part), 2015)

10.06.030 Official Zoning Map.

The boundaries, designations, and locations of the zones established by this Zoning Code shall be shown upon the map(s) entitled "Zoning Map for the City of La Puente, California," adopted by ordinance and incorporated herein by reference. (Ord. 935 § 3 (part), 2015)

10.06.040 Uncertainty of Boundaries.

Where uncertainty exists as to the boundaries of any zone, the following rules shall apply:

- A. Where such boundaries are indicated as approximately following street and alley lines or lot lines, such lines shall be construed to be such boundaries.
- B. In the case of unsubdivided property, and where a zone boundary divides a lot, the location of such boundaries, unless the same are indicated by dimensions, shall be determined by use of the scale appearing on the Zoning Map.
- C. Where a public street or alley is officially vacated or abandoned, the centerline of such vacated street or alley shall be established as the zone boundary and such vacated street or alley shall acquire the classification of the property to which it reverts.
- D. Areas of dedicated streets or alleys and railroad rights-of-way, other than those which clearly have a zone as indicated on the Zoning Map, shall be deemed to be unclassified and, in the case of streets and alleys, permitted to be used only for purposes lawfully allowed by Article 6 of the Municipal Code and the California Vehicle Code. In the case of railroad rights-of-way, such right-of-way shall be permitted to be used solely for the purpose of accommodating tracks, signals, other operative devices, and the movement of rolling stock. (Ord. 935 § 3 (part), 2015)

10.06.050 Classification of Annexed Lands and Unclassified Property.

- A. Undesignated Property. Any property which, for any reason, is not designated on the Zoning Map as being classified in any of the zones established by this Zoning Code shall be deemed to be classified consistent with the applicable General Plan land use designation.
- B. Land Annexed to the City of La Puente.
 - 1. Any land hereafter annexed to the City of La Puente shall be deemed to be zoned under such classification under this Zoning Code as is most nearly the equivalent classification in the County.
 - 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 Commission may recommend and the Council may adopt the zone classifications which shall apply to the annexed lands in the manner prescribed in Article 7 (Zoning Code Administration) for amending this Zoning Code. (Ord. 935 § 3 (part), 2015)

ARTICLE 2: ZONES, ALLOWABLE USES, AND DEVELOPMENT AND DESIGN STANDARDS

Chapter 10.10 RESIDENTIAL ZONES (R-E, R-1, R-2, R-3, R-4)

Sections:

- 10.10.010 Purpose.
- 10.10.020 Land Use Regulations.
- 10.10.030 Development Standards.

- 10.10.040 Recreational Vehicle Parking.
- 10.10.050 Privacy Standards for the R-E and R-1 Zones.
- 10.10.060 Site Design and Architectural Standards.
- 10.10.070 Manufactured Housing.
- 10.10.080 Accessory Dwelling Units.
- 10.10.090 Density Bonus for Affordable Housing.
- 10.10.100 Senior Citizen Housing Developments.
- 10.10.110 Other Applicable Regulations.

10.10.010 Purpose.

- A. Residential Estate Zone (R-E). The R-E zone implements the Low Density Residential General Plan land use category and is established to designate areas for detached residential dwellings built at a maximum density of 4.4 units per acre. Except as otherwise provided in Section 10.10.080 (Accessory Dwelling Units), no more than one dwelling is permitted on each lot. Other uses and development standards are set forth in this Chapter.
- B. Low Density Residential Zone (R-1). The R-1 zone implements the Low Density Residential General Plan land use category and is established to designate areas for detached residential dwellings built at a maximum density of 7 units per acre. Except as otherwise provided in Section 10.10.080 (Accessory Dwelling Units), no more than one dwelling is permitted on each lot. Other permitted uses and development standards are set forth in this Chapter.
- C. Medium Density Residential Zone (R-2). The R-2 zone implements the Medium Density Residential General Plan land use category and is established to designate areas for both detached and attached residential dwellings at a maximum density of 14 units per acre. Other permitted uses and development standards are set forth in this Chapter.
- D. Medium-High Density Residential Zone (R-3). The R-3 zone implements the Medium High Density Residential General Plan land use category and is established to designate areas for multifamily residential dwellings such as apartments, condominiums, and townhomes within a density range of 14 to 18 units per acre. Additional uses and development standards are set forth in this Chapter.
- E. High Density Residential Zone (R-4). The R-4 zone implements the High Density Residential General Plan land use category and is established to designate areas for multifamily residential dwellings such as apartments, condominiums, and townhomes within a density range of 20 to 30 units per acre. Additional uses and development standards are set forth in this Chapter. (Ord. 935 § 3 (part), 2015; Ord. 939 § 2, 2016)

10.10.020 Land Use Regulations.

Table 2-1 identifies allowed uses, uses subject to Conditional Use Permit or Minor Use Permit approval, and specific prohibited uses in all residential zones, subject to compliance with all other provisions of this Zoning Code. Any use not listed in Table 2-1 is prohibited.

TABLE 2-1 USE REGULATIONS FOR RESIDENTIAL ZONES		Residential Zones Permit Requirements
	P	Permitted by Right
	CUP	Conditional Use Permit Required
	MUP	Minor Use Permit Required
	A	Accessory Use

	-	Prohibited				
Use/Zone	R-E	R-1	R-2	R-3	R-4	Notes and Specific Use Standards

RESIDENTIAL USES						
Boarding and Rooming Houses	-	-	-	-	-	
Dwelling:						(1) Must conform with minimum density standards.
Detached Single Unit	P	P	P	p(1)	p(1)	
Duplex	-	-	P	P	P	
Manufactured Housing (2)	P	P	P	p(1)	p(1)	(2) See Sec. 10.10.070 (Manufactured Housing) for development standards.
Multi Family - more than 2 units per structure	-	-	-	P	P	
Group Home (6 or fewer residents)	P	P	P	P	P	As per the Welfare and Institutions Code and Health & Safety Code.
Accessory Dwelling Unit	P	P	-	-	-	See Sec. 10.10.080 (Accessory Dwelling Units)
Senior Citizen Housing	-	-	-	CUP	CUP	See Sec. 10.10.100 (Senior Citizen Housing)
Transitional and Supportive Housing	P	P	P	P	P	As required by Sections 65580-65589.8 of the Government Code
						See Section

Child Day Care - Large Family	P	P	P	P	P	10.50.060 (Large Family Day Care Homes) and applicable State laws
Child Day Care - Small Family	P	P	P	P	P	See Section 10.50.060 (Small Family Day Care Homes) and applicable State laws
Day Care Facility - Commercial: Child or Adult	-	-	-	CUP	CUP	
COMMUNITY CARE FACILITIES						
Community Treatment Facility	-	-	-	-	-	
Foster Family Home (24 Hour)	P	P	P	P	P	
Social Rehabilitation Facility	-	-	-	-	-	
RECREATION, EDUCATION, AND ASSEMBLY USES						
Parks and Recreation Facilities (private)	CUP	CUP	CUP	CUP	CUP	
Religious Assembly	CUP	CUP	CUP	CUP	CUP	May only be located on lots that have frontage access on a roadway with a General Plan classification of Secondary or Major Highway. See also Section 10.50.120 (Religious

						Assembly Uses in Residential Zones).
Private School - Grades K-12	-	-	-	CUP	CUP	
OTHER USES						
Accessory Donation Box	-	-	-	-	-	
Accessory Structures	P	P	P	P	P	See Ch. 10.26 (Accessory Structures)
Canopies - Temporary	See Section 10.26.040 (Canopies and Canopy Structures)					
Garage and Yard Sales	See Chapter 5.50 (Yard Sales) of Municipal Code					
Home Occupations	See Chapter 10.50.110 (Home Occupations)					
Public Dancing	-	-	-	-	-	
Wireless Communications Facilities (WCF)						See Sec. 10.50.200 (Wireless Communications Facilities)
Satellite Dish ? 1.1 meters diameter	P	P	P	P	P	
All Other WCF	-	-	-	-	-	
Vehicle Parking Area Associated with a Commercial Use	-	-	-	MUP	MUP	

(Ord. 935 § 3 (part), 2015; Ord. 939 § 4, 2016)

10.10.030 Development Standards.

A. General. Table 2-2 identifies the minimum development standards that apply to all development in the residential zones. Certain developments may be subject to special conditions, as described or referenced in Table 2-2. These standards shall be used for the land use and development permitting process(s) as criteria for project review.

TABLE 2-2 RESIDENTIAL DEVELOPMENT STANDARDS	Zones
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Development Feature		R-E	R-1	R-2	R-3	R-4
Density - Maximum	4.4 units/acre	7 units/acre	14 units/acre	18 units/acre	30 units/acre	
Density - Minimum	NA	NA	NA	14 units/acre	20 units/acre	
Lot Size - Minimum	10,000 sf	6,000 sf	6,500 sf	12,000 sf	15,000 sf	
Lot Width - Minimum	80 ft.	60 ft.	60 ft.	60 ft.	60 ft.	
Lot Depth - Minimum	125 ft.	100 ft.	N/A	N/A	N/A	
Lot Coverage - Maximum	35%	40%	45%	50%	50%	
Lot Area Per Dwelling Unit - Minimum	N/A	N/A	3,111 sf	2,420 sf	1,450 sf	
Floor Area Per Dwelling Unit - Minimum ⁽¹⁾⁽³⁾						
Stand-alone unit	N/A	N/A	1,000 sf	1,000 sf	1,000 sf	
Two-unit dwelling	-	-	850 sf	850 sf	850 sf	
Multi-Unit Building:						
Bachelor	-	-	-	-	450 sf	
One Bedroom	-	-	-	-	650 sf	
Two + Bedrooms	-	-	-	-	750 sf	
Distance Between Structures - Minimum ⁽²⁾	10 ft.	10 ft.	15. ft.	15 ft.	15 ft.	
Setbacks - Minimum ⁽⁴⁾						
Front Setback	20 ft.	20 ft.	20 ft.	20 ft.	15 ft.	
Side Setback - Interior and Standard Corner Lots	10% of lot width (not less than 5 ft.; not required to be greater	5 ft.	5 ft. (single story); 15 ft. (second floor or story)	5 ft. (single story); 15 ft. (second floor or story)	5 ft. (single story); 15 ft. (second floor or story)	

	than 10 ft.)				
Side Setback - Reverse Corner Lot: Side Adjoining Another Lot	10% of lot width (not less than 5 ft., not required to be greater than 10 ft.)	5 ft. (single story); 15 ft. (second floor or story)	5 ft. (single story); 15 ft. (second floor or story)	5 ft. (single story); 15 ft. (second floor or story)	5 ft. (single story); 15 ft. (second floor or story)
Side Setback - Corner Lot where Front Door Fronts Side Yard	10 ft.	10 ft. (single story); 15 ft. (second floor or story)	10 ft. (single story); 15 ft. (second floor or story)	10 ft. (single story); 15 ft. (second floor or story)	10 ft. (single story); 15 ft. (second floor or story)
Side Setback - Reverse Corner Lot: Side Adjoining a Street	See Sec. 10.10.030.C	See Sec. 10.10.030.C	See Sec. 10.10.030.C	See Sec. 10.10.030.C	See Sec. 10.10.030.C
Rear Setback	10 ft. (single story); 15 ft. (second floor or story)	10 ft. (single story); 15 ft. (second floor or story)	10 ft. (single story); 15 ft. (second floor or story)	10 ft. (single story); 15 ft. (second floor or story)	10 ft. (single story); 15 ft. (second floor or story)
Height Limit - Maximum	30 ft.	25 ft.	25 ft.	40 ft.	40 ft.
Open Space - Minimum	-	-	100 sf per unit of either common or private	See Sec. 10.10.030.D	See Sec. 10.10.030.D

Notes:

1. Floor area per dwelling unit is exclusive of garage space.
2. Distance measured between structures used for human habitation and other structures used for human habitation and/or accessory structures. Does not include a breezeway or other open structure.
3. Except for senior housing per section 10.10.100 F (Development Standards).
4. Two-story buildings in the R-E and R-1 zones shall comply with the privacy standards set

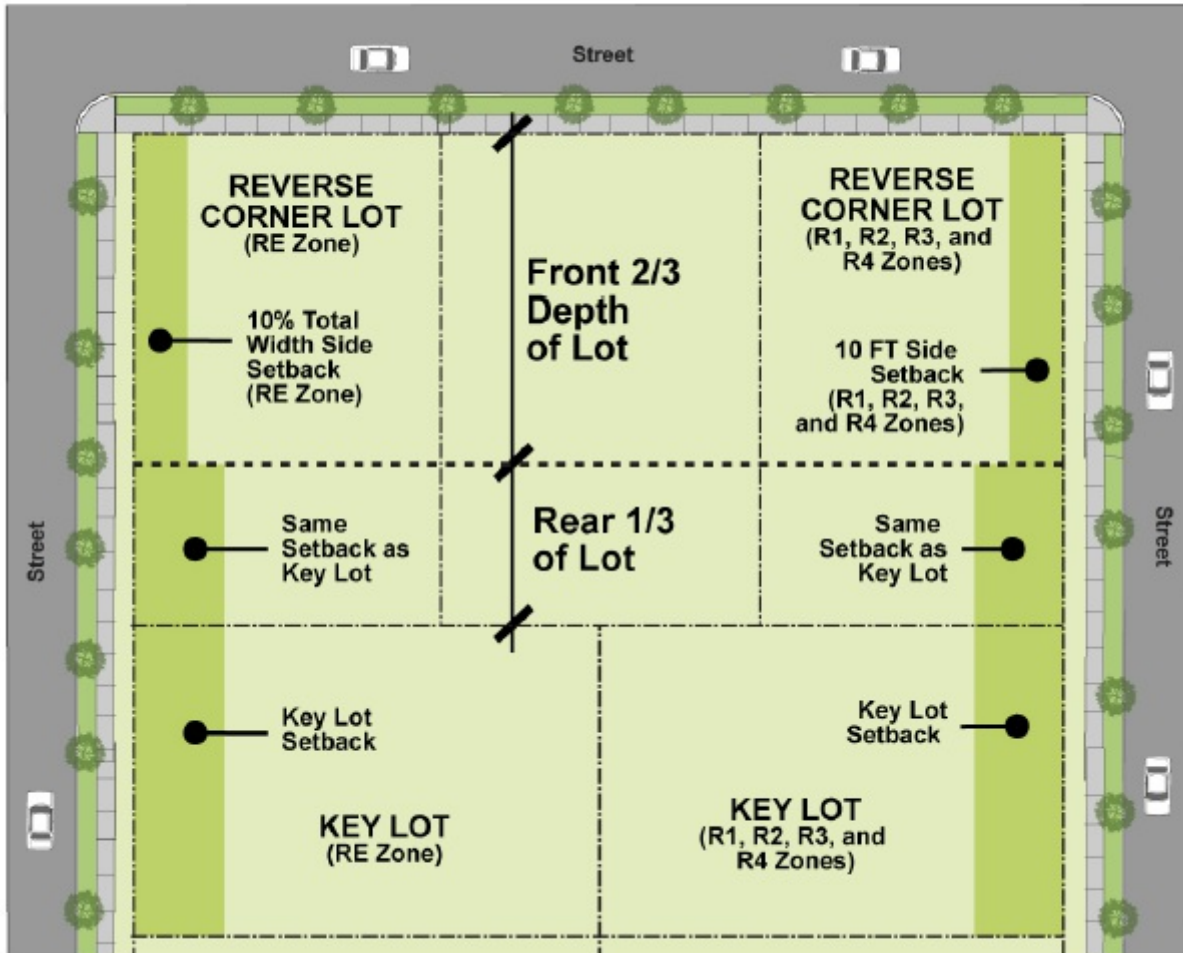
forth in Section 10.10.050 (Privacy Standards for the R-E and R-1 Zones).

B. **Street Side Setbacks - Reverse Corner Lots.** The required setback for the street side of a reverse corner lot shall be determined as set forth here and as illustrated in Figure 2-1.

1. In the R-E zone, the front two-thirds shall have a setback that is equivalent to the interior side setback on the lot. On the rear one-third, the setback shall be equal to the depth of the required front setback on the key lot to the rear of the reversed corner lot.

2. In the R-1, R-2, R-3, and R-4 zones, the front two-thirds shall have a setback of not less than 10 feet. On the rear one-third, the setback shall be equal to the depth of the required front setback on the key lot to the rear of such reversed corner lot.

Figure 2-1
Reverse Corner Lots - Special Setback Requirements



C. **Open Space Requirements for the R-3 and R-4 Zones.**

1. **Common and Private Open Space Required.** All developments in the R-3 and R-4 zones shall provide both common and private open space areas consistent with the requirements of this subsection. No front yard areas, either as part of a required setback or otherwise provided, shall count toward the open space requirement. Any required side and rear setback areas may be counted as part of required open space, provided the minimum open space dimensions, accessibility, and landscaping improvements and maintenance requirements are met.

2. **Common Open Space Standards.** Unless otherwise set forth herein, the following standards shall apply:

a. Common open space shall be required for developments having nine or more units.

b. Common open space shall be provided at a ratio of 200 square feet of open space per one dwelling unit. Any single common open space area shall have minimum dimensions of 20 feet by 20 feet.

c. Such common open space shall be located in an area within the development that is easily accessible to all residents.

d. Common open space areas shall be provided with landscaping and other improvements that meet the needs of the residents. All such landscaping and improvements shall be maintained in a safe and usable condition.

3. Private Open Space Standards. In the R-3 zone, a minimum of 100 square feet of private open space per bedroom shall be provided for every dwelling unit. In the R-4 zone, a minimum of 50 square feet of private open space per bedroom shall be provided for every dwelling unit. Such private open space may consist of a yard, patio, or private balcony, provided such feature has minimum width and depth of six feet.

D. Carport Storage in R-3 and R-4 Zones. Where a carport or carports are provided for vehicle parking for any development in the R-3 or R-4, zone, each carport shall include an enclosed lockable storage area of minimum size of 150 square feet. Such storage area shall not impede access to or occupy any portion of the required parking spaces.

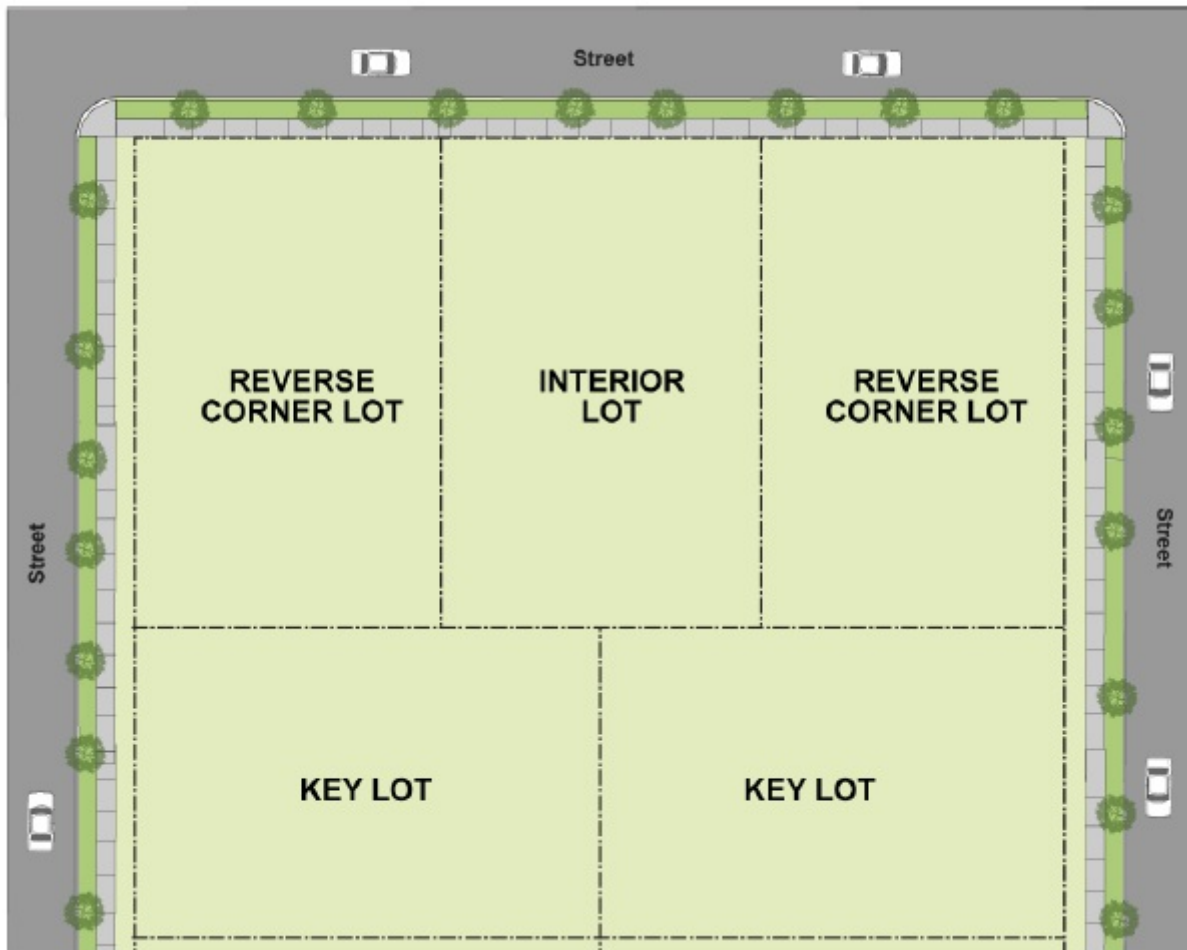
E. Placement of Accessory Structures.

1. Interior Lot. In all residential zones, any non-habitable, non-garage accessory structure placed within the rear third of an interior lot may be built abutting one side line and the rear lot line. However, if the rear lot line abuts an alley, such accessory structure shall be erected no closer than five feet from the rear lot line. See Section 10.14.030.B (Setback from Alley Centerline) regarding detached garages.

2. Corner Lot. In all residential zones, any non-habitable accessory structure on the rear third of a corner lot may be built abutting the interior side lot line. A minimum distance of five feet shall be maintained between the structure and the rear lot line.

3. Reversed Corner Lot. In all residential zones, any non-habitable accessory structure on the rear third of a reversed corner lot may be built abutting the interior side lot line and the rear lot line. However, if the rear lot line abuts an alley and vehicular or pedestrian access to the accessory structure is available from the alley, such accessory structure shall be erected no closer than five feet from the rear lot line. If vehicular or pedestrian access entrance to such accessory structure is directly from the side street side, then the accessory structure may abut the rear lot line.

Figure 2-2
Types of Lots



4. Detached Accessory Garage. For any detached accessory garage located on a corner lot or reverse corner lot, the side of the

garage that provides vehicular access from a street shall have a minimum setback of 20 feet from that street.

F. Flag Lot Dimensions and Setback Measurements.

1. Dimensions. The pole portion of a flag lot, meaning that portion which provides access from a public street or alley to the buildable portion of the lot, shall have a minimum width of 20 feet.

2. Setback Measurements. On a flag lot, the required setbacks shall be measured from the lot lines encompassing the buildable portion of the lot. The pole portion of the flag lot shall not be considered in any such measurement. The Director shall designate the front lot line.

(Ord. 935 § 3 (part), 2015; Ord. 939 § 3, 2016)

10.10.040 Recreational Vehicle Parking.

A. Purpose of Regulating Recreational Vehicle Parking. Provisions for the size, number, and location of recreational vehicle parking in residential zones are intended to enforce community standards with regard to residential neighborhood aesthetics, traffic and pedestrian safety, and property maintenance.

B. Allowed Zones. The parking of recreational vehicles shall only be permitted in the R-E, R-1, and R-2 zones.

C. Restrictions on Obstructing Public Rights-of-Way. No recreational vehicle shall park on any public sidewalk or parkway right-of-way, nor extend from private property over any public right-of-way.

D. Permitted Parking Locations. Recreational vehicles shall only be parked either on a legal driveway within the front yard area, on an allowed paved surface within a side yard area, or the rear yard area.

E. Use as a Dwelling Prohibited. The use of recreational vehicle for dwelling purposes during storage on a residential property and the connection of utilities, water, or plumbing to a recreational vehicle, except for temporary maintenance purposes, are strictly prohibited. No electrical, plumbing, or other similar hook-ups shall be extended and/or used by the recreational vehicle, except as needed for any 72-hour period immediately preceding or following use of the recreational vehicle for its intended purpose off site.

F. Size Limitations. The provisions of this Section shall apply to recreational vehicles measuring no greater than 10 feet in width, 15 feet in height, and 40 feet in length. Any recreational vehicle exceeding any of these limits shall not be parked on any property zoned for residential use. (Ord. 935 § 3 (part), 2015)

10.10.050 Privacy Standards for the R-E and R-1 Zones.

A. Purpose. Privacy standards are established to enforce community standards with regards to the peace, quiet, and visual privacy within residential neighborhoods, consistent with policies set forth in the General Plan. The following privacy standards shall apply to all properties in the R-E and R-1 zones.

B. Second Story Setbacks.

1. Interior Side Yard. For any second story, a minimum setback of 15 feet from an interior side property line shall be required. No balcony shall project within that 15-foot setback area.

2. Street Side Yard. On a street side yard, the second story may extend to the minimum required setback for the zone.

C. Window Location and Orientation. Second-story windows on a wall facing an interior side yard or rear yard shall be located so as not to face directly opposite any existing second-story window on an adjacent residential structure unless the bottom portion of such second-story window is a minimum of five feet six inches above the finished floor or provided such windows are screened by a wing wall, lattice, screen, or other architectural feature, or provided such windows are nontransparent or nontranslucent. (Ord. 935 § 3 (part), 2015)

10.10.060 Site Design and Architectural Standards.

A. Purpose and Applicability. Site design and architectural standards are established consistent with General Plan policy to promote quality design of new residential structures and additions. The City recognizes that quality design promotes longer life of structures,

improves the appearance and maintenance of neighborhoods, and increases value in the housing stock citywide. The following site design and architectural standards shall apply to all new residential structures and to additions to residential structures.

B. Single-family Structures and Duplexes.

1. Site Design and Structure Orientation. Front entries shall be clearly identifiable and for units that front a street, shall generally be oriented toward the street.

2. Scale and Mass.

a. The bulk and mass of new single-family residential structures and additions shall generally match the scale of existing structures in the immediate neighborhood. However, this provision shall not prohibit the construction of a two-story structure within a neighborhood of predominantly single-story structures, provided the privacy standards of Section 10.10.050 (Privacy Standards for the R-E and R-1 Zones) are complied with.

b. Garages shall not be designed or located in a manner that presents the garage as the prominent form of the front facade.

c. Wall off-sets, second-story balconies, decks, window fenestrations, and similar features shall be used on front and street side facades and any facade visible from the public right-of-way to provide articulation and further reduce massing effects.

3. Architecture.

a. All facades visible from a public right-of-way shall incorporate features that eliminate blank, unarticulated walls; add visual interest; avoid clutter; and display a distinctive architectural style.

b. Additions to residential structures shall be designed and constructed to match the architectural style and building form of the structure to which they are added.

c. Rooflines and roofing materials shall be compatible with the architectural style of the residential structure. Use of varying, uncoordinated rooflines and roofing materials shall be avoided.

d. Window and door design and placement shall be consistent with the overall architectural style of the structure.

e. Materials and finishes shall be of a consistent theme, shall match the style of the residential structure, and shall be consistently applied to all facades.

f. Roof-mounted equipment, where permitted, shall be screened from view from public rights-of-way and adjacent properties by materials that are architecturally compatible with the structure they serve.

4. Open Space - Common and Private. All common and private open spaces shall comply with the requirements of Section 10.10.030.C (Open Space Requirements for the R-3 and R-4 Zones).

5. Landscaping.

a. Front yard landscaping shall be provided consistent with the requirements of Chapter 10.32 (Landscaping).

b. Where possible, existing mature, healthy trees shall be preserved in association with any remodeling or addition projects, as directed by the Director.

6. Sustainable Building Practices.

a. Where possible, pervious or semi-pervious surfacing materials shall be used for pedestrian paths and driveways.

b. To the extent possible, orientation of structures and windows shall take advantage of natural light and wind patterns for natural heating and cooling.

C. Multi-Family Structures.

1. Site Design, Structure Orientation, and Access.

a. The front entry to the front unit of a multi-family development shall be clearly delineated and identifiable, and shall be easily accessible for pedestrians from the public street.

b. Entrances to individual residential units shall be accessible from the street, from common open space areas within the development, or from common, well-lighted corridors.

- c. Driveways shall be placed in a manner that avoids conflict with pedestrian access from the sidewalk.
- d. Common parking areas shall be located on the site to minimize their visibility from public rights-of-way and to be easily accessible to all residents of the development.
- e. Windows, balconies, and similar openings shall be oriented to preserve privacy of individual units within the development.
- f. Interior pedestrian paths shall be provided to individual units and to link units to common open space areas and parking areas.
- g. Loading and refuse/recycling collection areas shall be located to provide easy access to collection vehicles and to minimize noise impacts on residents.

2. Scale, Mass, and Architecture.

- a. The bulk and mass of new multi-family structures and additions shall be sensitive to the scale of buildings in the immediate neighborhood.
- b. All facades visible from a public right-of-way shall incorporate features that eliminate blank, unarticulated walls; add visual interest; avoid clutter; and display a distinctive architectural style.
- c. Additions to residential structures shall be designed and constructed to match the architectural style and building form of the structure or structures to which they are added.
- d. Rooflines and roofing materials shall be compatible with the architectural style of the residential structures. Use of varying, uncoordinated rooflines and roofing materials shall be avoided.
- e. Materials and finishes shall be of a consistent theme, shall match the style of the residential structure, and shall be consistently applied to all facades.
- f. Exterior lighting shall be provided for safety purposes, shall be compatible with the overall style of the development, and shall be shielded to avoid light spillage onto adjacent properties.
- g. Balconies, where provided, shall utilize railing or similar materials that are compatible with the overall architectural style of the development.

3. Open Space - Common and Private. All common and private open space areas shall comply with the requirements of Section 10.10.030.C (Open Space Requirements for R-3 and R-4 Zones).

4. Landscaping.

- a. Front yard landscaping shall be provided consistent with the requirements of Chapter 10.32 (Landscaping).
- b. Where possible, existing mature, healthy trees shall be preserved in association with any remodeling or addition projects, as directed by the Director.
- c. Common open space areas shall be landscaped appropriate to their function.

5. Sustainable Building Practices.

- a. Where possible, pervious or semi-pervious surfacing materials shall be used for pedestrian paths and driveways.
- b. To the extent possible, orientation of structures and windows shall take advantage of natural light and wind patterns for natural heating and cooling.

6. Other Requirements.

- a. Common laundry facilities, when provided, shall be easily accessible to all residents.
- b. Refuse and recycling collection areas shall be provided as required by State law.
- c. Roof-mounted and ground-mounted equipment, where permitted, shall be screened from view from public rights-of-way and adjacent properties by materials that are architecturally compatible with the structure they serve. (Ord. 935 § 3 (part), 2015)

10.10.070 Manufactured Housing.

A. **Manufactured Housing Considered a Single-family Dwelling.** A manufactured housing unit shall be considered a single-family dwelling and is subject to the development standards identified in this Chapter 10.10 (Residential Zones).

B. **Foundation Required.** A manufactured home shall be installed and maintained upon a permanent, continuous, exterior, masonry, or concrete foundation.

C. **Design Standards.**

1. All manufactured housing shall comply with the site design and architectural standards set forth in Section 10.10.060.B (Single-family Structures and Duplexes).

2. Roofs on manufactured housing shall include a roof overhang with eaves.

D. **Manufactured Housing May Be Prohibited.** The Director, pursuant to § 65852.3(a) of the California Government Code, shall have the authority to preclude the installation of a manufactured home if the manufactured home was constructed 10 or more years prior to the date of the application for permit issuance to install the manufactured home. (Ord. 935 § 3 (part), 2015)

10.10.080 Accessory Dwelling Units.

A. **Accessory Dwelling Units - When Permitted.** In the R-E and R-1 zones, an accessory dwelling unit may be constructed on a parcel by right, provided that such accessory dwelling unit complies with all of the requirements set forth in this section.

B. **Architectural Design, Form, and Materials.** The accessory dwelling unit shall be constructed so as to be compatible with the existing primary residence located on the site in terms of architectural design, form, and materials.

C. **Relationship to Primary Dwelling.** The accessory second unit may be either attached to the primary dwelling or be a detached structure.

D. **Maximum Gross Floor Area.** The gross floor area for the accessory dwelling unit shall not exceed 35 percent of the existing primary residence located on the site but in no case shall be larger than 1,200 square feet.

E. **Maximum of One per Parcel.** There shall be no more than one accessory dwelling unit allowed on each single-family residential parcel.

F. **Minimum Development Standards.**

1. The accessory dwelling unit shall comply with the minimum property development standards of the subject single-family residential zone in compliance with this Article 2 (Zones, Allowable Uses, and Development and Design Standards).

2. Accessory units shall not be permitted on any story above the first story. All detached accessory units shall be limited in height to one story and 15 feet.

G. **Off-Street Parking Requirements.**

1. One off-street parking space in a garage or carport shall be provided for an accessory dwelling unit, in addition to the parking required for the existing primary residence located on the site.

2. If there is more than one bedroom in the accessory dwelling unit, parking shall be in compliance with Chapter 10.30 (Off-Street Parking and Loading).

H. **Utility Hookups.** Separate utility hookups are permitted.

I. **Occupancy Requirements.** The applicant for a building permit for an accessory dwelling unit shall be the owner and occupant of the property.

J. **Deed Restriction Required.** Before obtaining a building permit for an allowed accessory dwelling unit, the property owner shall file with the County Recorder a declaration or agreement of restrictions, which has been approved by the City Attorney as to its form and content. The declaration or agreement of restrictions shall contain a reference to the deed under which the property was acquired by the owner and shall state that:

1. The accessory dwelling unit shall not be sold separately.

2. The accessory dwelling unit is restricted to the maximum size allowed as identified by the development standards in this

Section.

3. The accessory dwelling unit shall be considered legal only so long as either the primary residence, or the second dwelling unit, is occupied by the owner of record of the property.

4. The restrictions shall be binding upon any successor in ownership of the property, and lack of compliance shall result in legal action against the property owner. (Ord. 935 § 3 (part), 2015)

10.10.090 Density Bonus for Affordable Housing.

A. Authority and Purpose. In compliance with § 65915 and § 65917 of the California Government Code, the City shall provide a density bonus and an additional incentive(s) for qualified affordable housing developments upon the written request of a developer, unless the City makes a written finding based on substantial evidence that the additional incentive(s) is not necessary to make the housing development economically affordable to the occupants. These standards establish development policies that assist in the provision of affordable housing.

Where local City implementing provisions pursuant to § 65915 and § 65917 of the California Government Code are not included in this Section 10.10.090, the applicable provisions of § 65915 and § 65917 of the California Government Code shall apply.

B. Density Bonus Granting Required. A density bonus shall be granted if a development meets the requirements of California Government Code § 65915 and this Section.

C. Supplementary Application Materials. In addition to any required application materials for a residential development project, the following additional materials shall be submitted with a density bonus application to allow the City to review and appropriately assess a density bonus application and the requested incentives and concessions associated with such application.

1. A description of the proposed incentives and concessions. For the purposes of implementation of this Section, available incentives and concessions shall be those identified in § 65915(k) of the California Government Code.

2. A development plan clearly indicating the location of dwelling units within the project intended for affordable housing.

3. Identification of the total number of rental dwelling units and for-sale dwelling units within the project.

4. Proposed rent schedules and/or sale prices for the affordable units.

D. Development Standards. Affordable housing units approved pursuant to this Section shall comply with the following development standards.

1. The affordable housing units shall be reasonably dispersed throughout the project.

2. The average number of bedrooms per designated affordable housing dwelling unit shall be consistent with the average number of bedrooms per unit in the project.

3. Affordable housing units shall be designed harmoniously with the architectural styles of and indistinguishable from other units in the project in terms of interior and exterior finishes and treatments.

E. Resale and Rental Controls.

1. An agreement shall be recorded in the County Recorder's office and shall constitute a covenant running with the land. The agreement shall reserve housing units for qualified households for the minimum periods established in California Government Code § 65915 or other applicable State laws.

2. Individual, affordable, for-sale housing units shall be owner occupied. Upon change in ownership of an affordable housing unit, notice shall be given to the City. The Director shall review each owner proposed to occupy an affordable housing unit to determine eligibility of such owner. (Ord. 935 § 3 (part), 2015)

10.10.100 Senior Citizen Housing Developments.

A. Purpose; Where Permitted. This Section is established in recognition of the unique housing needs of senior citizen residents, and to provide standards for the development of housing that responds to those needs, including but not limited to proximity to shopping, services, and public transit; reduced demand for parking; medical support and similar services; and assistance obtaining appropriate

nutrition. Housing development planned for the exclusive occupancy by senior citizen residents shall be permitted in all residential zones, provided such housing development conforms to all requirements of this Chapter 10.10 (Residential Zones) and specifically, this Section 10.10.100 (Senior Citizen Housing Developments).

B. Density Bonus Permitted. Pursuant to § 65915 and § 65917 of the California Government Code, the City shall grant a density bonus for a senior citizen housing development, provided such development complies with all provisions of this Chapter 10.10 (Residential Zones) and specifically, Sections 10.10.090 (Density Bonus for Affordable Housing) and this Section 10.10.100 (Senior Citizen Housing Developments).

C. Occupancy Compliance Required. No one other than a senior person shall be the principal occupant or lessee of a unit constructed in compliance with this Section. No person shall permit any person to violate this Section. No person shall rent any housing to any person who may not lawfully occupy the same in compliance with the provisions of this Section.

D. Recordation of Covenant. Prior to the granting of a building permit for any approved senior citizen housing development, the owner of the property shall execute and record a covenant, approved as to form by the City Attorney and by its terms binding upon the heirs, successors, and assigns of the owner, agreeing to restrict occupancy of all senior citizens dwelling units within such project to persons, at least one of whom is a senior citizen. The covenant shall further restrict the age of all other occupants of senior citizens dwelling units within such project to the greatest extent legally permissible under the provisions of Section 51.3 of the Civil Code of the State of California.

E. Location Criteria. Senior citizen housing developments shall be located within reasonable walking distance proximity to the following services: food store, drugstore, public transit stop, beauty parlor and barber shop, bank, restaurants, and post office. If reasonably locating senior citizen housing developments proximate to these services is not feasible, the City may require that the operator provide a van or mini-bus on a daily basis and free of charge to all project residents.

F. Development Standards. Senior citizen housing developments, in addition to complying with the development standards for the zone in which they are located, shall comply with the following requirements.

- 1. Building Height. Building height may be increased as a concession for a requested density bonus, but in no case shall any building exceed five stories.
- 2. Elevators. Elevators shall be provided for any senior citizen development as required by State and Federal laws.
- 3. Unit Size. No individual dwelling unit shall contain more than two bedrooms. The following minimum sizes shall apply to individual units:

Type of Unit	Minimum Unit Size
Bachelor	400 sf
One-bedroom	550 sf
Two-bedroom	700 sf

4. Indoor Common Area. For developments containing 20 or more dwelling units, indoor common area space shall be provided. The size of the space shall be no less than 625 square feet. Such space shall be located within the development to be readily accessible to all residents, and shall be designed in a manner that allows for multi-purpose functionality.

- 5. Outdoor Common Area. Unless otherwise set forth herein, the following standards shall apply:
 - a. Common open space shall be required for developments having nine or more units.
 - b. Common open space shall be provided at a ratio of 200 square feet of open space per one dwelling unit. Any single common open space area shall have minimum dimensions of 20 feet by 20 feet.
 - c. Such common open space shall be located in an area within the development that is easily accessible to all residents.
 - d. Common open space areas shall be provided with landscaping and other improvements that meet the needs of the residents. All such landscaping and improvements shall be maintained in a safe and usable condition.

6. Parking Requirements. Parking shall be provided as established in Chapter 10.30 (Off-street Parking and Loading).

G. Support Facilities and Services. Senior citizen housing developments may include facilities and services intended to meet the special needs of seniors with respect to minor and routine medical assistance, physical therapy, recreation therapy, nutrition, and similar support services. Such facilities and services, when proposed, shall be reviewed and addressed as part of the Conditional Use Permit process.

H. Basis for Denial of Application. In reviewing an application for senior citizen housing, the City shall take into account the surrounding environment of the proposed senior citizen housing and conditions existing in that environment that could have potential adverse impacts on senior residents with respect to the existence or probable occurrence of noise, dust, vibration, excessive traffic, large gatherings of people, or other conditions that will interfere with the peaceful and quiet enjoyment of such housing for senior citizens. The finding or findings that such adverse conditions exist may serve as a basis for denial of an application.

No Conditional Use Permit for a senior citizen housing development shall be approved that would create an adverse living environment to the residents due to limited open space, lack of amenities, and/or insufficient facilities to promote a positive living environment. (Ord. 935 § 3 (part), 2015)

10.10.110 Other Applicable Regulations.

In addition to the requirements contained in this Chapter 10.10 (Residential Zones), regulations contained in the following Chapters may apply to development in residential zones.

Chapter 10.24 - Site Planning and General Development Standards

Chapter 10.26 - Accessory Structures

Chapter 10.28 - Fences, Hedges, and Walls

Chapter 10.30 - Off-Street Parking and Loading

Chapter 10.32 - Landscaping

Chapter 10.34 - Signs

Chapter 10.36 - Property Maintenance

Article 4: Regulations for Specific Land Use and Activities

Article 5: Nonconformities.

(Ord. 935 § 3 (part), 2015)

Chapter 10.12 COMMERCIAL ZONES (C-1 AND C-2)

Sections:

10.12.010 Purpose.

10.12.020 Land Use Regulations.

10.12.030 Development Standards.

10.12.040 Site Design and Architectural Standards.

10.12.050 Limitations on Outdoor Use and Storage.

10.12.060 Other Applicable Regulations.

10.12.010 Purpose.

A. Neighborhood Commercial Zone (C-1). The C-1 zone is established to implement the Neighborhood Commercial General Plan

land use designation, and to designate areas for low-intensity retail and service commercial uses that provide goods and services for a limited market area. Uses consist of commercial businesses that have minimal impact on adjacent uses through application of good site design, access and parking arrangements, landscaping, and lighting standards.

B. General Commercial Zone (C-2). The C-2 zone is established to implement the General Commercial General Plan land use designation, and to designate areas where businesses can locate to meet the majority of commercial needs of residents and other commercial businesses. The C-2 zone is intended to promote economic development and business activities that benefit the City, and thus allows a wide range of retail, service, and professional office uses. Development standards and design regulations are intended to promote the safe and efficient movement of traffic and to provide for well-designed, attractive commercial centers and development. (Ord. 935 § 3 (part), 2015)

10.12.020 Land Use Regulations.

A. Allowed Uses. Table 2-3 identifies allowed uses, accessory uses, uses subject to Conditional Use Permit or Minor Use Permit approval, and specific prohibited uses in the C-1 and C-2 zones, subject to compliance with all other provisions of this Zoning Code. Any use not listed in Table 2-3 is prohibited. All uses shall comply with Chapter 10.38 (Performance Standards).

B. Any Use with Operations Occurring between 12:00 Midnight and 6:00 A.M. Notwithstanding the provisions set forth in Table 2-3, any allowed use involving operations between the hours of 12:00 midnight and 6:00 A.M. shall require the approval of a Minor Use Permit.

C. On-site Production of Goods: Limited to Retail Sales. All products incident to a permitted use which are manufactured or processed on the premises shall be sold on the premises and only as retail goods.

D. Limitation on Tenants within a Single Structure. For any structure that is divided into leasable spaces in any manner such that the leasable spaces are enclosed by less-than-complete floor-to-ceiling walls, solid ceilings, and a solid, lockable access door(s), no more than four tenants shall be permitted.

TABLE 2-3 ALLOWED USES AND PERMIT REQUIREMENTS	Commercial Zones Permit Requirements		
	P	Permitted by Right	
	CUP	Conditional Use Permit (10.84)	
	MUP	Minor Conditional Use Permit (10.84)	
	-	Not allowed	
Land Use See Article 9 for land use definitions.	C-1	C-2	Notes and Specific Use Regulations
Recreation, Education, and Assembly			
Assembly, Public	CUP	-	
Assembly, Religious	CUP	-	

Commercial Recreation and Entertainment	-	CUP	
Schools, Private	CUP	-	Only new schools associated with a legally a established place of public or religious assembly use are permitted with a CUP.
Trade Schools	-	MUP	
Residential and Residential Care Uses			
Community Care Facility - Non-medical	-	-	
Residential Care Facility for the Elderly	CUP	CUP	
Retail Trade Uses			
Alcohol Sales: Off-sale (Liquor Stores)	CUP	CUP	
Alcohol Sales: On-sale	CUP	CUP	
Alcohol Sales: On-sale (Accessory)	CUP	CUP	
Grocery and Food Stores			
Small-scale: 20,000 sf or less	P	P	
Large-scale: More than 20,000 sf	-	P	
Medical Marijuana	-	-	
Pharmacy, Medical Supplies	P	P	
Retail Sales	P	P	
Secondhand Stores	MUP	MUP	
Smoke Lounge	-	-	
			Distancing and other

Smoke Shops	-	CUP	requirements apply. See 10.50.170 (Smoke Shops). A smoke shop is not permitted as an accessory use to any other use.
Service Uses - Business, Financial, Medical, and Professional			
ATMs			
Outside, if associated with a Financial Institution on the same property	P	P	
Inside of an Allowed Business	P	P	
Emergency Health Facilities	MUP	CUP	
Financial Institutions and Related Services	P	P	
Hospitals	-	CUP	
Offices - Business, Governmental, and Professional	P	P	
Offices - Medical and Dental	P	P	
Service Uses - General			
Adult-Oriented Businesses	-	-	
Ambulance Services	CUP		
Animal Sales and Services			
Animal Boarding/Kennels	-	CUP	
Animal Grooming/Retail Sales	P	P	
Veterinary Services	-	MUP	
Artist Studio	P	P	
Catering Services	MUP	P	
			See 10.50.050

Cyber/Internet Café		CUP	(Cyber/Internet Cafes)
Dance, Martial Arts, or Similar Instructional Studio	MUP	P	
Day Care Center	CUP	CUP	See 10.50.080 (Day Care Centers)
Eating and Drinking Establishments	CUP required for any use involving alcohol sales.		
Accessory Food Service	P	P	
Banquet Facility - Accessory	CUP	CUP	
Bars, Lounges, and Nightclubs	-	CUP	
Fast Food Restaurant	P	P	Any such use with drive-through service shall require a MUP.
Sit-down Restaurant	P	P	Any such use with drive-through service shall require a MUP
Take-Out Service	P	P	Any such use with drive-through service shall require a MUP.
Outdoor Dining - Accessory	MUP	MUP	
Dry Cleaning and Laundry Services			
Dry Cleaning - Retail	P	P	
Laundry - Self-service	-	CUP	
Fortunetelling	-	MUP	See Chapter 5.28 (Fortunetelling) of the Municipal Code
Game Arcades			
Accessory Use	P	P	

Primary Use	-	CUP	
Health/Fitness Facilities			
Small - 2,000 sf or less	MUP	P	
Large - Over 2,000 sf	-	CUP	
Live Entertainment	Permitted only as accessory to primary permitted use.		
Amplified	-	CUP	See Chapter 5.08 (Business and Occupation Permits) of the Municipal Code
Unamplified	MUP	MUP	See Chapter 5.08 (Business and Occupation Permits) of the Municipal Code
Maintenance and Repair Services - Equipment and Appliances other than Vehicles	P	P	
Personal Services (see Article 9 - Definitions)			
General	P	P	
Restricted	-	CUP	
Postal Services	P	P	
Printing and Duplicating Services	P	P	
Visitor Accommodations			
Hotels/Motels	-	CUP	
Transportation, Communications, and Infrastructure Uses			
Communication Facilities	P	P	
Parking Facilities	MUP	MUP	
Utilities	P	P	

Wireless Communications Facilities (WCF)			
Satellite dish ? 2.2 meters in diameter	P	P	See Section 10.50.200 (Wireless Communications Facilities).
All other WCF	CUP	CUP	See Section 10.50.200 (Wireless Communications Facilities).
Co-location	P	P	
Vehicle Rental, Sale, and Service Uses			
Vehicle-Equipment Sales			
New	-	CUP	See Section 10.50.190 (Vehicle Sales)
Used	-	CUP	See Section 10.50.190 (Vehicle Sales)
Vehicle/Equipment Rentals			
Office Only	P	P	
Office and on-site Vehicles	-	-	
Vehicle/Equipment Repair			
General	-	CUP	
Limited	MUP	MUP	
Trucks - Commercial	-	-	
Vehicle/Equipment Services			
Automobile Washing/Detailing - Self service or Accessory	-	MUP	
Service Station - With or Without Retail Sales of Non-	CUP	CUP	See Section 10.50.160 (Service

Automotive Goods			Stations)
Other Uses			
Accessory Donation Boxes	-	-	
Accessory Structures and Uses	P	P	See Chapter 10.26 (Accessory Structures) and Section 10.50.020 (Accessory Uses).
Drive-through Facilities	MUP	MUP	See 10.50.090 (Drive-through and Drive- up Facilities)
Tattoo Parlors	-	-	
Temporary Uses	See Chapter 10.96 (Temporary Use Permits)		
Vending Machines			
Reverse Vending of Recyclables	P	P	
Vending Machines - Accessory to Permitted Use	P	P	Limited to 3 outside machines per business location and not visible from a public right-of-way

(Ord. 935 § 3 (part), 2015)

10.12.030 Development Standards.

- A. General. Table 2-4 identifies the minimum development standards applicable to all development in the C-1 and C-2 zones.
- B. Setback from Alley Centerline. Any structure having an entrance which opens onto an alley shall be located a minimum distance of 20 feet from the centerline of such alley.
- C. Walls Required Adjacent to a Zone Allowing Residential Use. A minimum eight-foot-high solid masonry wall shall be provided and maintained on all property lines abutting a property zoned for residential use. This requirement shall not apply within the required front setback or side setback abutting a street.
- D. Roof-Mounted Equipment. Roof-mounted equipment shall be screened from view from a public right-of-way by parapet walls or other architectural treatment of sufficient height necessary to screen the equipment. All screening materials shall be of materials and colors that match the architectural style and colors of the structure on which they are provided.
- E. Lighting.

1. Lights shall be provided for all outdoor walkways, parking, and storage areas.
2. All lighting fixtures provided to illuminate any parking area or the exterior of structures shall be arranged and located to direct the light away from any abutting property zoned for residential use.
3. Lighting shall be designed, focused, shielded, or directed so that there is no direct glare on adjacent properties, streets, or alleys.

TABLE 2-4 DEVELOPMENT STANDARDS FOR C-1 AND C-2 ZONES	Development Feature		
	C-1	C-2	Additional Requirements
Lot Dimensions	Minimum dimensions required for each NEWLY CREATED lot.		
Lot Area - Minimum	4,000 sf	5,000 sf	
Lot Width - Minimum	40 ft.	50 ft.	
Setbacks - Minimum	Minimum setbacks required for primary structures. See also Section 10.24.020 (Permitted Projections into Required Setback Areas).		
Front	5 ft.	5 ft.	For lots with a depth of less than 100 ft., the front setback may be 10% of the lot depth but in no case less than 5 ft.
Side (interior, each)			
Abutting a lot zoned for residential use	10 ft.	20 ft.	
Abutting any other lot	0 ft.	0 ft.	
Side (Street side)	10 ft.	10 ft.	For lots with a width of less than 100 ft., the street side setback may be 10% of the lot width but in no case less than 5 ft.
Rear			

Abutting a lot zoned for residential use	10 ft.	20 ft.	
Abutting any other lot	5 ft.	5 ft.	
Floor-Area Ratio - Maximum	0.50	0.75	
Height - Maximum See Section 10.24.040 (Height Measurements and Exceptions) for height measurement	30 ft.	30 ft.	
Accessory Structures	See Chapter 10.26 (Accessory Structures).		
Fencing	See 10.12.030.C (Walls Required Adjacent to a Zone Allowing Residential Use) and Chapter 10.28 (Fences, Hedges, and Walls).		
Landscaping	See Chapter 10.32 (Landscaping)		
Parking	See Chapter 10.30 (Off-Street Parking and Loading).		
Performance Standards	See Chapter 10.38 (Performance Standards).		
Sign Regulations	See Chapter 10.34 (Signs).		

(Ord 935 § 3 (part), 2015)

10.12.040 Site Design and Architectural Standards.

A. Access, Circulation, and Loading Areas.

1. In the C-2 zone, primary vehicular and pedestrian access shall be from a street with a General Plan classification of Collector or higher, unless the Director determines that no other access is possible.
2. Minimum driveway widths shall be as directed by the Fire Department.
3. Circulation shall be designed for both vehicle and pedestrian use. Pedestrian access from the street and the parking lot to the main door of the businesses they serve shall be designed to avoid conflict with vehicular traffic. Pedestrian paths shall be clearly delineated with pavement materials and/or markings and signage.
4. Dead-end parking aisles shall be avoided unless the size or shape of a development site allows for no other configuration, as determined by the Director.
5. Where physically possible, reciprocal parking area access between shopping centers shall be required.
6. Loading areas shall be designed and located generally to the rear of a property and out of view of public rights-of-way, and shall be designed to avoid conflicts with interior pedestrian and vehicular circulation and to minimize noise and other impacts on adjacent uses.

B. Commercial Shopping Centers - Site Design and Design Treatments.

1. To the maximum extent practical, as determined by the Director, buildings shall be oriented as close to the street as possible, with parking toward the rear of the site.
2. Shopping centers shall be identified by monument signage and may include a logo. Landmark monuments are encouraged (such as bell towers, clock towers, water features, etc.). Any signs and monuments provided shall be designed and integrated into the architectural theme of their respective complexes.
3. A unified architectural theme shall be applied to all structures within the center and associated signage.
4. The entry area shall complement the development through paving texture and color.
5. Plant materials shall be used to accentuate and distinguish the center from the adjacent streetscape. The planting of annual or perennial color shall be used to distinguish the entries.

C. Scale and Massing.

1. The scale and massing of structures shall achieve a street-level environment accommodating to pedestrians.
2. Structures shall be designed to avoid long, monotonous, plain facades. Techniques such as staggered building planes, variation of facades, recessed entries, and arcades shall be used to create variety and interest.
3. Commercial structures adjacent to residential uses shall incorporate sensitive transitions in scale and massing. For example, structure mass shall be broken down using height step-backs, articulated sub-volumes, and horizontal and vertical facade articulation.

D. Architectural Treatment.

1. A unified architectural and design theme shall be applied to all structures within a development.
2. Roof lines and materials shall be compatible with the architectural style of the structures.
3. Quality and definable treatment shall be applied to all facades exposed to public view. Blank end walls shall be avoided. Treatments shall include architectural features, landscaping, or art elements that tie into the overall design theme.
4. Particular consideration to color and material shall be given to the design and treatment of roofs because of their potential visual impact. Roof flashing, rain gutters, down spouts, vents, and other roof protrusions shall be screened from view or finished to match adjacent materials and/or colors of the structure.
5. Additions to structures shall be designed to match the roofline, style, and colors of the original structure. Where the original structure has limited design quality, the addition shall include design features that add texture and architectural interest.
6. Building entrances shall be readily identifiable through the use of varied height, color, or building planes.

E. Walls and Fences.

1. Wall and fencing materials and patterns shall be compatible with the style and themes of the structures. Unfinished precision block walls are specifically prohibited.
2. Where walls are erected in locations visible from a public right-of-way, the use of full dimension caps, pilasters, and changes in wall surfaces (staggering) shall be applied.
3. In locations where walls might invite vandalism or graffiti, landscaping shall be provided along the walls.

F. Landscaping. Landscaping, at a minimum, shall be provided in all required setback and all yard areas that face a public right-of-way or private street, within required parking areas pursuant to Chapter 10.30 (Off-Street Parking and Loading), and as otherwise may be required through the Site Plan Review process or any required discretionary approval.

(Ord. 935 § 3 (part), 2015)

10.12.050 Limitations on Outdoor Use and Storage.

A. Permitted Outdoor Uses. All permitted uses in the C-1 and C-2 zone shall be conducted wholly within an enclosed structure, except as follows:

1. Parking lots
 2. Vehicle sales areas
 3. Any recreation use that requires use of outdoor space
 4. Service station fuel dispensing activities
 5. Plant nurseries
 6. Garden and bulky hardware supplies associated with a home improvement or similar retail business, provided that all such outdoor use shall be fully screened and secured by walls or fencing materials
 7. Outdoor dining areas associated with restaurants
 8. Refuse and recycling collection areas (see Section 10.24.060 Solid Waste and Recyclable Materials Storage Areas)
 9. Temporary outdoor sales with the approval of a Temporary Use Permit pursuant to Chapter 10.96 (Temporary Use Permits).
 10. Outdoor storage and staging for construction projects, where a valid building permit has been issued
- B. Outdoor Storage Prohibited. All types of outdoor storage shall be prohibited. See Section 10.38.090 (Outdoor Storage, Refuse Areas, and Service Areas).
- C. Vehicle Repair Facility - Outdoor Use and Storage.
1. All vehicles being repaired or awaiting repair shall be parked within a secure and enclosed area during all non-business hours.
 2. The parking, storage, or repair of vehicles shall not be allowed within any required setback area.

(Ord. 935 § 3 (part), 2015)

10.12.060 Other Applicable Regulations.

The following additional regulations in this Zoning Code may apply to development and activities in the C-1 and C-2 zones:

Chapter 10.24 Setback - Measurements, Standards, and Exceptions

Vision Clearance Triangle at Intersections

Solid Waste and Recyclables Storage

Chapter 10.36 Property Maintenance

Chapter 10.38 Performance Standards

(Ord. 935 § 3 (part), 2015)

Chapter 10.14 COMMERCIAL-MANUFACTURING ZONE (CM)

Sections:

- 10.14.010 Purpose.
- 10.14.020 Land Use Regulations.
- 10.14.030 Development Standards.
- 10.14.040 Site Design and Architectural Standards.
- 10.14.050 Limitations on Outdoor Use and Storage.
- 10.14.060 Other Applicable Regulations.

10.14.010 Purpose.

The Commercial-Manufacturing Zone (CM) implements the Business-Employment General Plan land use category and is established to provide areas in the City for industrial enterprises and limited high-intensity commercial businesses that, due to noise, hours of operations, truck traffic, use of hazardous materials, or similar operating characteristics, are not appropriate in traditional retail- and service-oriented commercial zones. The use regulations for this zone are intended to encourage and support manufacturing-type jobs, but also to minimize adverse impacts and protect adjacent uses. (Ord. 935 § 3 (part), 2015)

10.14.020 Land Use Regulations.

Table 2-5 identifies allowed uses, accessory uses, uses subject to Conditional Use Permit approval, and specific prohibited uses in the CM zone, subject to compliance with all other provisions of this Zoning Code. Any use not listed in Table 2-5 is prohibited. All uses shall comply with Chapter 10.38 (Performance Standards).

TABLE 2-5 CM ZONE - ALLOWED USES AND PERMIT REQUIREMENTS	Commercial-Manufacturing Zone Permit Requirements	
	P	Permitted by-Right
	CUP	Conditional Use Permit (10.84)
	MUP	Minor Use Permit (10.84)
	-	Not allowed
Land Use See Article 9 for land use definitions. See Section 10.06.040 for uses not listed.	CM	Notes and Specific Use Regulations
Industry, Manufacturing and Processing, Warehousing Uses		
Contractor's Storage Yards	MUP	
Food Processing	CUP	The following are specifically prohibited: 1) Slaughtering and rendering of animals 2) Processing of animal

		carcasses
Garment Manufacturing, Garment Silkscreen, and Similar Uses	P	
Industrial		
Light	P	
Heavy		
Less than 20,000 sq. ft.	MUP	
20,000 sq. ft. or greater	CUP	
Industry, Manufacturing and Processing, Warehousing Uses		
Personal Storage (Mini Storage)	-	
Laundry and Dry Cleaning - Nonretail	P	
Research and Development; Laboratories	CUP	
Warehousing	P	
Wholesaling	P	
Recreation, Education, and Assembly		
Assembly, Public	-	
Assembly, Religious	-	
Commercial Recreation and Entertainment	CUP	
Trade Schools	MUP	
Retail Trade Uses		
Alcohol Sales - Off-sale (Liquor Stores)	CUP	See 10.50.030 (Alcohol Sales).
		See 10.14.050

Building Materials and Services	P	(Limitations on Outdoor Use and Storage) regarding outdoor storage
Retail Sales	P	
Secondhand Stores	MUP	See Section 10.50.150 (Secondhand Stores)
Service Uses - Business, Financial, Medical, and Professional		
Hospital	CUP	
Offices - Business, Governmental, Medical, and Professional	P	
Service Uses - General		
Adult Business Uses	P	See Chapter 10.62 (Adult Businesses)
Ambulance Services	MUP	
Animal Sales and Services		
Animal Boarding/Kennels	CUP	
Animal Grooming, Retail Sales	P	
Animal Hospitals/Clinics	MUP	
Catering Services	P	
Laundry and Dry Cleaning - Retail	P	
Eating and Drinking Establishments	P	A CUP is required for any use involving on- or off-site alcohol sales.
Emergency Shelter	P	
Maintenance and Repair Services - Other than Vehicles	P	

Printing and Duplicating Services	P	
Recycling Facilities		
Collection Facility - Large	CUP	See Section 10.50.140 (Recycling Facilities)
Collection Facility - Small	MUP	See Section 10.50.140 (Recycling Facilities)
Reverse Vending Machines	P	See Section 10.50.140 (Recycling Facilities)
Tattoo and Body Piercing Establishments, Piercing, and Similar Establishments	P	
Transportation, Communications, and Infrastructure Uses		
Communication Facilities	P	
Utilities	CUP	
Wireless Communications Facilities (WCF)		
Satellite dish ? 2.2 meters in diameter	P	See Section 10.50.200 (Wireless Communication Facilities)
All other WCF	CUP	See Section 10.50.200 (Wireless Communication Facilities)
Co-location	P	
Vehicle Rental, Sale, and Service Uses		
Vehicle/Equipment Rentals and Sales	MUP	See Section 10.50.190 (Vehicle Sales)
Vehicle/Equipment Repair		
Body Repair and Painting	CUP	
General	MUP	

Limited	MUP	
Vehicle/Equipment Services		
Automobile Washing/Detailing	P	
Service Stations	CUP	See Section 10.50.160 (Service Stations)
Vehicle Storage	-	
Other Uses		
Accessory Donation Boxes	-	
Accessory Structures and Uses	P	Chapter 10.26 (Accessory Structures) and Section 10.50.020 (Accessory Uses).
Caretaker Residence	MUP	Must be clearly accessory to the primary use
Temporary Uses	See Chapter 10.96	
Vending Machines - Outdoor (other than reverse vending for recyclables)	P	Limited to 3 per establishment

(Ord. 935 § 3 (part), 2015; Ord. 937, § 3, 2016)

10.14.030 Development Standards.

A. General. Table 2-6 identifies the minimum development standards applicable to all development in the CM zone.

B. Setback from Alley Centerline. Any structure having an entrance which opens onto an alley shall be located a minimum distance of 20 feet from the centerline of such alley.

C. Walls Required Adjacent to a Zone Allowing Residential Use. A minimum eight-foot-high solid masonry wall shall be provided and maintained on all property lines abutting a property zoned for residential use. This requirement shall not apply within the required front setback or side setback abutting a street. See Chapter 10.28 (Fences, Hedges, and Walls).

D. Roof-Mounted Equipment. Roof-mounted equipment shall be screened from view from a public right-of-way by parapet walls or other architectural treatment of sufficient height necessary to screen the equipment. All screening materials shall be of materials and colors that match the architectural style and colors of the structure on which they are provided.

E. Lighting.

1. Lights shall be provided for all outdoor walkways, parking, and storage areas.

2. All lighting fixtures provided to illuminate any parking area or the exterior of structures shall be arranged and located to direct

the light away from any abutting property zoned for residential use.

3. Lighting shall be designed, focused, shielded, or directed so that there is no direct glare on adjacent properties, streets, or alleys.

TABLE 2-6 DEVELOPMENT STANDARDS FOR CM ZONE	Development Feature	
	CM Standards	Additional Requirements
Lot Dimensions	Minimum dimensions required for each NEWLY CREATED lot.	
Lot Area - Minimum	7,500 sq. ft.	
Lot Width - Minimum	60 ft.	
Setbacks - Minimums	Minimum setbacks required for primary structures. See also Section 10.24.020 (Permitted Projections into Required Setback Areas).	
Front	10 ft.	For lots with a depth of less than 100 ft., the front setback may be 10% of the lot depth but in no case less than 5 ft.
Side (interior)		
Abutting an industrially zoned lot	0 ft.	
Abutting a nonindustrial zone, other than residential	10 ft.	
Abutting a residential zone	15 ft.	
Side (Street side)	10 ft.	For lots with a width of less than 100 ft., the street side setback may be 10% of the lot width by in no case less than 5 ft.
Rear		

Abutting an industrially zoned lot	0 ft.	For any rear yard abutting a zone that allows residential use, an additional rear setback shall be provided at a ratio of 2 feet of setback for every 5 feet of building height above 15 feet.
Abutting a nonindustrial zone	10 ft.	
Floor-Area Ratio	1.00 Maximum	
Lot Coverage	75% Maximum	
Height	40 ft.	See Section 10.24.040 (Height Measurements and Exceptions) for height measurement requirements.
Accessory Structures	See Chapter 10.26 (Accessory Structures).	
Fencing	See 10.14.030.C (Walls Required Adjacent to Zone Allowing Residential Use) and Chapter 10.28 (Fences, Hedges, and Walls).	
Landscaping	See Chapter 10.32 (Landscaping).	
Parking	See Chapter 10.30 (Off-Street Parking and Loading).	
Performance Standards	See Chapter 10.38 (Performance Standards).	
Sign Regulations	See Chapter 10.34 (Signs).	

(Ord. 935 § 3 (part), 2015)

10.14.040 Site Design and Architectural Standards.

A. Access, Circulation, and Loading Areas.

1. Primary vehicular and pedestrian access shall be from a street with a General Plan classification of Collector or higher, unless the Director determines that no other access is possible.

2. The minimum driveway widths shall be as required by the Fire Department.

3. Circulation shall be designed for both vehicle and pedestrian use. Pedestrian access from the street and the parking lot to the main door of the business shall be designed to avoid conflict with vehicular traffic.

4. Loading areas shall be designed and located to avoid conflicts with interior pedestrian and vehicular circulation, and to minimize noise and other impacts on adjacent uses.

B. Architectural Treatment.

1. Structures shall be designed to avoid long, monotonous, plain facades. Techniques such as staggered building planes, variation of facades, recessed entries, and the use of arcades shall be used to create variety and interest.

2. Quality and definable architectural treatment shall be applied to all facades exposed to public view from a street.

3. Particular consideration to color and material shall be given to the design and treatment of roofs because of their potential visual impact. Roof flashing, rain gutters, down spouts, vents, and other roof protrusions shall be screened from view or finished to match adjacent materials and/or colors of the structure.

4. Additions to structures shall be designed to match the roofline, style, and colors of the original structure. Where the original structure has limited design quality, the addition shall work to enhance the overall appearance of the site.

5. Building entrances shall be readily identifiable through the use of varied height, color, or building planes.

C. Walls and Fences.

1. Wall and fencing materials and patterns shall be compatible with the style and themes of the structures. Unfinished precision block walls are specifically prohibited.

2. Where walls are erected in locations visible from a public right-of-way, the use of full dimension caps, pilasters, and changes in wall surfaces (staggering) shall be applied.

3. In locations where walls might invite vandalism or graffiti, landscaping shall be provided along the walls.

D. Landscaping. Landscaping, at a minimum, shall be provided in all required setback and all yard areas that face a public right-of-way or private street, within required parking areas pursuant to Chapter 10.30 (Off-Street Parking and Loading), and as otherwise may be required through the Site Plan Review process or any required discretionary approval.

(Ord. 935 § 3 (part), 2015)

10.14.050 Limitations on Outdoor Use and Storage.

A. Permitted Outdoor Uses. All permitted uses in the CM zone shall be conducted wholly within an enclosed structure except for the following:

1. Building material sales and supply yards.

2. Equipment and truck sales and/or rental yards.

3. Gasoline service stations.

4. Open work areas incidental and in conjunction with a primary permitted use, provided that such areas are not visible from a public street or alley or from an adjacent property. No use of power tools or equipment other than forklifts or similar moving equipment shall be permitted in open work areas.

B. Limits on Outdoor Storage. Outdoor storage is permitted in the CM zone subject to the following standards:

1. Outdoor storage shall not be visible from a public street or alley or from adjoining properties.

2. Outdoor storage shall be screened from view by the positioning of structures around the storage area or by a solid masonry wall. No other types of screening shall be allowed. Any materials stored outdoors shall not be stacked above the height of the structure or wall.

3. Outdoor storage areas may not occupy required parking or driveway areas, required landscape areas, fire lanes, or other

emergency access.

C. Vehicle Repair Facility - Outdoor Use and Storage.

- 1. All vehicles being repaired or awaiting repair shall be parked within a secure and enclosed area during all non-business hours.
- 2. The parking, storage, or repair of vehicles shall not be allowed within any required setback area. (Ord. 935 § 3, 2015)

10.14.060 Other Applicable Regulations.

The following additional regulations in this Zoning Code apply to development and activities in the CM zone:

Chapter 10.24 Setbacks - Measurements, Standards, and Exceptions
Solid Waste and Recyclables Storage
Vision Clearance Triangle at Intersections

Chapter 10.36 Property Maintenance

Chapter 10.38 Performance Standards

(Ord. 935 § 3 (part), 2015)

**Chapter 10.16
PUBLIC FACILITIES ZONE (PF)**

Sections:

- 10.16.010 Purpose.
- 10.16.020 Land Use Regulations.
- 10.16.030 Development Standards.
- 10.16.040 Other Applicable Regulations.

10.16.010 Purpose.

The Public Facility Zone (PF) is established to implement the General Plan Public/Institutional (P/I) land use designation, and to permit public and semi-public uses that support the functions and purposes of other land uses, as well as the functions of City government and other government entities. (Ord. 935 § 3 (part), 2015)

10.16.020 Land Use Regulations.

Table 2-7 identifies allowed uses, accessory uses, uses subject to Conditional Use Permit approval, and specific prohibited uses in the PF zone, subject to compliance with all other provisions of this Zoning Code. Any use not listed in Table 2-7 is prohibited.

TABLE 2-7 PF ZONE - ALLOWED USES AND PERMIT REQUIREMENTS		Public Facilities Zone Permit Requirements	
		P	Permitted by-Right
		CUP	Conditional Use Permit (10.84)

	MUP	Minor Use Permit (10.84)
	-	Not allowed
Use	PF	Notes and Specific Use Regulations
Accessory Donation Boxes	-	
City Facilities	P	
Fire, Police, and Sheriff Stations	P	
Governmental offices and facilities - Other than City	P	
Public Utility Transmission and Support Facilities	CUP	
Schools		
Public K-12	P	
Private K-12	CUP	
Wireless Communications Facilities		
New facility	CUP	See Section 10.50.200 (Wireless Communications Facilities)
Co-location	P	

(Ord 935 § 3 (part), 2015)

10.16.030 Development Standards.

A. General. Table 2-8 identifies the minimum development standards applicable to all development in the PF zone.

B. Additional Standards. Additional development standards may be applies through the Conditional Use Permit or Minor Use Permit process to provide for compatibility with adjacent and surrounding uses.

TABLE 2-8 DEVELOPMENT STANDARDS FOR PF ZONE	Development Feature	
Development Feature	PF	Additional Requirements

	Standards	
Lot Dimensions	Minimum dimensions required for each NEWLY CREATED lot.	
Lot Area - Minimum	5,000 sq. ft.	
Lot Width - Minimum	60 ft.	
Setbacks - Minimums	Minimum setbacks required for primary structures. See also Section 10.24.020 (Permitted Projections into Required Setback Areas).	
Front	10 ft.	Additional setback requirement may be imposed through the Conditional Use Permit or Minor Use Permit process.
Side (interior)		
Abutting a lot zoned for residential use	10 ft.	Additional setback requirement may be imposed through the Conditional Use Permit or Minor Use Permit process.
All other zones	0 ft.	
Side (Street side)	10 ft.	
Rear		
Abutting a lot zoned for residential use	15 ft.	Additional setback requirement may be imposed through the Conditional Use Permit or Minor Use Permit process.
All other zones	0 ft.	
Floor-Area Ratio - Maximum	1.00	
Lot Coverage	No requirement	
Height	See Section 10.24.040 (Height Measurements and Exceptions) for height measurement requirements.	
	40 ft.	
Accessory Structures	See Ch. 10.26 (Accessory Structures).	
	See Chapter 10.28 (Fences, Hedges, and	

Fencing	Walls)
Landscaping	See Chapter 10.32 (Landscaping).
Parking	See Chapter 10.30 (Off-Street Parking and Loading).
Performance Standards	See Chapter 10.38 (Performance Standards).
Sign Regulations	See Chapter 10.34 (Signs).

(Ord. 935 § 3 (part), 2015)

10.16.040 Other Applicable Regulations.

The following additional regulations in this Zoning Code apply to development and activities in the PF zone:

Chapter 10.24 Setbacks - Measurements, Standards, and Exceptions

Vision Clearance Triangle at Intersections

Solid Waste and Recyclables Storage

Chapter 10.36 Property Maintenance

(Ord. 935 § 3 (part), 2015)

**Chapter 10.18
OPEN SPACE ZONE**

Sections:

- 10.18.010 Purpose.
- 10.18.020 Land Use Regulations.
- 10.18.030 Development Standards.
- 10.18.040 Other Applicable Regulations.

10.18.010 Purpose.

The Open Space Zone (OS) implements the General Plan Public Open Space and Private Open Space land use categories, and is established to allow uses that provide active and passive recreation areas and facilities, including parks, sports fields and courts, and golf courses. Also allowed are plant nurseries. (Ord. 935 § 3 (part), 2015)

10.18.020 Land Use Regulations.

Table 2-9 identifies allowed uses, accessory uses, uses subject to Conditional Use Permit approval, and specific prohibited uses in the OS zone, subject to compliance with all other provisions of this Zoning Code. Any use not listed in Table 2-9 is prohibited. All uses shall comply with Chapter 10.38 (Performance Standards).

TABLE 2-9	
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OS ZONE - ALLOWED USES AND PERMIT REQUIREMENTS	Open Space Zone Permit Requirements	
	P	Permitted By-Right
	CUP	Conditional Use Permit (10.84)
	MUP	Minor Use Permit (10.84)
	-	Not allowed
Land Use See Article 9 for land use definitions.	OS	Notes and Specific Use Regulations

Recreation, Education, and Public Assembly Uses		
Golf Course and related facilities	CUP	
Parks and Playgrounds	P	
Recreational Sports Facilities Private	CUP	
Transportation, Communications, and Infrastructure Uses		
Public Utility Facilities	CUP	
Water facilities (water wells, reservoirs, tanks, dams, treatment plants, gauging stations and pumping stations)	CUP	
Wireless Communication Facilities	See Section 10.50.200 (Wireless Communication Facilities).	
New facility	CUP	
Co-location	P	
Other Uses		
Accessory Structures and Uses	P	See Chapter 10.26 (Accessory Structures) and Section 10.50.020 (Accessory Uses).

Plant Nurseries - Wholesale	CUP	
Temporary Uses		See Chapter 10.96 (Temporary Use Permits).

(Ord. 935 § 3 (part), 2015)

10.18.030 Development Standards.

Table 2-10 identifies the minimum development standards applicable to development of any structure in the OS zone.

TABLE 2-10 DEVELOPMENT STANDARDS FOR OS ZONE		
Development Feature	OS Standards	Additional Requirements
Lot Dimensions	Minimum dimensions required for each NEWLY CREATED lot.	
Lot Area - Minimum	5,000 sf	
Lot Width - Minimum	60 ft.	
Setbacks - Minimums	Minimum setbacks required for primary structures. See also Section 10.24.020 (Permitted Projections Extensions into Required Setback Areas).	
Front	10 ft.	Additional setback requirement may be imposed through the Conditional Use Permit or Minor Use Permit process.
Side (interior)		
Abutting a lot zoned for residential use	10 ft.	Additional setback requirement may be imposed through the Conditional Use Permit or Minor Use Permit process.

All other zones	0 ft.	
Side (Street side)	10 ft.	
Rear		
Abutting a lot zoned for residential use	15 ft.	Additional setback requirement may be imposed through the Conditional Use Permit or Minor Use Permit process.
All other zones	0 ft.	
Floor-Area Ratio	No requirement	
Lot Coverage	No requirement	
Height	See Section 10.24.040 (Height Measurements and Exceptions) for height measurement requirements.	
	40 ft.	
Accessory Structures	See Chapter 10.26 (Accessory Structures).	
Fencing	See Chapter 10.28 (Fences, Hedges, and Walls).	
Landscaping	See Chapter 10.32 (Landscaping).	
Parking	See Chapter 10.30 (Off-Street Parking and Loading).	
Performance Standards	See Chapter 10.38 (Performance Standards).	
Sign Regulations	See Chapter 10.34 (Signs).	

(Ord. 935 § 3 (part), 2015)

10.18.040 Other Applicable Regulations.

The following additional regulations in this Zoning Code apply to development and activities in the OS zone:

Chapter 10.24 Setbacks - Measurements, Standards and Exceptions

Solid Waste and Recyclables Storage

Vision Clearance Triangle at Intersections

Chapter 10.36 Property Maintenance

Chapter 10.20

SPECIFIC PLAN ZONE

Sections:

10.20.010 Purpose.

10.20.020 Establishment of Specific Plan Zones.

10.20.030 Accessory Donation Boxes Prohibited.

10.20.010 Purpose.

The Specific Plan (SP) zone is established pursuant to Government Code Section 65450 et seq. to allow for flexibility in the design and development of land use projects. Specific plans may be adopted, implemented, and amended pursuant to Chapter 10.20 (Specific Plans) of this Code. (Ord. 935 § 3 (part), 2015)

10.20.020 Establishment of Specific Plan Zones.

A. Cottrell Ranch Specific Plan. The Cottrell Ranch Specific Plan was adopted by the City on January 12, 1988 and amended on July 11, 1989. All development and use of property within the Cottrell Ranch Specific Plan zone shall occur in accordance with the Cottrell Ranch Specific Plan, as it may be amended over time. To the extent that any development standard is not provided by the Cottrell Ranch Specific Plan, such standard shall be in accordance with the provisions of the R-1 zone.

B. Sunny Garden Specific Plan. The Sunny Garden Specific Plan was adopted by the City on August 22, 1989. All development and use of property within the Sunny Garden Specific Plan zone shall occur in accordance with the Sunny Garden Specific Plan, as it may be amended over time. To the extent that any development standard is not provided by the Sunny Garden Specific Plan, such standard shall be in accordance with the provisions of the R-1 zone.

C. Glendora Specific Plan. The Glendora Specific Plan was adopted by the City in 1992. All development and use of property within the Glendora Specific Plan zone shall occur in accordance with the Glendora Specific Plan, as it may be amended over time. To the extent that any development standard is not provided by the Glendora Specific Plan, such standard shall be in accordance with the provisions of the C-2 zone.

D. Downtown Business District Specific Plan. The Downtown Business District Specific Plan was adopted by the City on June 28, 1994 and amended on June 13, 2000 and February 12, 2002. All development and use of property within the Downtown Business District Specific Plan zone shall occur in accordance with the Downtown Business District Specific Plan, as it may be amended over time.

D. Unruh Specific Plan. The Unruh Specific Plan was adopted by the City on June 26, 2007. All development and use of property within the Unruh Specific Plan zone shall occur in accordance with the Unruh Specific Plan, as it may be amended over time. (Ord. 935 § 3, 2015)

10.20.030 Accessory Donation Boxes Prohibited.

In all Specific Plan zones, outdoor accessory donation boxes are specifically prohibited.

(Ord. 935 § 3 (part), 2015)

ARTICLE 3: REGULATIONS APPLICABLE TO ALL ZONES

Chapter 10.24

SITE PLANNING AND GENERAL DEVELOPMENT STANDARDS

Section

10.24.010 Purpose and Applicability.

10.24.020 Permitted Projections into Required Setback Areas.

10.24.030 Vision Clearance Triangle at Intersections.

10.24.040 Height Measurement and Exceptions.

10.24.050 Setbacks: Measurement, Standards, and Exceptions

10.24.060 Solid Waste and Recyclable Materials Storage Areas

10.24.070 Security Screens and Shutters.

10.24.010 Purpose and Applicability.

This Chapter establishes standards for general site planning and property development that are intended to encourage and facilitate quality development projects, renovations, and additions in all zones. Consistent with General Plan goals and objectives, these standards work to enhance the appearance of the City's residential neighborhoods and business districts, provide for sensible and safe site planning, address compatibility between adjacent uses, and encourage property investment and maintenance. (Ord 935 § 3, 2015)

10.24.020 Permitted Projections into Required Setback Areas.

The architectural and similar features identified in Table 3-1 may project into any required setback area, but in no case shall any such projection extend closer than 30 inches to a side property line.

TABLE 3-1 PERMITTED PROJECTIONS AND ENCROACHMENTS INTO REQUIRED SETBACK AREAS			
Architectural Feature	Permitted Encroachment Distance into Required Setback Area ^{1, 3}		
	Front	Side	Rear
Cornices, eaves, sills, buttresses, and roof overhangs	2 ft.		
Planter boxes attached to structures	2 ft.		
Uncovered porches or stairways, first floor decks, balconies, fire escapes, and landing places	6 ft. ²	Up to 5 ft. from property line	Up to 5 ft. from property line
Fireplaces, bay windows,			

awnings, trellises, and patios not higher than 30 inches above grade	2 ft. ²	4 ft. ²	4 ft. ²
<p>Note:</p> <ol style="list-style-type: none"> 1. Measurements are to be to the outside face of a structural member, which includes any exterior finish such as paint, stucco or siding. 2. The combined length of all such features shall not account for more than 25 percent of the length of the wall surface on which the features are located. 3. See also 10.24.050 (Setback: Measurement, Standards, and Exceptions). 			

(Ord. 935 § 3 (part), 2015)

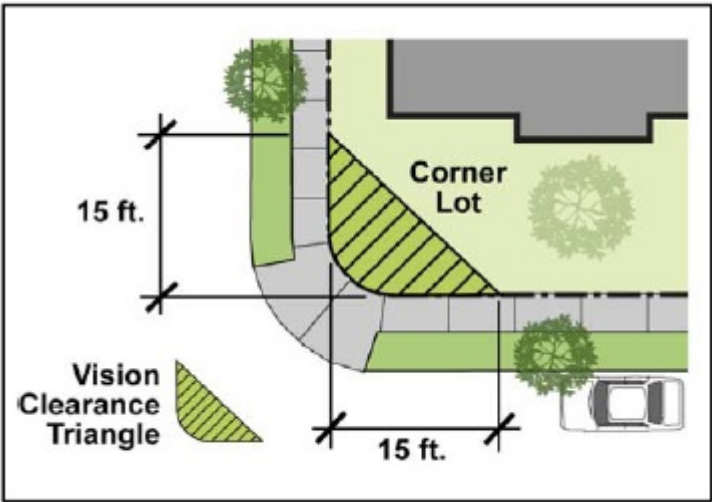
10.24.030 Vision Clearance Triangle at Intersections.

A. Vision Clearance Triangle Required - Purpose. For purposes of public safety, corner lots in all zones-except as may be permitted by any Specific Plan for zero lot line development-shall be developed in a manner that ensures visibility across the corners of the intersecting streets, alleys, and private driveways. A Vision Clearance Triangle shall be required for this purpose.

B. Vision Clearance Triangle Defined; Restrictions.

1. The Vision Clearance Triangle consists of a triangular-shaped area on a corner lot formed by measuring the prescribed distance from the intersection of the front and street side property lines, an intersecting alley, or an intersecting driveway, and connecting the lines diagonally across the property, making an approximate 90-degree triangle, as illustrated in Figure 3-1.

Figure 3-1
Vision Clearance Triangle



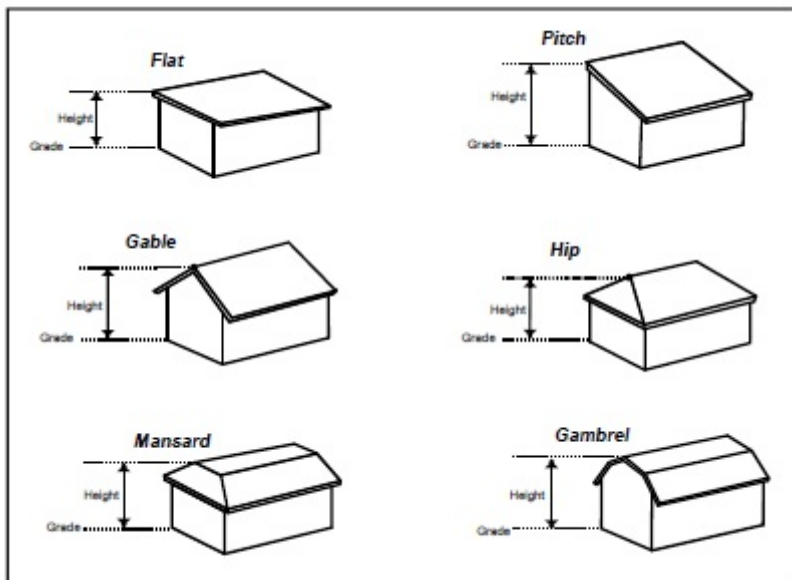
2. The Vision Clearance Triangle shall have two equal triangle sides of minimum distance 15 feet, as illustrated in Figure 3-1.
3. Where the intersection is formed by a street and a driveway or alley, or by a driveway and alley, the minimum length of the two equal triangle sides shall be five feet.
4. Within the Vision Clearance Triangle, no tree, fence, shrub, or other physical obstruction higher than 42 inches above the top of curb shall be permitted. (Ord. 935 § 3 (part), 2015)

10.24.040 Height Measurement and Exceptions.

A. Height Measurement.

1. Structure height shall be measured as the vertical distance between the lowest ground elevation or finished grade and the highest point of the subject structure. The highest point shall be the coping of a flat roof, deck line of a mansard roof, or peak of the highest gable of a pitch or hip roof, exclusive of vents, air conditioners, chimneys, and the like. See Figure 3-2.

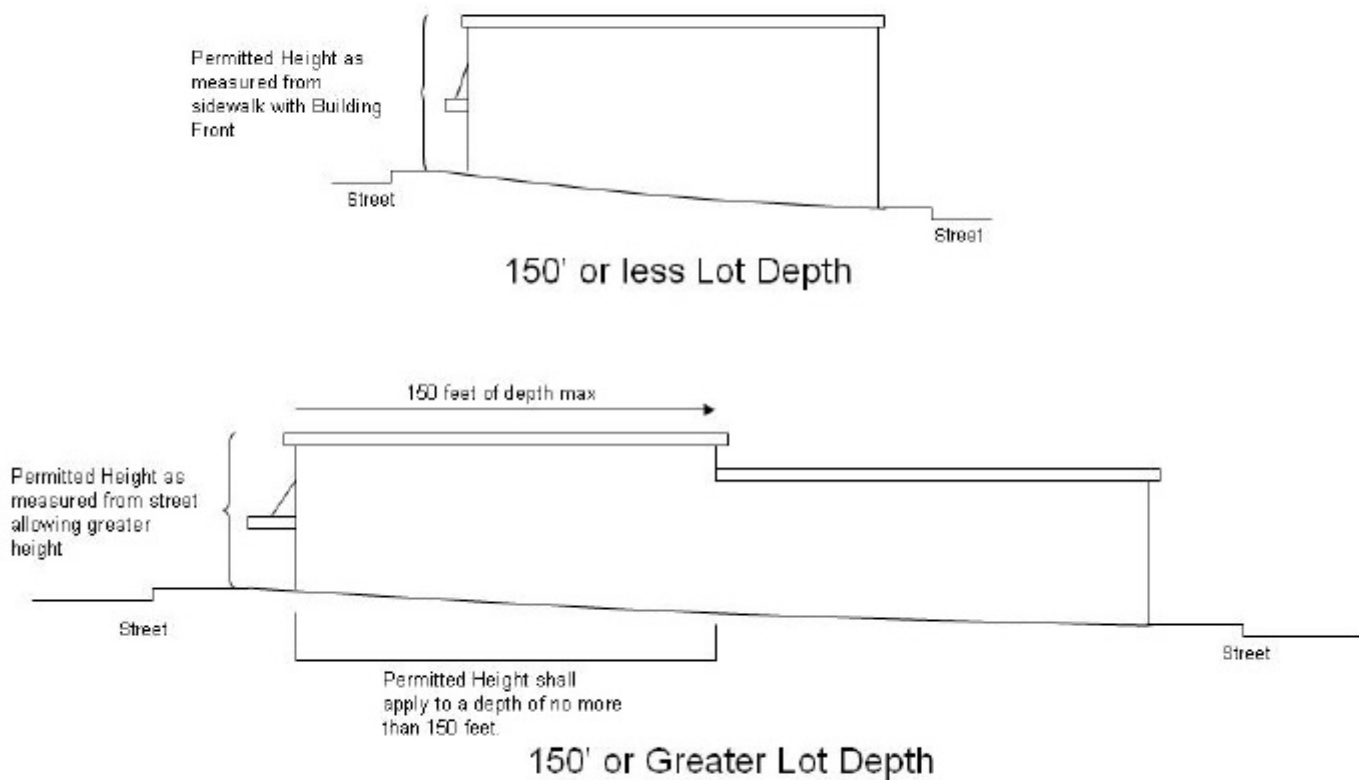
Figure 3-2
Roof Types and Measurement of Structure Height



2. For sloped lots or structures with varied floor elevations, the height shall be measured as the vertical distance from the average level of the ground under the structure to the top-most point of the roof. The average level of the ground is determined by adding the elevations of the lowest and highest points of the part of the lot covered by a structure, and dividing by two.

Figure 3-3
Measurement of Height on Through Lots

Height of Buildings on Through Lots Figure



Not to scale

3. On through lots 150 feet or less in depth, the height of a structure on such lot shall be measured from the sidewalk level of the street upon which the structure fronts.

4. On through lots more than 150 in depth, the height regulations and basis of height measurements for the street permitting the greater height shall apply. However, such height allowance may extend no more than 150 from that street. See Figure 3-3.

B. Exceptions to Height Limits. The following exceptions to height limits are allowed, provided compliance is achieved with all other applicable permit requirements and development standards of this Zoning Code.

1. Uninhabited architectural design features such as towers, spires, steeples, domes, and cupolas, as well as any permitted rooftop equipment, may exceed the specified height limit by a maximum of 10 percent, subject to approval by the Director.

2. Flagpoles and chimneys may exceed the specified height limit by a maximum of 20 percent.

3. Electrical transmission lines and towers are exempt from the provisions of this Chapter.

4. Height exceptions for wireless communications facilities are set forth in Chapter 10.50.200 (Wireless Communications Facilities) of this Zoning Code. (Ord. 935 § 3, 2015)

10.24.050 Setbacks: Measurement, Standards, and Exceptions.

A. Open Spaces. Except as provided in this Chapter, every required setback area creating a yard shall be kept free from structures from the ground to the sky. No setback area or open space provided around any structure for the purposes of complying with the provisions of this Zoning Code shall be considered as providing a setback area or open space for any other structure. No setback area or open space on any adjoining property shall be considered as providing a setback area or open space on a site upon which a structure is to be erected.

B. Modification of Side Setback Requirement on Combined Lots. When the common property line separating two 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 shall constitute a single site for the purposes of the requirements of this Zoning Code, and the required side setback area shall not apply to such common property line.

C. Setback Requirements for Property Abutting Future Street Right-of-way. No structure shall be erected or maintained on any lot which abuts a street 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 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 40 feet.

D. Side Setback when a Dwelling Fronts the Side Yard. In the case where a dwelling fronts a side yard, the minimum width of that side yard shall be not less than 10 feet, except that any garage front facing that yard shall be set back no less than 20 feet. Open, unenclosed porches not extending above the floor level of the first floor may project into such side yard upon which such a dwelling fronts for a distance of not more than 42 inches.

E. Side Setback when the Rear of a Dwelling Faces the Side Yard. When the rear of a dwelling abuts a side yard, the setback on that side yard shall be as established for the rear yard in that zone. Open unenclosed porches may not be closer to the side lot line than five feet. (Ord. 935 § 3 (part), 2015)

10.24.060 Solid Waste and Recyclable Materials Storage Areas.

All multifamily residential, commercial, industrial, institutional, and all other land uses - with the exception of detached single-family homes - shall provide an enclosure for the storage of containers for solid waste and recyclable materials. Such enclosures shall be sufficiently sized to accommodate the number and size of bins needed for the sanitary storage and collection of solid waste and recyclable materials generated by the facility on a weekly or more frequent basis. The design and construction of such storage areas shall be subject to the approval of the Director and shall be:

1. Enclosed on three sides by a solid screening wall or fence with a minimum height of five feet, designed to be architecturally compatible with the surrounding structures.
2. Provided with an approved operable door or gate on the fourth side properly secured to prevent access by unauthorized persons and minimize scavenging, while allowing authorized persons access for disposal and collection of materials.
3. Provided with a covering or roof for security (to prevent scavenging and/or dumping). The roof should provide adequate clearance to allow complete access to the waste bins, but should not exceed eight feet in height. Open areas between the solid wall and the roof should also be secured.
4. Provided with a concrete pad within the fenced or walled areas and a concrete apron that facilitates the handling of the individual bins or containers.
5. Designed to accommodate individual bins or containers that protect contents from adverse environmental conditions that might render recyclable materials unmarketable. (Ord. 935 § 3 (part), 2015)

10.24.070 Security Screens and Shutters.

Where security screens and shutters are provided, as defined in Article 9 of this Code, all such security screens and shutters shall comply with the following.

1. Location. Security screens and shutters shall not be mounted on the outside of an exterior building wall, window, or door of any commercial or industrial building in any zone.
2. Design. Security screens and shutters shall consist of an open lattice or mesh design that does not obscure visibility into the buildings on which they are installed.
3. Compliance with Building Code. All security screens and shutters shall comply with all applicable provisions of Title 8 (Building Regulations) of the Municipal Code.

4. Amortization of Existing Nonconforming Security Bars. All nonconforming security screens and shutters shall be abated or removed to comply with the provisions of this Section by January 1, 2020. (Ord. 935 § 3, 2015)

Chapter 10.26

ACCESSORY STRUCTURES

Sections:

- 10.26.010 Purpose and Applicability.
- 10.26.020 Permit Requirement; Exemptions.
- 10.26.030 Development Standards.
- 10.26.040 Canopies and Canopy Structures.
- 10.26.050 Accessory Donation Boxes.

10.26.010 Purpose and Applicability.

This Chapter establishes standards for the development and use of all accessory structures that are necessarily or customarily incidental to an allowed primary use. The development standards are intended to ensure that accessory structures located in any zone do not adversely impact either adjacent parcels or the surrounding neighborhood, and are developed in a manner which protects the integrity of the zone. (Ord. 935 § 3 (part), 2015)

10.26.020 Permit Requirements; Exemptions.

The construction and/or relocation of accessory structures shall require a building permit to ensure compliance with the regulations described in this Chapter. Flag poles not erected upon a building and not more than 15 feet in height, storage sheds, and other similar accessory structures and uses which do not exceed a gross floor area of 120 square feet and are not more than one story and 12 feet in height shall be exempt from this building permit requirement. However, any such exempted accessory structure shall meet the requirements of this Zoning Code for use, placement on the parcel, and height and size. (Ord. 935 § 3 (part), 2015)

10.26.030 Development Standards.

- A. Height. The height of an accessory structure shall be limited to one story and 12 feet in height.
- B. Setbacks. All accessory structures shall meet the setback requirements for the zone in which they are located.
- C. Contribution toward Lot Coverage. The total square footage of all accessory structures on a lot, including any exempt structures, shall contribute toward the calculation of total lot coverage for each specific zone.
- D. Projections. Projection of accessory structures into required setback areas shall be allowed pursuant to the provisions of Section 10.24.020 (Permitted Projections into Required Setback Areas).
- E. Architectural Consistency. All accessory structures on a permanent foundation shall be consistent in exterior appearance with the primary structure through the use of similar/matching exterior paint colors, material types, and architectural styles. (Ord. 935 § 3 (part), 2015)

10.26.040 Canopies and canopy structures.

- A. Type Permitted and Allowed Locations.
 - 1. Permanent Canopy Structures - Residential Zones. Canopies and canopy structures shall be permitted within rear yard areas only. Such structures shall have an area of no greater than 144 square feet, a height no greater than 10 feet, and a length on any one side of no greater than 12 feet.

2. Shade Umbrellas - Residential Zones. Shade umbrellas with a maximum diameter of 10 feet are allowed in all yard areas and shall not project onto adjacent properties or right-of-way.

3. Decorative Canopies - All Zones. Decorative canopies and awnings constructed as a component or feature of an overall architectural design are allowed as architectural projections, subject to the provisions of Section 10.24.020 (Permitted Projections into Required Setback Areas).

4. Temporary Canopies and Canopy Structures - Residential Zones. In all residential zones, temporary canopies and canopy structures may be erected in any yard area for a private outdoor social event sponsored by the residents of the subject property. All such canopies must be secured in a manner to prevent wind from dislocating them. The use of such structures shall be limited to less than 48 hours in any one-month period.

5. Temporary Canopies and Canopy Structures - Non-Residential Zones. Temporary canopies and canopy structures, of any size, may be erected in any non-residential zone in any location on a parcel subject to the issuance of a Temporary Use Permit pursuant to Chapter 10.96 (Temporary Use Permits). All such canopies must be secured in a manner to prevent wind from dislocating them.

B. Canopies and Canopy Structures - Prohibitions.

1. In all residential zones, no canopy and canopy structures shall be located within any front yard, side yard, or driveway area, except as provided above.

2. Reflective or mirrored type covering material shall be prohibited.

C. Repair and Maintenance. Canopies and canopy structures shall be maintained in good condition. Any structure considered to be in disrepair, as determined by the Director, shall be repaired, replaced, or removed from the site.

D. Exemptions.

1. Any children's play structure with a canopy structure under 52 square feet in area is exempt from the requirements of this Section.

2. Exempt from this section are temporary freestanding shade structures that are used for less than four hours in any one-week period in conjunction with the noncommercial washing and waxing of personal vehicles that are owned or operated by resident(s) at the subject property; such temporary freestanding shade structures may be located in a required front setback, street side setback, or driveway area during such four-hour period. (Ord. 935 § 3 (part), 2015)

10.26.050 Accessory Donation Boxes.

A. Prohibited. Outdoor accessory donation boxes shall be prohibited in all zones.

B. Removal Required. Any outdoor accessory donation box existing on or before December 31, 2014 shall be considered nonconforming and shall be removed by June 30, 2015. (Ord. 935 § 3 (part), 2015)

Chapter 10.28 FENCES, HEDGES, AND WALLS

Sections:

10.28.010 Purpose and Applicability.

10.28.020 Permit Requirements.

10.28.030 Maximum Permitted Heights.

10.28.040 Measurement of Fence, Hedge, and Wall Height.

10.28.050 Prohibited Fencing Materials.

10.28.060 Fence and Wall Materials.

10.28.070 Open and Non-View Obscuring Fences.

10.28.080 Fences and Solid Walls along a Public Right-of-way.

10.28.010 Purpose and Applicability.

This Chapter establishes standards and regulations for the construction and maintenance of fences and walls, and the planting and maintenance of hedges used for screening or buffering purposes. The standards are intended to ensure that all fences, hedges, and walls provide desired privacy and safety but do not create a public safety hazard or nuisance, and meet the City's standards for quality design and maintenance. (Ord. 935 § 3 (part), 2015)

10.28.020 Permit Requirements.

- A. Fences and Walls. The following fences and walls shall require a permit.
- 1. Any fence or wall requires a Zoning Clearance and shall comply with applicable provisions of Article 6 (Permit Procedures) prior to receiving a Building Permit.
 - 2. Any fence or wall may require a Building Permit and shall comply with applicable provisions of Title 8 (Building Regulations).
 - 3. A Minor Use Permit, obtained pursuant to Chapter 10.84 (Conditional Use Permits and Minor Use Permits), shall be required for any fence or wall that exceeds the maximum height limits set forth in Section 10.28.030 (Maximum Permitted Heights). Permits will not be issued for any fence or wall located within any required front setback area or within the required Vision Clearance Triangle (Section 10.24.030 Vision Clearance Triangle at Intersections) that exceeds 42 inches in height.
- B. Hedges. No permit shall be required for hedges. Hedges shall be kept trimmed to conform to the maximum permitted heights indicated in Table 3-2. (Ord. 935 § 3 (part), 2015)

10.28.030 Maximum Permitted Heights.

- A. General. Table 3-2 identifies the maximum permitted heights for fences, hedges, and walls.

TABLE 3-2 FENCES, HEDGES AND WALLS - MAXIMUM HEIGHTS			
Fence Location	Maximum Height ¹		
	Interior Lot	Corner Lot	Reverse Corner Lot
All Zones:			
Front Yard Setback			
Solid fence or wall	42 in.	42 in.	42 in.
Fence or wall consisting of wrought iron or similar permitted material that is at least 50 percent open	48 in.	48 in.	48 in.
Side Yard			
Interior Side Yard Setback	7 ft.	7 ft.	7 ft.

Street Side Yard Setback	N/A	6 ft. ²	6 ft. ^{2, 3}
Rear Yard Setback	7 ft.	7 ft. ³	N/A
Non-Residential Zones adjacent to Residential Use			
Interior Side Yard and Rear Yard Setbacks	8 ft.		

Note:

1. Greater fence and wall heights may be permitted through the MUP process for unusual projects or circumstances.
2. Where a driveway exits onto a public right-of-way (alley or side street), a wall, fence, or hedge shall not exceed 42 inches in height within 5 feet of the intersection of such driveway and the public right-of-way. See Section 10.28.030 (Vision Clearance Triangle at Intersections).
3. A solid wall, fence or hedge located within 10 feet of the intersection of the rear property line and the side street property line of the reverse corner lot, shall not exceed 42 inches in height, unless the area above 42 inches shall be of an open and non-view obscuring material, consistent with 10.28.070 (Open and Non-View Obscuring Fences).

B. Light Fixtures on Walls - Height. A light fixture up to 18 inches in height may be mounted atop a 42-inch post, column, or pilaster that is part of a fence or wall.

C. Front Yard Setback Fence Height on Cul-de-Sac Lots. Where a lot is located at the end of a cul-de-sac and the side yard abuts an arterial roadway, as designated in the General Plan, a maximum six-foot-high wall or fence may be permitted within that portion of the front yard setback that abuts the arterial roadway, as indicated in Figures 3-4 and 3-5.

Figure 3-4
Front Yard Setback Fence Height

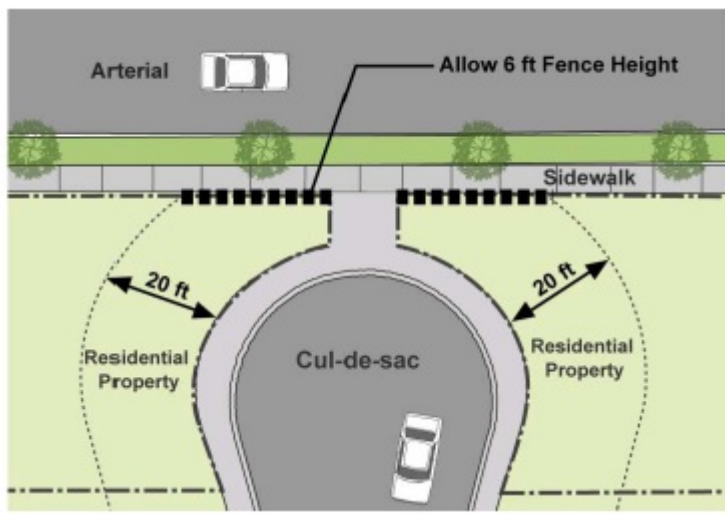
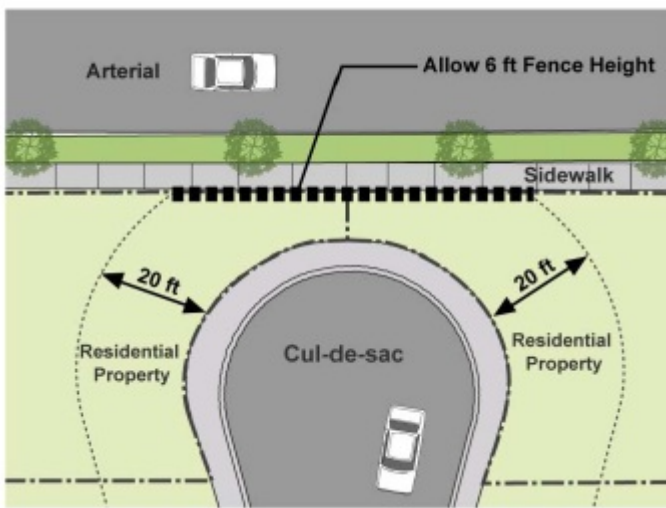


Figure 3-5
Front Yard Setback Fence Height



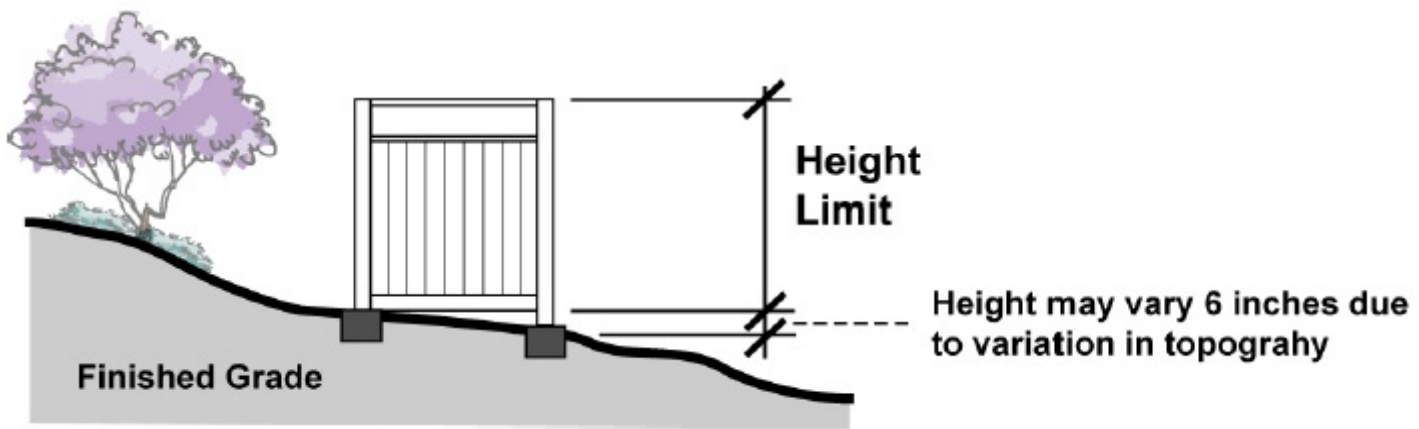
D. Specific Plans. For adopted Specific Plans, fence, hedge, and wall heights shall comply with the standards set forth in the Specific Plan. Where the Specific Plan is silent with regard to fence, hedge, and wall height, the standards for the zone that most closely approximates the Specific Plan shall apply, as determined by the Director. (Ord. 935 § 3 (part), 2015)

10.28.040 Measurement of Fence, Hedge, and Wall Height.

A. General. For the purposes of this Chapter 10.28, fence, hedge, and wall height shall be measured as the vertical distance from the ground elevation or finished grade of the property on which the fence, hedge, or wall is erected or planted to the highest point of the fence, hedge, or wall. To allow for variation in topography on a parcel, the height of a fence, hedge, or a wall may vary up to six inches.

B. Difference in Grade Height between Two Parcels. Where there is a difference in the ground elevation or finished grade between two adjoining parcels of less than two feet, the height of any fence or wall constructed along the common property line shall be determined by using the finished grade of the highest contiguous parcel (see Figure 3-6). When there is a difference in the ground level between two adjacent parcels of two feet or more, the height of a fence or wall shall be determined by the Director. The Director shall consider the physical and visual height impact on abutting properties.

Figure 3-6
Measurement of Fence or Wall Height



C. Retaining Wall Heights. Where there is a necessary retaining wall for a lot that is above a sidewalk or top of curb grade, additional wall height may be allowed, subject to all of the following criteria.

1. Retaining Walls in Front Yard Setback. A retaining wall within the required front yard setback shall not exceed 42 inches in height, provided:

a. Fences on top of retaining walls may not exceed 42 inches in height, and such fence shall be open and non-view obscuring, consistent with 10.28.070 (Open and Non-View Obscuring Fences).

b. A solid wall or fence may be located on top of a retaining wall, provided that the combined height of the fence and retaining wall does not exceed 42 inches in height.

2. Retaining Walls in Rear and Side Yard Setback. A retaining wall within the required rear or side yard setback shall not exceed seven feet, provided:

a. A seven-foot high fence that is open and non-view obscuring may be located on top of the retaining wall.

b. A solid wall or fence may be located on top of a retaining wall, provided that the combined height of the fence and retaining wall does not exceed seven feet in height, as measured from the finished grade.

3. Retaining Wall along Side Street. A retaining wall within the side street yard shall not exceed six feet in height, provided:

a. Fences on top of retaining walls may not exceed seven feet in height, and such fence shall be open and non-view obscuring, consistent with 10.28.070 (Open and Non-View Obscuring Fences).

b. A solid wall or fence may be located on a retaining wall, provided that the combined height of the wall and additional wall or fence does not exceed seven feet in height, as measured from finished grade.

4. Additional Retaining Wall. An additional solid wall or fence may be constructed above a 42-inch retaining wall in the front yard setback area and seven-foot high retaining wall in the rear and side yard setback area, provided that a minimum separation of two feet is provided between the retaining wall and the additional solid wall or fence, and the area between the walls is landscaped. (Ord. 935 § 3 (part), 2015)

10.28.050 Prohibited Fencing Materials.

A. Residential Zones. The following fencing materials are prohibited in all residential zones: chicken wire and similar small-gauge wire or mesh product, barbed or razor wire, chain-link fencing, plastic (except for an engineered plastic fence), fabric membranes, cloth, canvas, plywood, corrugated steel or plastic, and reed or bamboo sticks and slats smaller than four inches in width (for individual sticks or slats).

B. All Other Zones. The following fencing materials are prohibited in all non-residential zones: wood, chicken wire and similar small-gauge wire or mesh product, barbed or razor wire, plastic (except for an engineered plastic fence), and chain-link fencing. (Ord. 935 § 3 (part), 2015)

10.28.060 Fence and Wall Materials.

A. Residential Zones. Where a fence or wall is provided, both sides of the fence or wall shall have a finished appearance. For walls, the top of the wall shall include a decorative cap or finish.

B. All Other Zones. Wall materials, patterns, and colors shall be consistent with building materials and architectural treatments used on the same site. Both side of the wall shall be finished, and the top of the wall shall include a decorative cap or finish. Wherever possible, wall surfaces shall be softened with plantings and landscaping. (Ord. 935 § 3 (part), 2015)

10.28.070 Open and Non-View Obscuring Fences.

Fences that are required to be open and non-view obscuring shall consist of one of the following:

1. Decorative wrought iron, tubular steel, or similar material with caps;
2. Wrought iron, tubular steel, or similar material combined with intermittent block columns not more than one and one-half feet wide and no less than eight feet apart;
3. Wood picket 50 percent open. (Ord. 935 § 3 (part), 2015)

10.28.080 Fences and Solid Walls along a Public Right-of-way.

A. New Fences and Walls.

1. Wherever a fence or wall on private property is to be erected along a property line or portion of private property abutting a public street right-of-way and can be seen from that right-of-way, that fence or wall shall be constructed of highly durable and attractive materials pursuant to the provisions of subsections 10.28.050 (Prohibited Fencing Materials) and 10.28.060 (Fence and Wall Materials); however, fabric membranes, cloth, canvas, plywood, corrugated steel or plastic, and reed or bamboo sticks and slats smaller than four inches in width (for individual sticks or slats) shall specifically be prohibited.

2. All fences and walls along the right-of-way shall have a finished surface, with finishing to include the encasing of fence posts, and use of stained or otherwise finished materials, and any walls shall include a decorative column, pilaster, or other break every eight to 10 feet to reduce the massing of the wall along the public right-of-way. Such pilasters or posts shall be constructed of materials aesthetically complementary to the wall finish.

3. Wood fences are prohibited along street side yards and rear yards abutting the following streets:

- a. Puente Avenue;
- b. Temple Avenue;
- c. Amar Road;
- d. Hacienda Boulevard;
- e. Unruh Avenue;
- f. Sunset Avenue;
- g. Valley Boulevard.

B. Fences and Walls - Maintenance and Repairs. Wherever a fence or wall on private property has been erected along a property line or portion of private property abutting a public right-of-way and can be seen from that right-of-way, that fence or wall shall be continuously maintained in a sound structural and aesthetic condition, with no missing fence slats or block wall portions, not leaning, appropriately painted or stained or otherwise finished, and free from graffiti. (Ord. 935 § 3 (part), 2015)

Chapter 10.30 Off-Street Parking and Loading

Sections:

10.30.010 Purpose.

- 10.30.020 Applicability.
- 10.30.030 Permit Requirements.
- 10.30.040 Exemptions.
- 10.30.050 Nonconforming Parking for Detached Single-family Dwellings.
- 10.30.060 Off-Street Parking Space Requirements.
- 10.30.070 Parking Space and Drive Aisle Dimensions.
- 10.30.080 Parking in the R-E, R-1, and R-2 Zones.
- 10.30.090 Parking Lot Location.
- 10.30.100 Parking Lot and Structure Design Considerations.
- 10.30.110 Shared Parking.
- 10.30.120 Compact and Tandem Parking.
- 10.30.130 Maintenance of Off-Street Parking Facilities.
- 10.30.140 Prohibition on Commercial Vehicle Parking in Residential Zones.
- 10.30.150 Parking Restrictions in Commercial Zones.
- 10.30.160 Parking Lot Landscaping.
- 10.30.170 Bicycle Parking Requirements.
- 10.30.180 Off-Street Loading Requirements.
- 10.30.190 Downtown Business District Specific Plan.

10.30.010 Purpose.

This Chapter establishes standards for the design, use, and maintenance of all off-street parking and loading facilities. The standards are intended to ensure that off-street parking and loading facilities located in any zone meet the parking needs of associated land uses, and to ensure that off-street parking and loading facilities are designed in a manner that protects public safety by reducing wind, dust, heat, noise, and glare, and adds positive aesthetic qualities to all developments. (Ord. 935 § 3, 2015)

10.30.020 Applicability.

Every structure that is erected or enlarged, or any new use established within an existing structure, and every use that does not involve a structure shall be provided with permanently maintained off-street parking and loading facilities as set forth in this Chapter. (Ord. 935 § 3, 2015)

10.30.030 Permit Requirements.

A. New Parking Facilities. The design of new parking facilities not otherwise exempt from the requirements of this Chapter shall be reviewed in conjunction with the Building Permit and any other land use or development permit required for the project. A site plan shall be submitted to the Director in conjunction with the required permit(s) and shall include sufficient detail to determine compliance with the provisions of this Chapter.

B. Modification of Existing Parking Facilities. Modification or improvement to an existing parking facility which changes the parking space layout, configuration, number of stalls, or landscaping shall require Director review and approval. (Ord. 935 § 3 (part), 2015)

10.30.040 Exemptions.

The following parking facility improvements shall be considered minor in nature in that the number or configuration of parking stalls is not altered. Such improvements shall be exempt from permit requirements.

- A. Resurfacing, slurry coating, and restriping of a parking area with identical delineation of parking spaces.
- B. Repair or replacement of damaged planters and curbs in the same location. (Ord. 935 § 3 (part), 2015)

10.30.050 Nonconforming Parking for Detached Single-family Dwellings.

When a residential lot has less than the required covered parking for a single-family dwelling that was originally legally constructed pursuant to this Zoning Code, such parking shall be deemed to comply with the minimum required parking. (Ord. 935 § 3, 2015)

10.30.060 Off-Street Parking Space Requirements.

A. Facilities Required by Type of Use. Table 3-3 establishes the spaces and facilities required for off-street parking for the uses specified. These standards shall apply at the time a new structure is erected or placed on the ground, when an existing structure is altered or enlarged, when a new land use is established, and/or when a use is intensified by the addition of floor space or seating capacity, unless otherwise specified in this Chapter.

B. Uses Not Listed. Where the parking requirements for a use are not specifically listed in Table 3-3, the parking requirements for such a use shall be determined by the Director. Such determination shall be based upon the requirements for the most comparable and/or similar use. Such determinations shall be documented in writing and shall be appealable pursuant to Chapter 10.114 (Appeals).

C. Rounding. When the computation of the required number of off-street parking spaces results in a fractional space, the number of required spaces shall be rounded to the nearest whole number.

D. Mixed Occupancies. In the case of mixed uses or occupancies in a structure and/or on a lot, the total number of off-street parking spaces shall be calculated for each use by applying the required parking standard for the principal use to each of the separate uses. Alternative parking may be provided pursuant to Section 10.30.110 (Shared Parking).

E. Driveway Area not Counted. Any driveway area leading to a garage shall not be used to satisfy the off-street parking requirement for any required uncovered parking space.

F. Waiver or Modification for Public Utility Uses. The Director may waive and/or modify the off-street parking provisions, as set forth in this Chapter, for uses such as electrical power transformer stations, utility stations, and similar uses which have no employees working on the property, except employees required for periodic maintenance. Such decisions shall be documented in writing.

TABLE 3-3 OFF-STREET PARKING REQUIREMENTS	
Land Use	Parking Spaces Required
Animal Care and Services/Clinics	
Animal Boarding/Kennels	1 space per 400 sf
Animal Grooming/Retail Sales	1 space per 250 sf
Animal Hospitals/Clinics	1 space per 300 sf
Care Uses	

Adult Day Care - Small (6 or fewer)	Spaces required for dwelling unit only
Adult Day Care - Large (7 or more)	2 spaces per site for drop-off and pick-up purposes (in addition to any spaces required for the dwelling unit)
Child Day Care - Small (6 or fewer)	Spaces required for dwelling unit only
Child Day Care - Large (7 to 14)	2 spaces per site for drop-off and pick-up purposes (in addition to any spaces required for the dwelling unit)
Day Care Center - General (15 or more)	1 space per 5 children the facility is designed, plus 1 space for each vehicle used in the operation
Eating and Drinking Establishments	
Accessory Food Service	1 space per each 3 seats or 1 per each 75 sf of public area, whichever is greater
Bars, Lounges, and Nightclubs	1 space per each 4 persons based on allowed occupancy load or as required by Conditional Use Permit
Fast Food Restaurant	1 space per 40 sf of gross structure area, plus 1 space per 100 sf of outdoor dining area
Sit-down Restaurant	1 space per 100 sf of structure area, plus spaces as required for any outdoor dining area
Take-Out Service Restaurant	1 space per 200 sf
Outdoor Dining - Accessory	For first 200 sf of dining area, no additional parking shall be required. For area over 200 sf, 1 space per 75 sf of dining area
Health/Fitness Facilities	

Small - 2,000 sf or less	1 space per 150 sf
Large - Over 2,000 sf	1 space per 200 sf
Industry, Manufacturing and Processing, Warehousing Uses	
Food Processing	1 space per 2,000 sf
Industry	
Small - 5,000 sf or less	1 space per 500 sf
Large - Over 5,000 sf	1 space per 1,000 sf
Research and Development	1 space per 500 sf
Warehousing and Storage	1 space per 1,500 sf, plus 1 space per 350 sf for offices. Minimum of 10 spaces per use
Wholesaling	1 space per 1,000 sf
Personal Services	
Nail Salons	1 space per 100 sf
Personal Services, General	1 space per 250 sf
Studio (dance, music, martial arts and similar)	1 space per 250 sf
Recreation, Education, and Assembly Uses	
Commercial Recreation and Entertainment	As required by Conditional Use Permit or Minor Use Permit, based on parking study for use proposed
Assembly, Public	1 space per 4 fixed seats or 1 space per 25 sf used for assembly purposes, or as required by Conditional Use Permit or Minor Use Permit. Additional parking for associated uses shall be provided as is required for that specific use.
Recycling Facilities	
	4 spaces minimum, but more may

Collection Facility - Large	be required by the Director
Collection Facility - Small	2 spaces minimum, but more may be required by the Director
Residential, Single-Unit Dwelling - Attached or Detached	
One to four bedrooms	2 spaces in a garage
Five or more bedrooms	2 spaces in a garage, plus one additional space that may be covered or uncovered but must be located outside of any required setback or driveway area, unless waived by the Director through the Site Plan and Design Review process (Chapter 10.94 Site Plan and Design Review). See also 10.30.080 (Parking in the RE, R-1, and R-2 Zones).
Residential, Multi-Unit Dwelling	
Accessory Dwelling Unit	1 space, either covered or uncovered
Bachelor unit	1 space per unit in a garage, plus 0.5 guest spaces per unit (in a garage or open)
One to three bedroom unit	2 spaces per unit in a garage, plus 0.5 guest spaces per unit (in a garage or open)
Four or more bedroom unit	2 spaces per unit in a garage, plus 1 guest space per unit (in a garage or open)
Two-Unit Dwellings	2 spaces in a garage per unit
Senior Housing	1 space per unit; may be modified if demonstrated through a parking study that fewer spaces will meet anticipated need
Single-room Occupancy (SRO) Facilities	1 space per room

Retail Trade Uses	
Appliances, Building Materials, Home Electronics, Furniture, Nurseries, and Similar Large Warehouse-type Retail Sales and Bulk Merchandise Facilities	First 10,000 sf: 1 space per 300 sf, then for each additional 10,000 sf or portion thereof, 1 space per 500 sf In addition to the above, 1 space per 1,000 sf of outdoor merchandise areas
Food and Beverage Sales (for off-site consumption)	
As Primary use Accessory to service station	1 space per 200 sf
Accessory to service station	1 space per 500 sf of store space, in addition to spaces provided at the pumps, plus as required below for Service Stations
Retail Sales - General	1 space per 250 sf
Multi-Tenant Shopping Centers ⁽¹⁾	1 space per 300 sf
Schools, Private	
Elementary School	2 spaces per classroom, plus loading area for buses and students
Junior or Middle School	2 spaces per classroom, plus loading area for buses and students
High School	7 spaces per classroom, plus loading area for buses and students
College or university	3 spaces per 1,000 sf of classroom and assembly space, or as may otherwise be required by discretionary permit process
Trade or technical school	1 space per employee, plus 1 space per student at maximum enrollment capacity

Service Uses - Business, Financial, Medical, and Professional	
Community Care Facilities	1 space per 2 beds or residents for which the facility is designed, plus 1 space per vehicle associated with the facility
Financial Institutions and Related Services	1 space per 250 sf
Hospitals	1 space per bed, plus 1 space per resident doctor and 1 space per employee
Laboratories (medical, dental, and similar)	1 space per 500 sf
Offices - Business, General, Governmental	
Up to 50,000 sf 50,001 - or more	1 space per 250 sf
5,0001 - or more	1 space per 350 sf
Offices - Medical and Dental	1 space per 300 sf
Outpatient Surgery Facility	1 space per 300 sf
Urgent Care Facilities	1 space per 300 sf
Service Uses - General and Restricted	
Ambulance Services	1 space per 500 sf, plus 1 space for each vehicle associated with the business
Business Support Services (Duplication, Computer Services, Postal Services, and the like)	1 space per 250 sf
Catering Services	1 space per 400 sf
Emergency Shelter	1 space per employee, plus 1 space for every 10 residents for which the facility is designed, plus 1 space per vehicle associated with the facility
Maintenance and Repair Services	

- Small equipment and appliances (excluding Vehicle Repair)	1 space per 500 sf
Personal Service - General (per definition in Article 9)	1 space per 250 sf
Personal Service - Restricted (per definition in Article 9)	1 space per 200 sf
Vehicle Rental, Sales, and Service Uses	
Vehicle/Equipment Rental and Sales	1 space per 300 sf of gross floor area
Vehicle/Equipment Services	
Automobile Repair and Service Station	1 space per 300 sf or 5 per service bay whichever is more; minimum of 4, plus any required for permitted ancillary uses
Automobile Washing - Full Service	1 space per employee on largest shift, plus adequate stacking and drying area as determined by Conditional Use Permit or Minor Use Permit
Automobile Washing - Self Service and Drive-through	1 space, plus any additional spaces for use of facilities and equipment as determined by Conditional Use Permit or Minor Use Permit
Service Station with Retail Sales (other than vehicle related)	1 space per 200 sf of office/retail area, plus 2 per service bay, plus any required for other permitted ancillary uses (see Food and Beverage Sales above)
Visitor Accommodations	
Bed and Breakfast Inns	1 space per guest room, plus 2 additional spaces
Hotels, Motels	1 per guest room, plus additional parking for assembly, restaurant, and other on-site ancillary facilities as set forth in this table

Transportation, Communications, and Infrastructure Uses	
Communications Facilities	Determined by the Review Authority in conjunction with required Conditional Use Permit or Minor Use Permit
Other Uses	
Caretaker Residence	1 space per unit
Temporary Uses	As required by the Temporary Permit in compliance with Chapter 10.96 Temporary Use Permits
<p>Note:</p> <p>1. In any shopping center where an eating establishment (restaurant) occupies more than 50 percent of the total leasable area of the shopping center, parking shall be increased to a ratio of 1 space per 100 sf for any floor area dedicated to an eating establishment use.</p>	

G. Handicap Accessible Parking. Handicap accessible parking shall be provided pursuant to requirements of the Building Code. (Ord. 935 § 3 (part), 2015)

10.30.070 Parking Space and Drive Aisle Dimensions.

A. Parking Spaces.

1. Uncovered. Each standard uncovered off-street parking space shall have a minimum width of nine feet and a minimum length of 20 feet. Any parking stall abutting a block wall or structure shall have a minimum width of 12 feet. Any stall which abuts a landscape planter shall be permitted to have a minimum length of 18 feet, with two feet of overhang into the planter.

2. Covered. Each covered off-street parking space shall have minimum inside dimensions of 10 feet by 20 feet. All carports visible from the public right-of-way shall be totally enclosed on three sides.

3. Compact. Uncovered compact spaces shall have a width not less than eight feet wide and a length of not less than 17 feet. Covered compact spaces shall have a width not less than nine feet wide, and a length not less than 18 feet. Compact parking spaces shall comply with the requirements outlined in Section 10.30.120 (Compact and Tandem Parking).

Figure 3-7
Off-Street Parking Space Dimension Standards

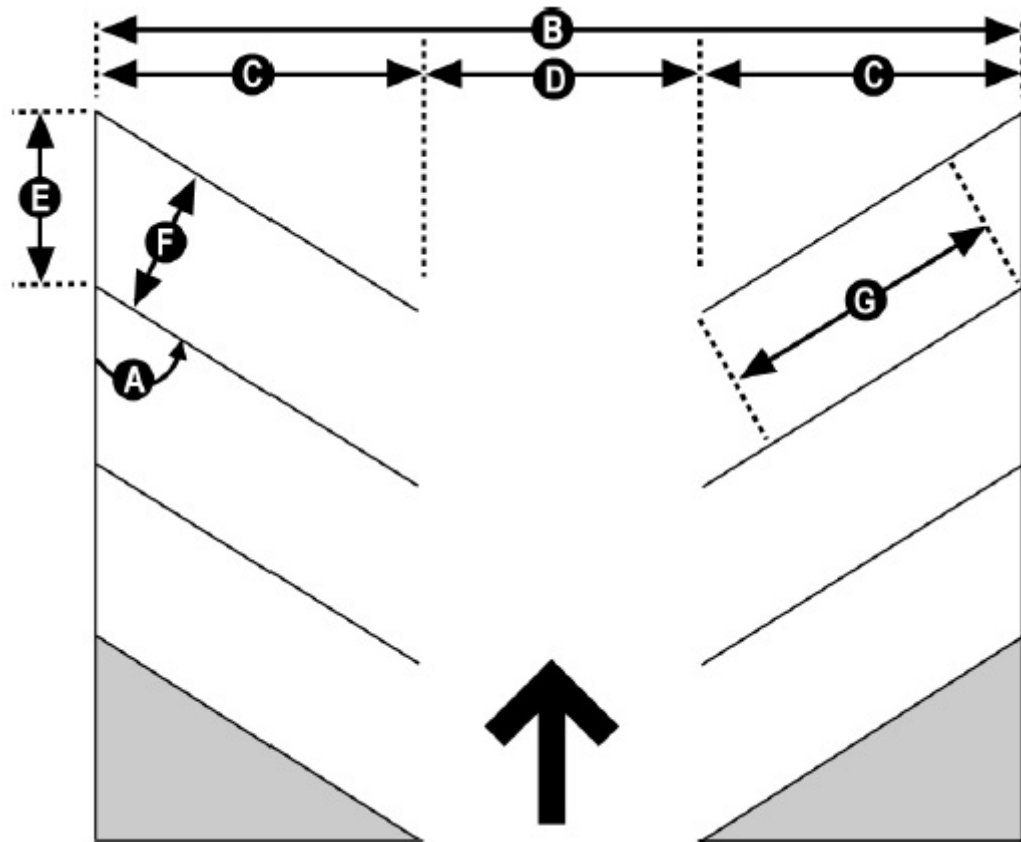


TABLE 3-4
REQUIRED DIMENSIONS FOR STANDARD PARKING LANES
AND STALLS

(A) Angle of Parking (Degree)	(B) Width of Section (Feet)		(C) Depth of Stall (Feet)	(D) Width of Aisle (Feet)		(E) Length Stall Edge (Feet)	(F) Width of Stall (Feet)	(G) Length of Stall (Feet)
	One Way	Two Way		One Way	Two Way			
0	30'	34'	9'	12'	16'	20'	9'	20'
30°	47' 6"	51' 6"	17' 8"	12'	16'	18'	9'	20'
45°	55'	59'	20' 6"	14'	18'	12' 8"	9'	20'
60°	63' 6"	63' 6"	21' 8"	20'	20'	10' 6"	9'	20'
90°	65'	65'	20'	25'	25'	9'	9'	20'

Notes:

1. See Table 3-5 for other parking stall angles.
2. The minimum aisle width where no parking is provided shall be 20 feet.
3. See Table 3-6 for dimensions for herringbone parking patterns.
4. For stalls adjacent to a wall, the minimum stall width shall be 12 feet or a three-foot wide walkway between the wall and stall edge shall be provided.

TABLE 3-5 REQUIRED DIMENSIONS FOR NON-STANDARD PARKING LANES AND STALLS								
(A) Angle of Parking (Degree)	(B) Width of Section (Feet)		(C) Depth of Stall (Feet)	(D) Width of Aisle (Feet)		(E) Length Stall Edge (Feet)	(F) Width of Stall (Feet)	(G) Length of Stall (Feet)
	One Way	Two Way		One Way	Two Way			
35°	49' 6"	53' 6"	18' 8"	12'	16'	15' 7"	9'	20'
40°	53' 4"	60' 2"	19' 7"	14'	18'	14'	9'	20'
50°	56' 2"	60'	21' 1"	14'	18'	11' 7"	9'	20'
55°	58'	63' 8"	21' 5"	15'	17'	11'	9'	20'
65°	63' 8"	63' 8"	21' 9"	20'	20'	9' 9"	9'	20'
70°	63' 8"	63' 8"	21' 9"	20'	20'	9' 6"	9'	20'
75°	66' 2"	66' 2"	21' 6"	23'	23'	9' 3"	9'	20'
80°	67' 6"	67' 6"	21' 3"	25'	25'	9' 1"	9'	20'

85°	67' 4"	67' 4"	20' 7"	26'	26'	9'	9'	20'
35°	49' 6"	53' 6"	18' 8"	16'	16'	15' 17"	9'	20'
40°	53' 4"	60' 2"	19' 7"	18'	18'	14'	9'	20'

Figure 3-8
Dimensions for 45° Herringbone Parking

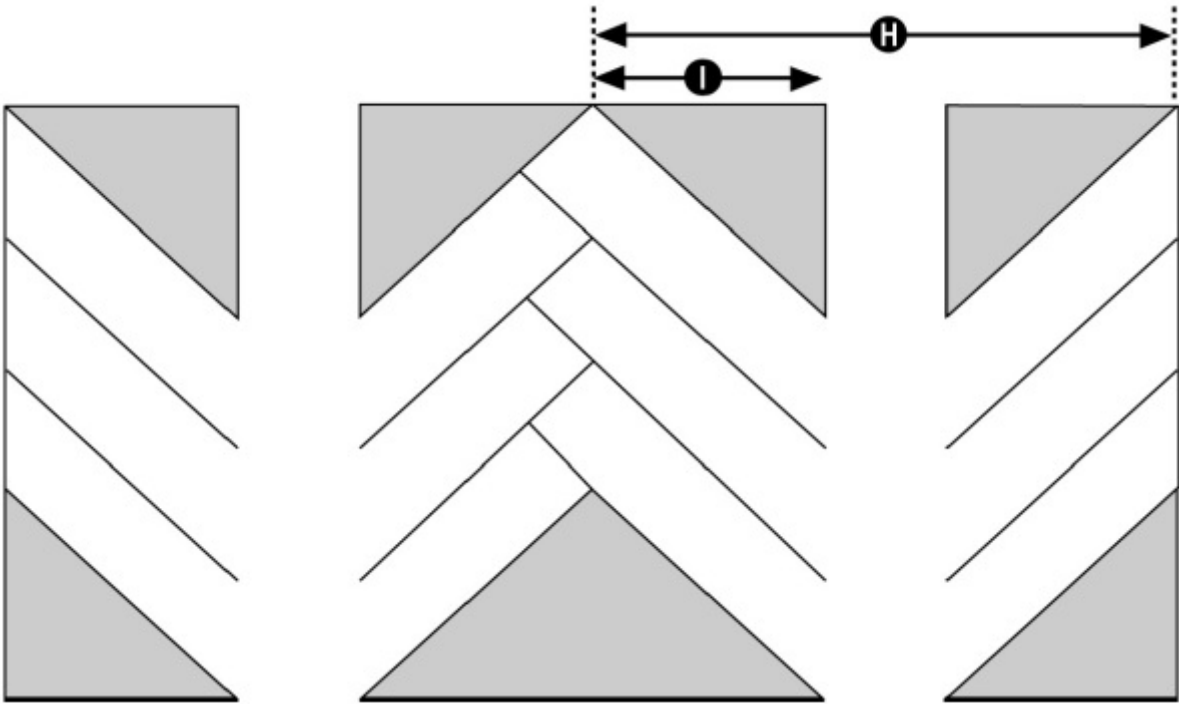


TABLE 3-6 ADDITIONAL DIMENSIONS FOR 45° HERRINGBONE		
(H) Width of Section (Feet)		(I) Depth of Stall (Feet)
One Way	Two Way	
52' 2"	56' 2"	17' 7"

B. Driveway Dimensions. Minimum driveway dimensions shall be as set forth in Table 3-7 or as may otherwise be required by the Fire Department.

TABLE 3-7 DRIVEWAY WIDTH	
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Use	Minimum Driveway Width	Notes
Residential - Multi-unit		For driveways serving parking lots with 10 or fewer vehicles, the driveway width may be reduced to 10 ft.
One-way driveway	12 ft.	
Two-way driveway	20 ft.	Where the driveway is also used for maneuvering area for adjacent parking spaces, the minimum driveway width shall be 25 ft.
Residential - Single unit	10 ft.	
Commercial and Industrial		For driveways serving parking lots with 10 or fewer vehicles, the driveway width may be reduced to 10 ft.
One-way driveway	12 ft.	
Two-way driveway	24 ft.	Where the driveway is also used for maneuvering area for adjacent parking spaces, the minimum driveway width shall be 28 ft.
All Other Uses		
One-way driveway	12 ft.	
Two-way driveway	24 ft.	

(Ord. 935 § 3 (part), 2015)

10.30.080 Parking in the R-E, R-1, and R-2 Zones.

A. Parking within Front Yard Area.

1. The parking of vehicles in any front yard area in the R-E, R-1, and R-2 zones is restricted to the driveway and any adjacent allowed paved area.

2. For properties with a two-car garage for which one additional paved parking space is required per Table 3-3 and that additional space is proposed to be located within the front yard area, the maximum width of the driveway with the one additional required parking space shall not exceed 27 feet within the front yard area, and the driveway apron shall not exceed a width of 20 feet. The additional parking space shall be located along the side of the driveway abutting the side lot line. Where insufficient width exists at this location, the additional parking space may be located on the opposite driveway side.

Where such parking arrangement causes the total paved area to exceed the limits of front yard hardscape coverage established in Section 10.32.070. (Landscape Requirement - Residential Development), the Director may administratively waive such hardscape limitation.

3. For properties with a two-car garage located in the rear of the property with no alley access, the required additional paved parking space shall be provided as a minimum nine-foot-wide by 20-foot-long parking space behind the required front yard setback, with the required maneuvering space provided. Where existing improvements do not allow for such configuration, the parking space may be established in the front yard adjacent to the existing driveway as described in subparagraph 2 above.

4. For properties with a two-car garage with alley access, the additional required paved parking space shall be a minimum nine-foot-wide by 20-foot-long space located adjacent to the existing garage. Any new curb cuts, driveways, or parking spaces shall be prohibited in the front yard.

B. Carports. In the R-E and R-1 zones, a carport shall not be counted as provided required parking. However, where a carport provides additional, non-required parking in the R-E and R-1 zones, such carport shall be permitted only within the rear one-third of the lot. On a corner lot, the carport shall be set back a minimum of 40 feet from any street-side lot line. (Ord. 935 § 3 (part), 2015)

10.30.090 Parking Lot Location.

A. Residential Uses. Required parking facilities for residential uses as specified in this Chapter shall be located on the same lot or parcel of land with the use in which it is intended to serve, except where parking districts or community parking facilities have been established by ordinance or resolution of the Council.

B. Non-Residential Uses. Required parking for non-residential uses shall be provided in one of the following ways:

1. On the same lot or parcel of land with the use in which it is intended to serve; or

2. By membership in a vehicle parking district; or

3. On a lot or parcel of land within 500 feet of the use, subject to the approval of the Director and provided that the distant lot can be accessed safely and conveniently by pedestrians and further provided that a covenant acceptable to the City Attorney specifically identifies and authorizes the parking use for the same period of time for which the land use is approved. Distance between the parking lot and the use being served shall be measured via a convenient and safe pedestrian route, as determined by the Director. (Ord. 935 § 3 (part), 2015)

10.30.100 Parking Lot and Structure Design Considerations.

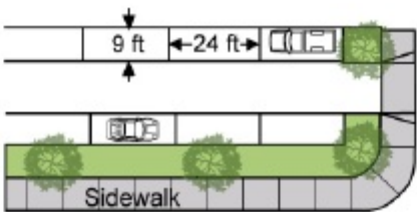
A. Design Specifications. Parking lots shall be designed and constructed as indicated in Section 10.30.070

(Parking Space and Drive Aisle Dimensions). Parking lot paving shall consist of a material approved by the City Engineer.

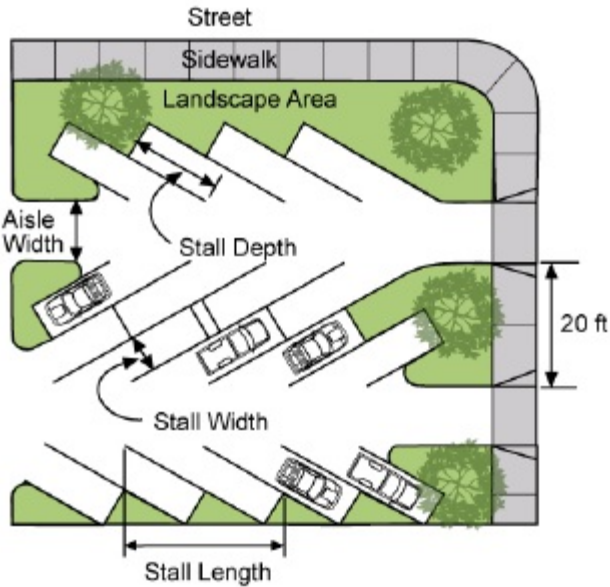
B. Screening from Public Right-of-way. Any parking area not separated by a fence or wall from any street, alley, or other public right-of-way shall be provided with a minimum five-foot-wide landscape buffer between the parking area and the street, alley, or other public right-of-way, as measured from the edge of the right-of-way to the parking area. Landscaping, other than trees, shall be designed and maintained to establish a screen of approximately 36 inches in height. Screening materials may include a combination of plant materials, earthen berms, raised planters, low walls, or other screening devices that meet the intent of this requirement, as approved by the Director.

C. Parking Lot Lighting. All parking lots shall be provided with outdoor lighting and safety lighting as approved by the Director.

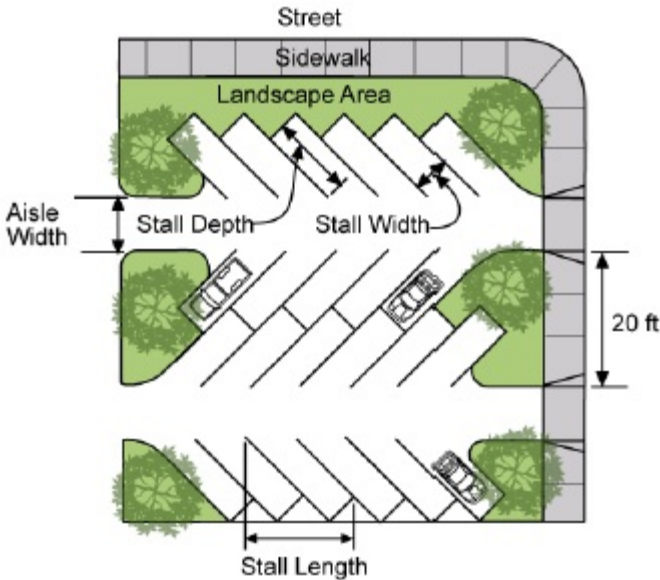
Parking Lot Configurations



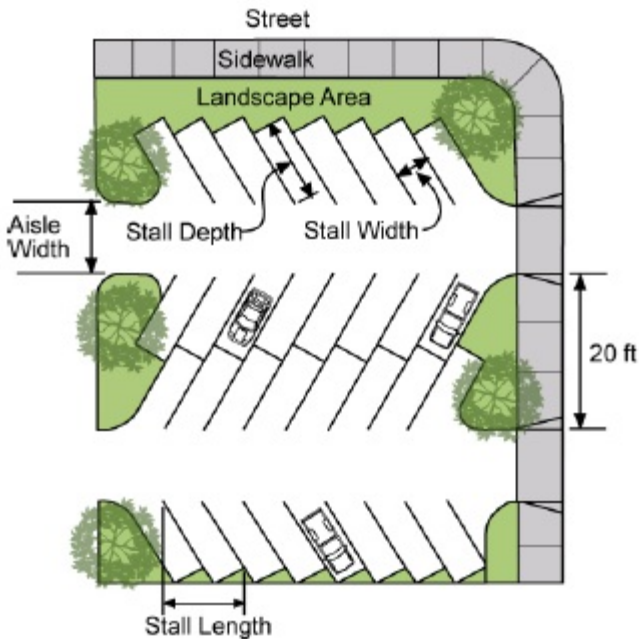
Standard Parallel Parking



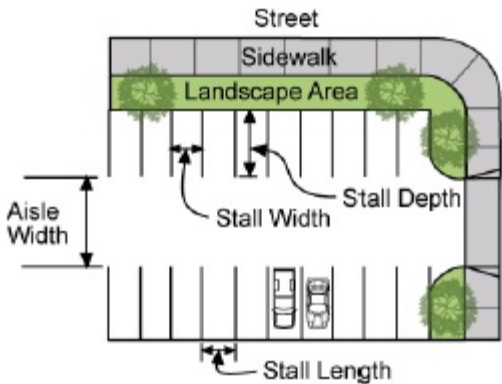
30-Degree Angle Parking



45-Degree Angle Parking



60-Degree Angle Parking



90-Degree Parking

D. Access and Circulation.

1. Parking spaces within a parking lot or structure shall be designed and located so that any required maneuvering into or out of the space will not interfere with vehicles entering or exiting the parking lot, and so that vehicles can enter an abutting street in a

forward direction. The drive aisles shall be designed so that a vehicle is not required to enter a street to move from one drive aisle to another.

2. Vehicle circulation shall be designed to avoid conflicts with pedestrian circulation within the parking lot. Pedestrian ways shall be designed to provide the most direct and safest travel path from parking aisles and spaces to the uses being served. Internal pedestrian ways shall be distinguished from driving surfaces by such techniques as paving materials, raised curbs, and signage.

3. Within a parking structure, piers and pillars shall not encroach into parking stalls.

E. Entrance and Exit Identification. Whenever an entrance or exit to off-street parking facilities is provided from a street or alley, such entrance or exit shall be clearly marked and visually identified.

F. Surfacing and Drainage. Parking lot surfacing materials shall consist of sturdy, all-weather surfaces including, but not limited to concrete, asphalt, and any other material capable of capturing, carrying, and disposing of surface water runoff. Pervious or partially pervious surfaces are acceptable to help achieve water quality goals and requirements, provided such surfaces are approved by the City Engineer. All parking lots shall be designed to convey surface runoff to approved retention and/or drainage facilities. In no case shall such drainage be allowed across the surface of a public sidewalk.

G. Wheel Stops. At the discretion of the Director, wheel stops shall be provided for each parking space where landscaped curb areas are not provided. Wheel stops shall be placed 18 inches from an opposite-facing parking space. (Ord. 935 § 3 (part), 2015)

10.30.110 Shared Parking.

A. Shared Parking Requirements.

1. Where it can be demonstrated that two 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. Such application shall include a parking study that identifies the parking demand of all subject land uses and that clearly demonstrates how and why parking facilities can be shared.

2. The applicant shall provide a parking study 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.

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 shall be located within 500 feet of such parking facilities.

B. Findings for Granting Shared/Joint Use and Off-site Parking Arrangements. To grant a request for shared/joint use or off-site parking, the Director shall make the following findings:

1. There is 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.

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

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

C. Legal Agreement Required. A legal agreement shall be signed by all parties using shared/joint use parking facilities. Such agreement shall be approved by the City Attorney and Director, shall be recorded with the Los Angeles County Recorder, and shall continue to be valid upon change of ownership.

D. Change in Use. In the event of a change in use, a new application shall be filed or the existing agreement amended to the satisfaction of the Director. (Ord. 935 § 3 (part), 2015)

10.30.120 Compact and Tandem Parking.

A. Compact Parking. Compact parking spaces, where provided, shall not comprise more than 15 percent of any development and shall be developed subject to the approval of the Director. All compact spaces shall be individually identified with the word "COMPACT" in not less than 20-inch high block letters painted in a highly visible (contrasting) color. Such designation shall be located in each compact space within three feet of the driveway aisle.

B. Tandem Parking. Tandem parking shall not be allowed unless approved through the granting of a Minor Variance pursuant to the provisions of Chapter 10.98 (Variances and Minor Variances). (Ord. 935 § 3 (part), 2015)

10.30.130 Maintenance of Off-Street Parking Facilities.

Every lot or parcel of land used for off-street parking purposes, including vehicle sales areas and service station sites, shall be kept free of weeds, potholes, and other similar hazards to the safety of pedestrian and vehicular movement. All required parking lot landscaping shall be maintained in a neat and healthy condition. (Ord. 935 § 3 (part), 2015)

10.30.140 Prohibition on Commercial Vehicle Parking in Residential Zones.

It is unlawful to store and/or park on any lot in any residential zone any commercial vehicle exceeding an unladen weight of 6,000 pounds. This restriction does not apply to private recreational vehicles belonging to the resident or guest of the property, provided such recreational vehicle complies with the size restrictions established in Section 10.10.040 (Recreational Vehicle Parking). (Ord. 935 § 3 (part), 2015)

10.30.150 Parking Restrictions in Commercial Zones.

It is unlawful to store or park any vehicle having an unladen weight of at least 10,000 pounds for more than three consecutive hours during any 24-hour period on any lot or parcel within the C-1 and C-2 zones, and on any lot or parcel subject to the provisions of the Downtown Specific Plan. Further, it is unlawful to store or park on such lot any trailer of any size or weight that is not attached to a motor vehicle. The provisions of this Section shall not apply to the parking of any vehicle (including nonmotorized trailers) that is in the process of being loaded or unloaded. (Ord. 935 § 3 (part), 2015)

10.30.160 Parking Lot Landscaping.

A. Applicability. The requirements of this Section shall apply to all zones except the R-E, R-1, and R-2 zones.

B. Minimum Landscaping. A minimum of five percent of all off-street parking areas, including vehicle sales lots and service station sites, shall be landscaped with trees and other suitable plants and shall be permanently maintained. No required setback areas shall be included in the five percent calculation. The landscape material shall consist of a combination of groundcover, shrubs, flowering plants, and trees.

C. Buffer along Public Right-of-way. All off-street parking areas shall be buffered from any adjacent public right-of-way per Section 10.30.100.B.

D. Planting Areas. All landscaping shall be contained within planting areas. Each planting area shall be bound by a concrete curb having a minimum height and width of not less than six inches. Raised planters constructed of similar materials may be permitted and shall be subject to review and approval by the responsible Review Authority. Landscape planter areas shall be located and distributed throughout the parking lot.

E. Permanent Water Irrigation Systems. All planting areas shall be served by a permanent water irrigation system. Such irrigation system shall comply with the Water Efficient Landscaping guidelines in Section 10.32.090 (Landscape Installation and Maintenance Standards).

F. Off-Street Parking Areas with 10 or More Parking Spaces. Off-street parking areas with 10 or more parking spaces shall comply with the following.

1. Planting in parking areas shall consist of water-efficient evergreen shade trees, groundcover, low shrubs, flowering plants, and mulch to provide 100 percent coverage of required landscape areas. Trees shall be a minimum of 15 gallons in size and six feet in height at the time of planting, and shall be of a variety that is fast growing and capable of providing maximum shade coverage.

2. All interior and perimeter rows of parking spaces shall be provided with curbed planting islands to provide suitable planting areas for shade trees. Planting islands shall be a minimum of six feet wide and shall contain at least one tree for every four parking spaces in the row which the island is serving.

3. Perimeter landscaping shall be located along parking lot edges not abutting a right-of-way. Such landscaping areas shall be not less than six feet wide and shall contain at least one tree for each 30 linear feet of planting. A narrower perimeter strip may be provided and the tree requirement may be modified, at the discretion of the Director, if lot size or configuration cannot support a six-foot perimeter strip.

4. Landscaping fronting a street (except alleyways) shall include a minimum of one tree for every 30 feet of frontage, plus shrub planting which provides a visual screen of three to four feet in height within two years of planting.

5. Landscaping within interior parking areas shall have a continuous curbed island, not less than five feet wide, provided between each row of parking spaces. The island shall incorporate a minimum of one tree per four parking spaces and ground cover or shrub planting to provide one hundred percent coverage within two years of planting. Trees shall be provided with root control barriers.

6. All tree wells shall have minimum dimensions of five feet by five feet.

7. Terminal islands shall be a minimum of four feet wide and shall contain at least one tree for each row of parking spaces for which the island is serving.

G. Landscape Requirements - All Development. Commercial, industrial, and institutional developments shall comply with specific landscape requirements in Section 10.32.060 (Landscape Requirements - Commercial, Industrial, and Institutional Developments); and residential developments shall comply with specific landscape requirements in Section 10.32.070 (Landscape Requirements - Residential Development). (Ord. 935 § 3 (part), 2015)

10.30.170 Bicycle Parking Requirements.

A. Applicability. Designated, safe, and secure bicycle parking facilities shall be provided for all public and civic facilities, schools, retail commercial, and office uses. Such bike parking facilities may be unenclosed or enclosed.

B. General Standards. Bicycle parking shall be located on a paved surface, in proximity to a building entrance, and in a visibly secure location adjacent to the building. At a minimum, bicycle parking shall consist of at least one stationary bicycle rack, typically a concrete slab or vertical metal bar, where the bicyclist supplies a padlock and chain or cable to secure the bicycle to a stationary object.

C. Bicycle Parking Requirements. Bicycle parking shall be provided as required by the California Green Building Standards Code (CalGreen). (Ord. 935 § 3 (part), 2015)

10.30.180 Off-Street Loading Requirements.

A. Applicability. Every commercial, industrial, civic, and institutional structure and/or use shall have and maintain loading space(s) as required by this Chapter.

B. Number and Size of Loading Spaces Required. Table 3-9 indicates the number and size of loading spaces required. These requirements may be adjusted, at the discretion of the Director, for individual projects based on site configuration, access, whether the building or buildings serves one or multiple users, and other physical characteristics of a project site, and provided that written findings are made regarding the circumstances warranting the adjustment.

C. Permitted and Prohibited Locations. Required loading facilities shall be located on the same lot or parcel of land with the use in which it is intended to serve, and shall be exclusive of the required parking facilities. Loading facilities shall be located and designed in a manner that does not interfere with any required parking facilities or internal site circulation, with the exception of underground fuel tanks at fuel service stations. Further, no loading shall be permitted in a public alley and/or street.

D. Use of Landscape Screening. Loading areas for trucks shall incorporate landscaping to provide screening of the loading area if otherwise visible from the public rights-of-way, adjacent uses, and pedestrian circulation. This shall not apply to tanker trucks that deliver fuel to service stations. (Ord. 935 § 3 (part), 2015)

10.30.190 Downtown Business District Specific Plan.

Properties and uses included within the boundaries of the Downtown Business District Specific Plan shall comply with the parking and loading regulations contained within the Specific Plan regarding required number of parking spaces, shared parking, maximum

distance to parking lots, loading regulations, and all other applicable provisions.

TABLE 3-9 NUMBER AND SIZE OF LOADING SPACE REQUIRED				
Use/Total Leasable Floor Area	Loading Spaces for Equipment and Materials	Minimum Dimensions	Passenger Loading Spaces Required	Minimum Dimensions
Commercial - Retail and Service				
10,000 - 20,000 sf	1	10 ft. wide	N/A	N/A
21,001+ sf	2	40 ft. long and 14 ft. of vertical clearance	N/A	N/A
Industrial				
10,000 - 20,000 sf	1	10 ft. wide	N/A	N/A
21,001 - 50,000 sf	2	40 ft. long	N/A	N/A
50,001 - 80,000 sf	3	14 ft. of vertical	N/A	N/A
80,001 sf or greater	4	clear space, or more as may be required	N/A	N/A
Hospitals and Institutions				
10,500 - 30,000 sf	1	10 ft. wide	As required by Conditional Use Permit or Minor Use Permit	10 ft. wide
30,001 - 90,000 sf	2	40 ft. long		20 ft. long
90,001 sf or greater	3	14 ft. of vertical clear space		12 ft. of vertical clear space
Hotels and Offices				

10,000 - 40,000 sf	1	10 ft. wide 40 ft. long 14 ft. of vertical clear space	1	10 ft. wide 20 ft. long 12 ft. of vertical clear space
40,001 - 90,000 sf	2		2	
90,001 sf or greater	3		3	

(Ord. 935 § 3 (part), 2015)

Chapter 10.32 LANDSCAPING

Sections:

- 10.32.010 Purpose.
- 10.32.020 Delegation.
- 10.32.030 Applicability.
- 10.32.040 Landscape Documentation Plans Required.
- 10.32.050 Landscape Water Use Standards.
- 10.32.060 Landscape Requirements - Commercial, Industrial, and Institutional Development.
- 10.32.070 Landscape Requirements - Residential Development.
- 10.32.080 Compliance with City Street Tree Plan.
- 10.32.090 Landscape Installation and Maintenance Standards.

10.32.010 Purpose.

The City has found that the waters of the state are of limited supply and are subject to ever-increasing demands; and the City's continued prosperity is dependent on availability of adequate supplies of water for current and future uses and that landscapes are essential to the quality of life in the City by providing areas for active and passive recreation and as an enhancement of the environment by proving beauty to the community, cleaning air and water, preventing erosion, offering fire protection, and replacing ecosystems lost to development. The purpose of this Chapter is to:

- A. Promote the values and benefits of landscapes while recognizing the need to invest water and other resources as efficiently as possible;
- B. Establish a structure for planning, designing, installing, and maintaining and managing water efficient landscapes in new construction and rehabilitated projects;
- C. Establish provisions for water management practices and water waste prevention for existing landscapes;
- D. Use water efficiently without waste by setting a Maximum Applied Water Allowance as an upper limit for water use and

reduce water use to the lowest practical amount. (Ord. 935 § 3 (part), 2015)

10.32.020 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 Chapter on behalf of the City. (Ord. 935 § 3 (part), 2015)

10.32.030 Applicability.

A. General. This Chapter shall apply to all of the following landscape projects, except as provided for in paragraph B:

1. New construction and rehabilitated landscapes for public agency projects and private development projects with a landscape area equal to or greater than 2,500 square feet requiring a building or landscape permit, plan check or design review.
2. New construction and rehabilitated landscapes which are developer-installed in single-family and multi-family projects with a landscape area equal to or greater than 2,500 square feet requiring a building or landscape permit, plan check, or design review.
3. New construction landscapes which are homeowner-provided and/or homeowner-hired in single family and multi-family residential projects with a total project landscape area equal to or greater than 5,000 square feet requiring a building or landscape permit, plan check or design review.

B. Exceptions. This Chapter does not apply to:

1. Registered local, state, or federal historical sites;
2. Ecological restoration projects that do not require a permanent irrigation system. (Ord. 935 § 3 (part), 2015)

10.32.040 Landscape Documentation Plans Required.

A. Submittal Requirements for Landscape Plans.

1. A Landscape Documentation Package and landscape plan check fee, as set forth by City Council resolution, shall be submitted to the Director for review and approval for all landscape projects subject to the provisions of this Chapter.
2. The Landscape Documentation Package shall include a certification by a landscape 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 Chapter.
3. Landscape and irrigation plans shall be submitted to the Director for review and approval with appropriate water use calculations. Water use calculations shall be consistent with calculations contained in Section 10.32.050 and shall be provided to the local water purveyor, as appropriate, under procedures determined by the City.
4. Verification of compliance of the landscape installation with the approved plans shall be obtained through a Certification of Completion in conjunction with a Certificate of Use and Occupancy or Permit Final process. Certification of Completion shall include an acknowledgement from the landscape professional indicating that the installation of landscape and irrigation conforms to the criteria and specifications of the approved landscape documentation plan.

B. Required Contents. Each Landscape Documentation Package shall include the following elements:

1. Landscape Design Plan.

a. The landscape design plan shall indicate plant selection and grouping. Plants having similar water use shall be grouped together in distinct hydrozones as determined by the Sunset Western Climate Zone System. Plants shall be selected appropriately based upon their adaptability to the climatic, geological and topographical conditions of the site. Protection and preservation of native species and natural areas is encouraged. The planting of trees is encouraged wherever it is consistent with the other provisions of this Chapter.

b. Plants shall be selected to minimize damage to property or infrastructure (i.e. buildings, sidewalks, streets, and overhead powerlines) based on horticultural characteristics such as mature size, invasive surface roots, and other such factors.

c. Fire prevention needs shall be addressed in areas that are fire prone including the creation of a defensible space or zone around a building or structure as required by Public Resources Code Section 4291(a) and (b). County of Los Angeles Fuel Modification Plan Guidelines shall be followed to the closest extent possible.

d. The landscape design plan shall be drawn on project base sheets at a scale that accurately and clearly identifies:

- i) Designation of hydrozones and a description of water usage within said hydrozones (low, moderate and high irrigation water requirements);
- ii) Landscape materials, trees, shrubs, groundcover, turf and other vegetation. Planting symbols shall be clearly drawn and plants labeled by botanical name, common name, container size, spacing and quantities of each group of plant indicated;
- iii) Mulch and amendments where a minimum 2" layer shall be applied on all exposed soil surfaces of planning areas except in turf, creeping or rooting groundcovers, or direct seedling applications where mulch is part of the slurry mix;
- iv) Overhead utilities such as electrical wires, cable or telephone poles;
- v) Property lines and street names;
- vi) Streets, driveways, walkways and other paved areas;
- vii) Pools, ponds, water features, fences and retaining walls;
- viii) Natural features including, but not limited to, rock outcroppings, existing trees and shrubs that will remain;
- ix) Tree staking, plant installation, soil preparation details and any other applicable planting and installation details;
- x) A calculation of the total landscaped area and percentage of turf area; and
- xi) Designation of recreational areas.

2. Irrigation Design Plan. An irrigation design plan meeting the following requirements shall be submitted as part of the Landscape Documentation Package.

a. Water Efficiency. The irrigation design plan shall provide for a water-efficient irrigation system. Irrigation systems shall be designed to be consistent with hydrozones and should indicate:

- i) Static water pressure measured at the point of connection;
- ii) System maximum gallons per minute (GPM) demand;
- iii) Pressure lost calculations for worst case condition of project site.

b. Runoff and Overspray. Soil types and infiltration rates shall be considered when designing irrigation systems. All irrigation systems shall be designed to avoid runoff, lowhead drainage, overspray and other similar conditions where water flows onto adjacent property, nonirrigated areas, walks, roadways or structures. Proper irrigation schedules, including features such as repeat cycles, shall be used to closely match application rates to infiltration rates to minimize runoff. Special attention shall be given to avoid runoff on slopes and to avoid overspray in planting areas with a width less than ten feet and in median strips.

i) Overhead irrigation shall not be permitted within 24 inches on any non-permeable surface. Allowable irrigation within the setback from non-permeable surfaces may include drip, drip line or other low flow non-spray technology. The setback area may be planted or unplanted. The surfacing of the setback may be wood mulch, gravel or other porous material.

ii) Narrow or irregularly shaped areas, including turf, less than eight feet in width in any direction shall be irrigated with subsurface irrigation or low-volume system.

c. Equipment.

i) Separate landscape water meters or submeters shall be installed for all projects except for single family homes or any project with a landscaped area of less than five thousand square feet.

ii) Controllers. Automatic control systems shall be required for all irrigation systems and must be able to accommodate all aspects of the design.

iii) Backflow prevention devices shall be required to protect the water supply from contamination by the irrigation system.

- iv) Plants which require different amounts of water shall be irrigated by separate valves. If one valve is used for a given area, only plants with similar water use shall be used in that area. Anti-drain (check) valves shall be installed in strategic points to minimize or prevent low-head drainage. Where feasible, trees shall be placed on separate valves from shrubs, groundcovers and turf.
- v) Sprinkler heads and emitters shall have consistent application rates within each control valve circuit. Sprinkler heads shall be selected for proper area coverage, application rate, operating pressure, adjustment capability and ease of maintenance.
- vi) Rain-sensing devices shall be required on all irrigation systems.
- vii) Soil moisture-sensing devices be considered where appropriate.
- d. Other. Such other information as deemed necessary by the Director, including, but not limited to, a grading design plan and/or soil analysis.

C. Landscape Water Use Standards.

1. For applicable landscape installation or rehabilitation projects subject to this Chapter, the Estimated Applied Water Use allowed for the landscaped area shall not exceed the Maximum Applied Water Allowance (MAWA), which shall be calculated using an evapotranspiration (ET) adjustment factor of 0.7, 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 shall otherwise be shown to be equivalently water-efficient in a manner acceptable to the City. The MAWA can be calculated as follows:

$$\text{MAWA} = (\text{ETo})(0.62)[(0.7 \times \text{LA}) + (0.3 \times \text{SLA})]$$

2. Irrigation of all landscaped areas shall be conducted in a manner conforming to the rules and requirements, and shall 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 City. (Ord. 935 § 3 (part), 2015)

10.32.050 Landscape Requirements - Commercial, Industrial, and Institutional Development.

A. Applicability. The standards in this Section shall apply to all commercial, industrial, and institutional developments.

B. Landscape Coverage Requirement. Shrubs, groundcover, and turf shall provide 100 percent coverage of those areas not occupied by structures, parking areas, storage, or trash enclosures at the time of issuance of a Certificate of Occupancy. Embellished pavement, fountains, and similar hardscape materials may in part be substituted for the required landscaping through the Site Plan and Design Review process or other discretionary review that applies.

C. Parkway Planting and Maintenance. Areas within the public right-of-way shall have landscaping installed by the developer/property owner. Parkways located between the curb and the sidewalk shall be a minimum of five feet wide unless altered by special engineering constraints, as determined by the City Engineer. Such area shall contain trees as per the street tree requirements specified in Section 10.32.080 (Street Tree Standards). Parkways may meander, thus reducing or increasing the minimum distance from the curb, subject to approval by the Director. The ground surface shall be planted with low spreading shrubs or groundcover to provide 100 percent coverage. Turf shall not be used unless specifically approved by the Director.

D. Parkway-adjacent Planting and Maintenance. Parkways located between the sidewalk and the edge of development shall meet the following requirements:

1. Such areas shall contain at least one 24-inch-box tree for every 30 linear feet of frontage. This calculation establishes the number of required trees; the trees are not required to be located linear or equally spaced. Although not specifically required, planting areas of variable widths are encouraged, particularly for projects with frontages exceeding 150 feet. Trees without invasive roots and root control barriers shall be required.

2. The ground surface shall contain shrubs, mulch, or ground cover to provide coverage within two years. Turf shall not be used in area narrower than five feet unless approved by the Director.

3. If a wall or fence separates the development from the street, planting vines or espalier shrubs shall be incorporated into the planting design.

E. Required Landscaping for Loading Areas. Loading areas shall incorporate landscaping to provide screening if visible from the public right-of-way, adjacent uses, and pedestrians.

F. Required Landscaping for Trash Enclosures. Trash enclosure areas visible from a public right-of-way shall contain a planting

area around the perimeter of the enclosure wall except at access gates. The landscaping in the planting area shall consist of vertical plantings such as tall shrubs or hedges and vines on the enclosure walls. (Ord. 935 § 3 (part), 2015)

10.32.060 Landscape Requirements - Residential Development.

A. Applicability. The standards in this Section shall apply to all residential uses.

B. R-E, R-1, and R-2 Zones.

1. Front Yard. All front yard areas shall be provided with landscaping and irrigation. In front yards, hardscape materials, exclusive of the required minimum driveway area and permitted parking area, shall not exceed 15 percent of the front yard area. The balance of the front yard area shall be planted with live plant materials. The use of hardscape for walkways, porches, and outdoor living areas is allowed.

2. Side Yards on Corner Lots. On a corner lot, any side yard that abuts and is visible from a public right-of-way shall be landscaped and provided with irrigation.

C. R-3 and R-4 Zones. All yard areas in the R-3 and R-4 zones not covered by structures, driveways, patios, walkways, pools/spas, or similar features shall be fully landscaped and provided with permanent irrigation systems. Hardscape materials may comprise up to 30 percent of the landscape area. (Ord. 935 § 3 (part), 2015)

10.32.070 Compliance with City Street Tree Plan.

The species of trees installed along any street shall comply with the approved list of acceptable street trees in the City Master Street Tree Plan. All plantings of street trees shall have approval from the Director prior to installation. Installation, maintenance, and removal of street trees shall comply with the requirements of the Master Street Tree Plan.

(Ord. 935 § 3 (part), 2015)

10.32.080 Landscape Installation and Maintenance Standards.

A. Planting Installation.

1. All trees shall be double-staked in the direction of the prevailing wind.
2. Ground covers shall be planted in a triangular pattern spaced to ensure 100 percent coverage within one year of installation.
3. A minimum three-inch layer of mulch material shall be applied to all shrub and tree planted areas at installation.

B. Landscape and Irrigation System Maintenance.

1. The property owner shall be responsible for the maintenance of landscape to ensure that plant material is maintained to be healthy. Dead or diseased plants must be replaced immediately.

2. Plants shall be selectively pruned in accordance with professional trimming standards to maintain their intended shapes and sizes, and to ensure due health of the species and safety of the public.

3. To the extent possible, topping of trees shall be avoided.

4. Irrigation systems shall be constantly maintained and adjusted to eliminate water waste and ensure the healthy survival of the plant material.

5. Water waste resulting from inefficient landscape irrigation leading to excessive runoff, low-head drainage, overspray, or other similar conditions where water flows onto adjacent property, non-irrigated areas, walks, roadways, or structures is prohibited.

6. Irrigation systems and their components shall be maintained in a fully functional manner consistent with the originally approved design. A regular maintenance schedule shall be followed, including but not limited to checking, adjusting, and repairing irrigation equipment; resetting the automatic controller; aerating and dethatching turf areas; replenishing mulch; fertilizing; pruning; and weeding in all landscaped areas. (Ord. 935 § 3 (part), 2015)

Sections:

- 10.34.010 Purpose.
- 10.34.020 Applicability.
- 10.34.030 General Provisions.
- 10.34.040 Message Neutrality.
- 10.34.050 Definitions.
- 10.34.060 Permit Required.
- 10.34.070 Exempt Signs and Sign Maintenance Activities.
- 10.34.080 Regulations for Exempt Signs.
- 10.34.090 Prohibited Signs.
- 10.34.100 General Development Standards for All On-side Signs.
- 10.34.110 Open Space Zone - Number of Allowed Signs and Allowable Sign Area.
- 10.34.120 Residential Zones - Number of allowed Signs and Allowable Sign.
- 10.34.130 Commercial and Industrial Zones - Number of Allowed Signs and Allowable Sign Area.
- 10.34.140 Master Sign Programs.
- 10.34.150 Temporary Signs.
- 10.34.160 Signs Utilizing Non-Roman Alphabet.
- 10.34.170 Electronic Display Billboards.
- 10.34.180 Sign Performance Standards.
- 10.34.190 Sign Maintenance Requirements.
- 10.34.200 Nonconforming Signs, Amortization and Abatement of Signs.
- 10.34.210 Signs Prohibited on Public Property within the Public Right-of-way.
- 10.34.220 Emergency Abatement of Signs.

10.34.010 Purpose.

This Chapter establishes sign regulations intended to promote and support economic success in the community while protecting and enhancing aesthetic qualities in the City's business districts and residential neighborhoods; enhancing property values; promoting the use of signs that are complementary in scale, proportion, and style with the developments they support; minimizing visual clutter; and ensuring that signs are designed and located in a manner that minimizes potential hazards to the safety and movement of vehicles and pedestrians. (Ord. 935 § 3 (part), 2015)

10.34.020 Applicability.

This Chapter shall apply to the construction, erection, installation, and maintenance of all outdoor signs and window signs in all areas of the City. With regard to properties within the Downtown Business District Specific Plan area or any other area that is governed by a specific plan, the provisions of this Chapter shall apply only to the extent that a specific plan does not address a particular signage issue. (Ord. 935 § 3 (part), 2015)

10.34.030 General Provisions.

Every permanent sign shall have an identifying number, name of the contractor or installer, the month and year of installation, and if illuminated, the voltage number plainly placed on the exterior surface of the sign body in a location where such information will be readily visible after installation. (Ord. 935 § 3 (part), 2015)

10.34.040 Message Neutrality.

It is the City's policy and intent to regulate both commercial and noncommercial signs in a viewpoint-neutral and content-neutral manner. The message of the sign shall not be reviewed except to the minimum extent necessary to identify the type of sign. (Ord. 935 § 3 (part), 2015)

10.34.050 Definitions.

For the purposes of this Chapter, unless otherwise apparent from the context, the following sign definitions shall apply:

Advertising sign means a sign that promotes events or activities or uses, products, or services obtainable on the premises through the use of words, letters, symbols, or combination thereof.

Attachment means a structural device needed for keeping a sign fixed to the ground, wall, or other allowed location.

Awning means a structure attached to, and projecting from, a building wall for aesthetic and shade purposes. Awnings typically consist of a frame covered with fabric, vinyl, or metal and are generally placed over windows and doors. Awnings are generally not constructed as an integral part of the structure but rather are attached after the structure is complete.

Balloon display means an arrangement of one or more inflated balloons, tethered at a fixed location and primarily intended to draw attention to that location.

Banner means a sheet made of cloth, vinyl, or similar lightweight, flexible material (except paper) attached to or suspended from any structure, building, staff, pole, line, framing, or other projection generally displayed for advertising purposes. This definition does not include a flag.

Billboard means a permanent structure used for the display of off-site commercial messages which are not related to the provision of services or the sale of products available on the subject site, as well as used for the display of noncommercial messages, including public service announcements.

Bulletin board means a repository board for posting notices, advertisements, or messages of a private or public purpose.

Center means commercial, industrial, professional, or business structures and associated facilities that have been designed and developed together as an integrated unit, sharing common parking facilities. A "center" may consist of several different uses within a single structure or several different structures.

Commercial sign means any sign that directly or indirectly names, advertises, or calls attention to a business, product, service, or other commercial or similar business activity.

Copy means the specific text, words, letters, or numbers used for advertising a product, service or event.

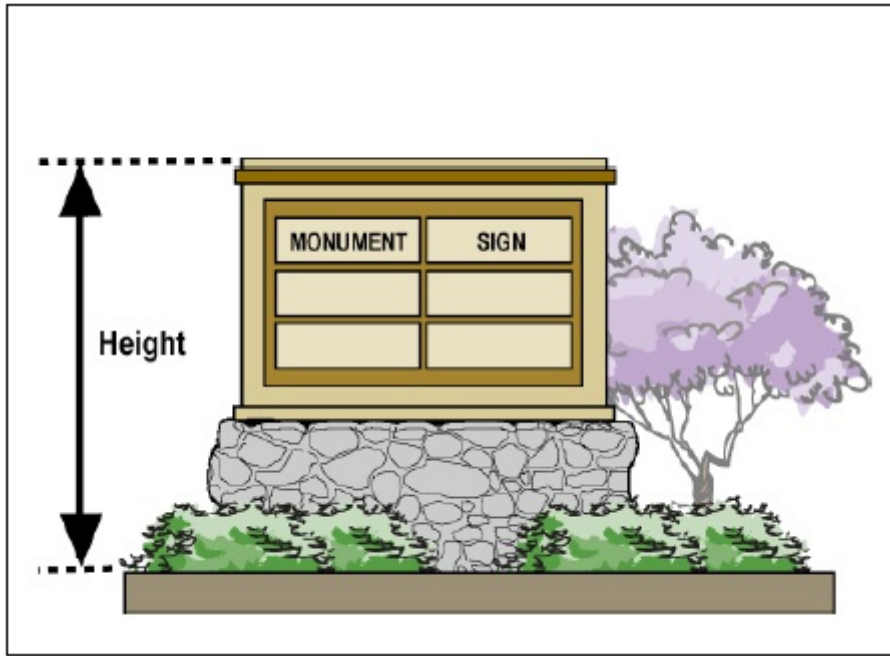
Cutout means every type of display in the form of letters, figures, characters, representations, or others that extend beyond the primary billboard sign face or irregular forms attached to or superimposed upon a billboard.

Electronic display billboard- means a billboard electronic or digital technology- including but not limited to LED (light emitting diodes) or CED (charge emitting diodes) or plasma, or their functional equivalent-which is capable of displaying images that change electronically and intermittently.

Flag means a piece of cloth or bunting with definitive colors, patterns, or symbolic devices, used as a symbol for a nation, governmental entity, religious entity, or other organization and not containing a commercial message.

Height of a sign means the vertical distance measured from the grade level closest to the bottom of the sign or sign support to the highest point of the sign structure, frame, or uppermost portion of any copy, whichever is higher. See Figure 3-10.

Figure 3-10
Height of a Sign



Letter height means the vertical distance from the lowest point to the highest point of any letter or other piece of copy used in a sign.

Logo means a symbol, character or emblem representing an identifiable trademark, corporate entity, or marketable product.

Master sign program means sign criteria intended to provide uniformity and consistency among the signs in a commercial or industrial development with multiple tenants by regulating the type, number, location, size, style, or color of signs permitted in the development.

Multiple-tenant development means a commercial or industrial development designed and/or constructed and/or operated as a single project and containing not less than two separate uses in separate structures or in the same structure.

Mural means an artistic painting on a wall or other vertical surface, generally of large size and intended to be viewed from a distance. A mural does not contain a commercial message.

Noncommercial sign means any sign which is not determined to be a commercial sign.

Pennant means a banner or similar device typically triangular in shape that is used to attract attention to a product or location for advertising purposes.

Supporting structure means any device such as a pole, column, wall, or similar contrivance used to secure a sign in a vertical position for viewing.

Sign means any device intended for visual communication and that contains any announcement, declaration, demonstration, insignia, banner, pennant, illustration, or graphic used to advertise or promote the interest of any person, business, group, or enterprise.

Sign, A-frame means a freestanding portable sign that is mounted on a frame that widens on the bottom, forming a shape similar to the letter "A" when viewed from the side. See Figure 3-11 - Types of Signs.

Sign area means the cumulative area enclosed by parallel vertical and parallel horizontal lines encompassing each letter, logo, graphic, or other element of a two-dimensional sign message, as determined by the Director. For signs on a panel, board, or cabinet that is removable from the structure to which such panel, board, or cabinet is mounted (such as cabinet signs or projecting signs), the sign area shall equal the area of the panel, board, or cabinet face. See Figure 3-12 - Measurement of Sign Area.

Sign, awning or canopy means a sign attached to, painted on, or applied to an awning or canopy that is attached to a structure. See Figure 3-11 Types of Signs.

Sign, business tenant means a changeable letter board or similar noncommercial sign erected for the purpose of identifying for visitors the current tenants of a building and their office locations within a multitenant office building.

Sign, cabinet means a sign generally characterized by a singular metal cabinet with a plexiglass or plastic sign face that contains the entire sign message. Lighting elements are usually installed in the interior of the cabinet to provide backlighting for the sign. See Figure 3-11 - Types of Signs.

Sign, changeable copy means a sign where letters, graphics, logo or messages are affixed in such a manner that they may be easily changed without affecting the sign structure. This definition does not include electronic display billboards.

Sign, directory means a sign that lists the tenants of a particular development by name and address and/or unit number. Directory signs usually are oriented toward and intended for viewing by off-street vehicle traffic and/or pedestrians.

Sign, electronic changeable face or digital changeable face means a sign that uses any manner of lights, including light-emitting diodes (LEDs), fiber optics, lights bulbs, or other illumination devices, to create a commercial message - with text and/or images - within the sign display area. Electronic changeable face signs include computer programmable, microprocessor controlled electronic, or digital displays.

Sign, electronic readerboard means a sign that uses any manner of lights, including light-emitting diodes (LEDs), fiber optics, lights bulbs, or other illumination devices, to create a non-commercial text-only message within the sign display area.

Sign face means the surface upon which a sign message may be applied. The sign face may be greater than the sign area if the all of the available sign face is not utilized for the copy.

Sign, freestanding means a sign that is supported by a structure other than a building and permanently fixed in or upon the ground, such as pylon signs and monument signs. See Figure 3-11 - Types of Signs.

Sign, hand-held means any temporary commercial message sign which is held by a person and which may or may not advertise a business located on the premises where the person is holding that sign.

Sign, lighted means a sign that is illuminated by an internal, external, or indirect light source.

Sign, marquee means a sign placed on a building marquee, generally found at theaters, and provides for changeable copy.

Sign, menu board means a sign, either detached or attached to a structure for a business providing drive-through service, displaying the type and price of the commodities sold in connection with the drive-through service and located adjacent to and oriented toward the drive-through lane.

Sign, monument means a freestanding sign that is supported by an enclosed structure that has at least the same length and width as the sign face it supports. See Figure 3-11 - Types of Signs.

Sign, name means a sign containing the name and/or address of the occupant of the premises.

Sign, neon means a sign containing electric gas tube lighting such as argon, neon, krypton, helium, or xenon.

Sign, non-commercial means a sign that does not advertise, identify or otherwise direct attention to a product or business but instead conveys an opinion, idea, concept or similar message.

Sign, nonconforming means any sign that does not conform to all applicable requirement and limitations of this Chapter.

Sign, off-premises. See "Billboard."

Sign, on-premises means a sign that advertises or identifies businesses, services, goods, persons, or events that are on the same lot, parcel, property, or center on which the sign is located.

Sign, painted means any sign that has a message, illustration, graphic, or copy that is painted directly onto a sign face, wall, or other surface.

Sign, permanent means a sign intended to be erected and maintained for a period of time in excess of 90 days.

Sign plan means elevations, site plan, structural, and/or electrical drawings illustrating the design, size, materials, colors, and location of a proposed sign(s) and the method of attachment to the building, structure, or ground.

Sign, pole means a permanent freestanding sign which is supported entirely by a single pole, post or upright that is narrower than the message board that it supports. See Figure 3-11 - Types of Signs.

Sign, political means a noncommercial sign promoting a candidate for political office or a measure scheduled for election.

Sign, portable means a freestanding sign that is not permanently affixed, anchored, or secured to either the ground or an immovable structure.

Sign, projecting means a sign that projects from and is supported by a wall or structure with the display surface of the sign typically at or near a 90 degree angle to the structure facade.

Sign, public utility means a sign providing information, directions, or warnings regarding public utilities facilities such as gas, water, sewer lines or electricity.

Sign, pylon means a permanent freestanding sign which is supported entirely by two or more pole(s), post(s), or upright(s) that are narrower than the message board that it supports. See Figure 3-10 - Types of Signs.

Sign, service station price means a sign at a gasoline service station that indicates the fuel grade designation, price per gallon of gasoline or other motor vehicle fuel offered for sale, and the method of sale and such other information as may be required by State law.

Sign, street-oriented freestanding means a freestanding sign that is designed and constructed with the intention of attracting the attention of motorists on adjacent streets and highways to the occupant, tenant, or the products or services offered on the property on which the sign is located.

Sign, temporary means a sign intended to be displayed for a period of time not to exceed 90 days.

Sign, tenant identification wall means a sign attached to the wall of a building or structure in a plane parallel or approximately parallel to the plane of such wall or structure that identifies the business located within the building or, in the case of a residential use of property, the current residents of building or group of buildings.

Sign, vehicle means a sign painted or placed on a vehicle for the purpose of advertising a business, product or service. See Figure 3-11 - Types of Signs.

Sign, wall means a sign fastened parallel to a wall and which the letters, cabinet, or other part of the sign structure does not project more than 18 inches from the building or structure. See Figure 3-11 - Types of Signs.

Sign, window means any sign painted, attached, glued or otherwise affixed to the inside or outside of a window or any glazed surface of any structure or are located in such a manner as to be clearly visible outside of a structure. See Figure 3-11 - Types of Signs.

Streamer means a line of ribbons or small flags generally suspended over a property to attract attention.

Structure, sign means a structure of any kind erected or maintained to support any sign, poster, bill, printing, painting, or other advertising device. For purposes of this definition, a freestanding wall may be considered a sign structure if it is used to support a sign.

Twirler means any streamer, ribbon, propeller, or similar device meant to attract attention to a product or service.

Tivoli lights means a string of small lights consisting of clear or non-colored bulbs that are not more than one inch in length used for decoration purposes.

Figure 3-11 Types of Signs

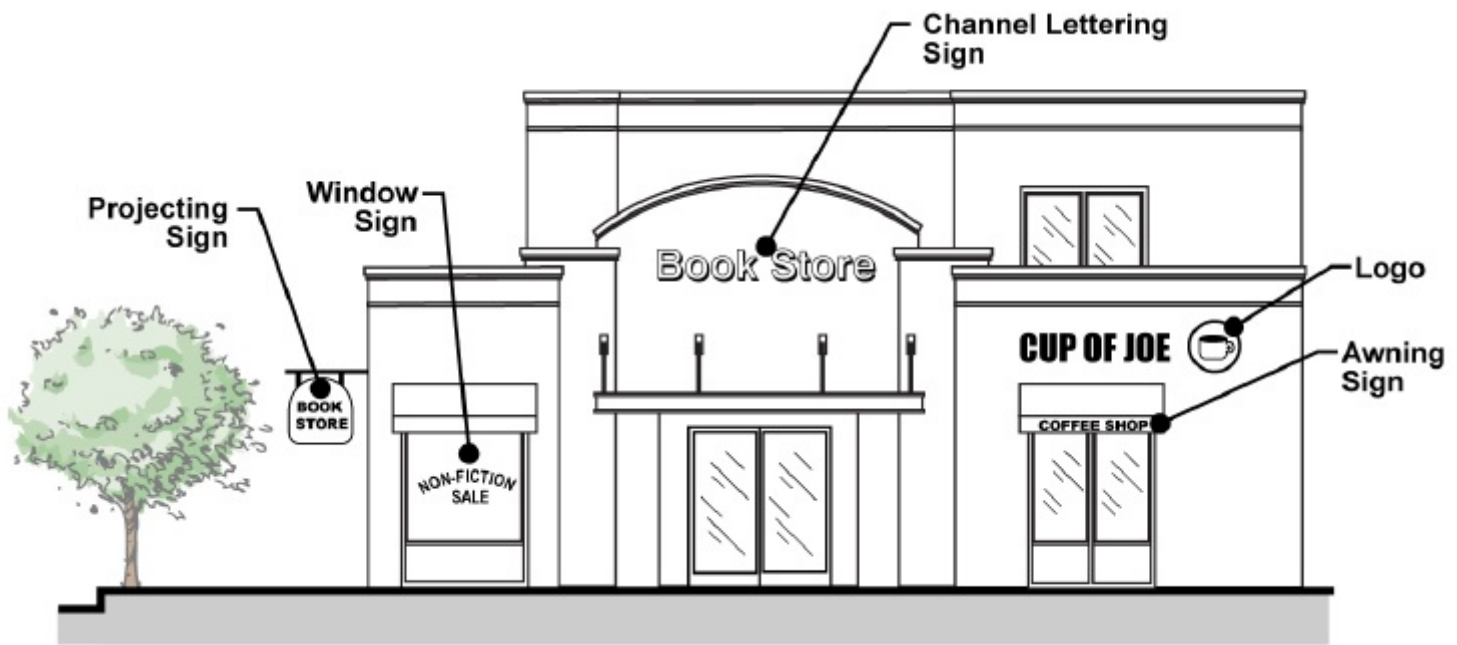
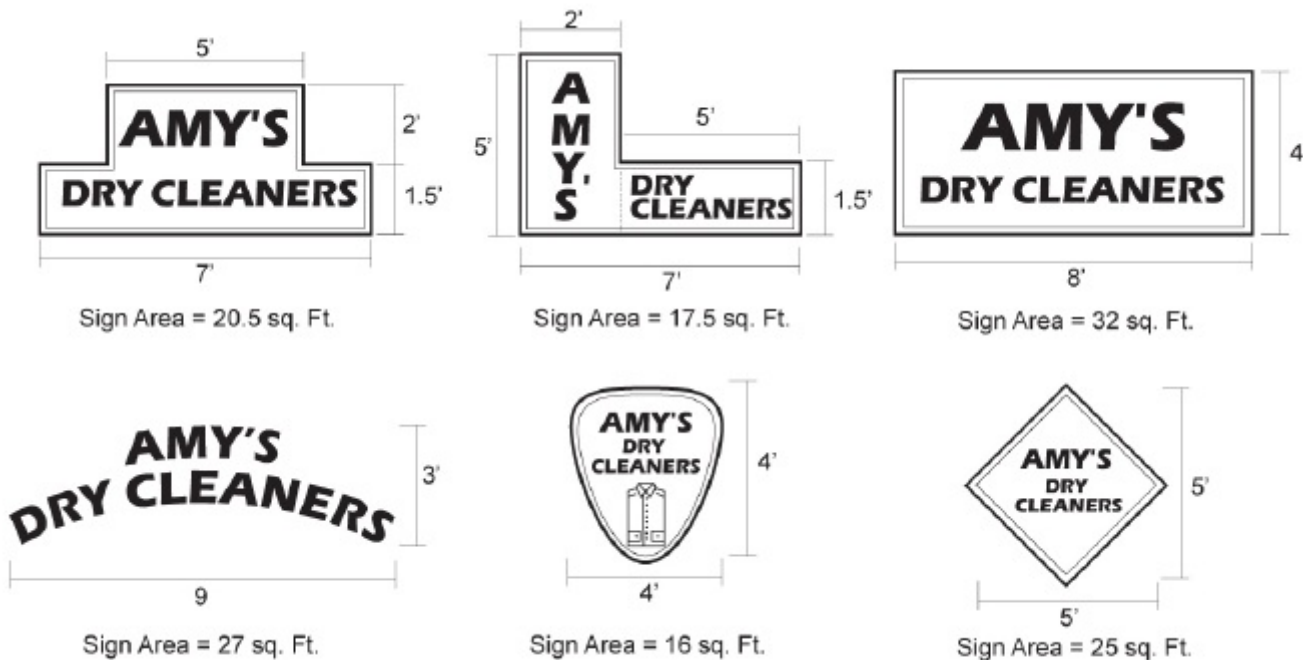


Figure 3-12
Measurement of Sign Area



(Ord. 935 § 3 (part), 2015)

10.34.060 Permit Required.

A. General. Except as otherwise provided in this Chapter, no sign shall be altered, replaced, erected, constructed, or attached on buildings, structures, or property until a sign plan application, on a form designated by the City, has been approved by either the Director or Commission, as set forth in this Section. The Director may request additional information to ensure compliance with this Chapter and other provisions of the La Puente Municipal Code.

B. Signs Requiring Commission Approval. The following signs shall be subject to review and approval by the Commission.

1. Master sign program;
2. Freestanding signs over six feet in height;
3. Murals;

4. Painted wall signs;

5. Electronic Display Billboards;

C. Signs Requiring Director Approval. The following signs are subject to review and approval by the Director.

1. Signs to be placed on structures for which a master sign program is not required;

2. Signs consistent with an approved master sign program;

3. Temporary signs;

4. Signs erected on a property for the purpose of providing information regarding direction to and/or identification of businesses and/or residences on that site;

5. Any other nonexempt sign not subject to Commission review and approval;

D. Time for Review.

1. For those signs subject to review by the Director, the Director shall review the sign plan application within 15 calendar days after the application has been deemed complete and shall make a determination to approve, conditionally approve, or deny the application unless the applicant has requested or received authorization for an extension of time.

2. For those signs subject to review by the Commission, the Commission shall review the sign plan application or master sign program within 60 days after the application has been deemed complete and shall make a determination to approve, conditionally approve, or deny the application unless the applicant has requested or received authorization for an extension of time.

3. For any sign plan application or master sign program submitted in conjunction with another discretionary application pursuant to this Zoning Code, the time period for action for the sign application shall be the same as that associated with the other application.

E. Required Findings for Approval.

1. The Director or Commission, as applicable, shall approve a sign application or master sign program if the following findings can be made:

a. The sign plan or sign program meets the requirements and sign design standards set forth in this Chapter; and

b. The sign plan or sign program is compatible with development on the subject property and developments in the immediate vicinity of the subject property, and does not detract from the character or quality of surrounding properties.

2. In reaching a decision, neither the Director nor the Commission shall be bound by the formal rules of evidence.

F. Appeals.

1. Any decision by the Director or the Commission under this Chapter may be appealed pursuant to the applicable provisions of Chapter 10.114 (Appeals).

2. Following exhaustion of all available appellate procedures within the City, any appellant may seek judicial review of the City's final decision pursuant to California Code of Civil Procedure Section 1094.5. This provision does not limit an applicant's or appellant's ability to seek judicial review by other means. (Ord. 935 § 3 (part), 2015)

10.34.070 Exempt Signs and Sign Maintenance Activities.

A. Exempt Signs. The following signs shall not require approval of a sign application, provided that any such sign identified in this Section is erected and maintained in compliance with the provisions of this Chapter. The City has determined that such exemptions are appropriate, as the signs described in this Section are incidental to the identification of an allowed business or similar use of a property and are generally erected for purposes of providing information to the public that is temporary or seasonal in nature, assisting with the safe movement of persons and vehicles, and providing information that promotes general public health, safety, and welfare. Such signs or actions related to signs shall not be counted toward the allowable sign area for signs requiring permits or other discretionary approvals by the City.

1. Copy changes on an approved changeable copy sign.

2. Signs advertising a property for sale, lease, or rental, subject to the provisions set forth in Section 10.34.080 (Regulations for Exempt Signs), below.
3. Signs erected by a property undergoing construction or remodeling of an approved project, subject to the provisions set forth in Section 10.34.070 (Regulations for Exempt Signs), below.
4. Signs erected by a property management company on property it manages, provided that no such sign is greater than 12 square feet in area and no more than one such sign is placed on any one property.
5. Signs provided on a property for the purpose of directing safe vehicle and pedestrian movement on such property.
6. Signs on property where there is a yard sale taking place in compliance with Section 5.50.070(f) of the Municipal Code, and provided such signs comply with the provisions of Chapter 5.50.
7. Flags, provided that the flag is not greater than 24 square feet in area, the flagpole does not exceed the maximum building height permitted of the zone in which the flag is erected, and no more than two flags are flown.
8. Plaques or markers, as authorized and approved as to materials and size by the Council and installed by the City or an authorized entity, identifying a historic place or event.
9. Public utility signs identifying underground or aboveground facilities, cables, conduits, or potentially hazardous conditions, provided that such signs do not exceed six square feet in area.
10. Any sign required by an applicable Federal, State, or local law regulation or ordinance.
11. Seasonal and temporary holiday decorations, provided they are removed within 10 days following the end of the holiday.
12. Tivoli lights, provided they do not advertise goods or services for sale, lease, or rent.
13. Lights used as architectural accents on a structure and clearly not depicting a message or advertising a product or service.
14. Non-illuminated noncommercial message signs not exceeding 24 square feet in area and six feet in overall height, and placed a minimum distance of five feet from the property line.
15. Street address (number) signs, building identification signs, business tenant signs, and nameplates on residences and business locations, provided such signs do not exceed three square foot in area, are limited to one sign per property, and are pedestrian oriented.
16. Signs erected by a public agency that provide for the safe and efficient control of traffic and parking, or for the notification of essential government services.
17. Safety and emergency signs erected by a public agency.
18. Non-Commercial Signs.

B. Exempt Sign Maintenance Activities. The ordinary maintenance and minor repairs of signs that do not involve replacement, alteration, reconstruction, relocation, or expansion shall be exempt from the permitting requirements of this Chapter. However, building permits and or electrical permits may be required for certain maintenance and/or minor repairs. (Ord. 935 § 3 (part), 2015)

10.34.080 Regulations for Exempt Signs.

A. Signs on Property for Sale, Lease, or Rental. Signs on property for sale, lease, or rental are allowed in all zones subject to the following requirements:

1. Location. Except as otherwise provided in this Section, signs on property for sale, lease, or rental may only be posted on the property which is for sale, lease, or rental. The sign may be mounted on the building wall.
2. Number. One unlighted, wall-mounted or freestanding sign on property for sale, lease, or rental is permitted for each street frontage.
3. Allowable Sign Area.
 - a. In a single-family residential zone, signs on property for sale, lease, or rental shall not exceed six square feet per sign face. In a multiple-family residential zone, signs on property for sale, lease, or rental shall not exceed 12 square feet per sign face.

b. In commercial or industrial zones, signs on property for sale, lease, or rental shall not exceed a total of 24 square feet on any street frontage or 48 square feet in total sign area on the site.

4. Height.

a. Wall-mounted signs on property for sale, lease, or rental shall not extend above the highest point of a parapet wall or the lowest point of a sloping roof.

b. Freestanding signs on property for sale, lease, or rental shall not exceed five feet in height from finished grade in residential zones, and not more than eight feet in height from finished grade in commercial or industrial zones.

5. Time Limits. All signs on property for sale, lease, or rental shall be removed from the premises within seven days after the property or tenant space has been rented, leased, or sold.

B. Signs on Property Undergoing Construction or Remodeling. Signs on property undergoing construction or remodeling are allowed in all zones subject to the following:

1. Location. The sign may only be posted on the property that the sign is intended to advertise except as otherwise provided in this section. The sign shall be not less than ten feet from any property line, except if the subject property has a setback area that is less than ten feet from the property line, the sign may be placed one-half the distance between the existing building and the property line or the sign may be mounted on the building wall.

2. Number. One unlighted, wall-mounted or freestanding such sign is permitted for each street frontage.

3. Allowable Sign Area.

a. In any residential zone, a sign on a property undergoing construction or remodeling shall not exceed a total of 12 square feet on any street frontage or 24 square feet in total sign area on the site in any residential zone.

b. In any commercial or industrial zone, a sign on a property undergoing construction or remodeling shall not exceed a total of 48 square feet on any street frontage or 96 square feet in total sign area on the site in any commercial or industrial zone.

4. Height.

a. Wall-mounted signs on a property undergoing construction or remodeling shall not extend above the highest point of a parapet wall or the lowest point of a sloping roof.

b. Freestanding signs on a property undergoing construction or remodeling shall not exceed eight feet in height from finished grade in residential zones, and not more than 10 feet in height from finished grade in commercial or industrial zones.

5. Time Limit. Any sign on a property undergoing construction or remodeling shall be removed within seven days after the City has issued a certificate of occupancy.

C. Signs Erected by Property Management on a Property It Manages. Signs erected by property management on a property it manages are allowed in all zones subject to the following:

1. Location. Such sign shall only be posted on a building wall facing a public street.

2. Number. One such allowed sign is permitted for each property.

3. Allowable Sign Area.

a. In residential zones, such sign shall not exceed a total of four square feet.

b. In commercial or industrial zones, such sign shall not exceed a total of six square feet.

4. Height. Such sign shall not extend above the highest point of a parapet wall or the lowest point of a sloping roof.

5. Time Limit. Such signs shall be removed within seven days after the person/firm indicated on such sign is no longer responsible for the management of the property and/or building.

D. Signs Erected for Providing Safe Vehicle and Pedestrian Movement. Signs erected on a property for the purposes of providing safe vehicle and pedestrian movement shall be subject to the approval of the Director in a number and location deemed necessary for the site. However, no sign permit shall be required. Such signs may be attached to building walls or freestanding, but in no event shall such signs exceed six square feet in sign area. Freestanding signs providing for safe vehicle and pedestrian movement shall not exceed

four feet in height.

E. Non-Commercial Signs.

1. Non-commercial shall be permitted in all zones in the City.
2. Non-commercial signs shall not be posted in or on any of the following:
 - a. The public right-of-way;
 - b. Utility poles;
 - c. Street lights;
 - d. Within five feet of the curb face or edge of street for properties that do not abut a sidewalk;
 - e. Any other location prohibited under any federal, state, or local law, rule or regulation.
3. Non-commercial signs shall be removed within 10 calendar days after the date of the event for which the sign was erected.
(Ord. 935 § 3 (part), 2015)

10.34.090 Prohibited Signs.

A. General. Signs that are not specifically permitted by this Chapter are prohibited.

B. Electronic Signs. No sign shall have blinking or flashing lights, nor lighting that changes periodically or gives the appearance or impression of movement, nor a composition partially or wholly comprised of electronic or other lights, nor contain moving parts or give the impression of movement, except the following:

1. Permitted electronic readerboards displaying noncommercial messages;
2. Barber pole signs;
3. Electronic Display Billboard permitted pursuant to Section 10.34.170 (Electronic Display Billboards).

On-premises electronic signs with changeable commercial messages are specifically prohibited.

C. Signs with Exposed Lighting. Signs with exposed bulbs or tubing are prohibited, except neon or similar gas signs.

D. Vehicle-mounted Signs. Vehicle-mounted signs which have the sole purpose of on-site or off-site advertising which are not part of the operations of the business being advertised (e.g. company car, work truck, and delivery vehicles) are prohibited, except for the following:

1. Automobile, truck, or equipment dealerships or rental agencies, and where such sign only displays information associated with such dealership or agency; and
2. Where the sign is permanently or magnetically attached or painted on the vehicle and not attached or painted in a manner to render the vehicle or a door, window, hood, trunk, or tailgate of that vehicle immovable, unsafe, unusable, or in violation of the California Vehicle Code.

E. Cabinet Signs. Upon the effective date of the ordinance establishing this section, no new cabinet signs shall be permitted.

F. Other Prohibited Signs.

1. Signs dispensing or emitting bubbles, smoke, steam, or free-floating particles of matter.
2. Noise-emitting devices, flares, twirlers, propellers and similar devices that attract attention by loud noises, bright lights, or movement.
3. Lasers, search lights, spotlights or other light sources that project light into the sky, onto adjacent properties or rights-of-way are prohibited. Light sources that project light into the sky may be permitted in conjunction with an approved temporary use permit.
4. Inflatable devices and signs, with or without a commercial message, except for seasonal or holiday decorations on residentially zoned properties.

5. Statues used for advertising.
6. "A-frame" signs and portable signs.
7. Any permanent sign located on any roof.
8. Paper signs, posters, or other signs of similar construction located on the exterior of any structure.
9. Light bulb string lights used as advertising, except Tivoli or holiday lights. (Ord. 935 § 3 (part), 2015)

10.34.100 General Development Standards for All On-site Signs.

- A. Location. All signs and/or other advertising shall only be located on the same lot, parcel of land, property, or premises with the structure or use for which such signs or other advertising are intended to serve, except as permitted pursuant to Section 10.34.070.A (Exempt Signs) and permitted Electronic Display Billboards pursuant to Section 10.34.170 (Electronic Display Billboards).
- B. Restricted from Public Rights-of-Way. All signs and/or other advertising shall not project or be located within any portion of a public right-of-way, except as otherwise specifically provided for in this Chapter.
- C. Landscape Area Required. Freestanding signs shall be located within a landscaped planting area.
- D. Electrical Equipment. Any electrical service provided for signs and/or other advertising shall be installed and located underground and shall be completely concealed from exterior exposure.
- E. Uniform Style for Identification Signs. Building identification signs within an integrated development shall be designed to be uniform in location, design, and construction. (Ord. 935 § 3 (part), 2015)

10.34.110 Open Space Zone - Number of Allowed Signs and Allowable Sign Area.

The following sign regulations apply to the O zone.

- A. Street-oriented freestanding signs designed and intended to be visible and read by motorists on a major or secondary highway, as defined by the Circulation and Infrastructure Element of the La Puente General Plan, are allowed on properties with a minimum frontage of 500 feet on such highway.
- B. The freestanding sign shall be no greater than 250 square feet in area and 25 feet in height.
- C. The freestanding sign shall be located at a distance from the public right-of-way that is not less than five feet. In addition, the sign shall not be less than five feet from any adjacent property, except if such adjacent property is in a residential zone, the minimum setback shall be 15 feet. (Ord. 935 § 3 (part), 2015)

10.34.120 Residential Zones - Number of Allowed Signs and Allowable Sign.

- A. Tenant Identification Signs - R-2, R-3, and R-4 Zones Only. One tenant identification wall sign is allowed in the R-2, R-3, and R-4 zones on each building within a complex, subject to the limitations set forth in Table 3-10. Any such sign shall count toward the total of the maximum permitted sign area.

TABLE 3-10 TENANT SIGNS ALLOWED IN R-2, R-3, AND R-4 ZONES	
Number of dwelling units in a building	Permitted area per structure (in square feet)
Up to 5	6
10 or more	12

B. Development Identification Sign - All Residential Zones. For any residentially zoned property in any zone having 200 linear feet or more of property frontage on a street, one street-oriented monument sign on that street frontage is allowed to identify the development, subject to the following requirements. Any such sign shall count toward the total of the maximum permitted sign area.

1. The sign shall not exceed a height of five feet.
2. The sign face shall not exceed a total of 25 square feet in area.
3. In no case shall the sign be located less than five feet from any driveway entrance/exit or public right-of-way or 20 feet from any adjacent property.
4. The street address numbers of the property(ies) represented by the sign shall be included on all faces of the monument structure in four-inch high numerals. The area required for the numerals shall not be counted towards the maximum permitted sign area.
5. Such sign shall incorporate architectural elements, materials, and colors of the building(s) it represents. Exposed support posts, angle irons, conduits, cables, or other similar structural and electrical elements shall not be allowed. If the architectural features, color, or exterior materials of the building(s) are changed, the sign structure shall be similarly changed.
6. The location of such sign shall be subject to the review and approval of the Director.

C. Signs for Providing Safe Vehicle and Pedestrian Movement. For developments on sites five acres or larger in size, signs provided for the safe movement of vehicles and pedestrians are allowed subject to the approval of the Director with regard to the number, size, and location of such signs deemed necessary for the site. In no event shall any single such sign exceed 25 square feet in sign area and four feet in height.

D. Bulletin Boards in All Residential Zones - Places of Religious Assembly, Charitable and Education Use, and Multi-family Residential Developments. On any property in a residential zone on which a place of religious assembly, charitable or educational use, or multi-family residential building has been established, a maximum of one freestanding or wall-mounted bulletin board sign may be erected and maintained, subject to the following requirements:

1. The bulletin board shall not be located on any area on the property visible from a public right-of-way.
2. The bulletin board shall not exceed eight feet in height.
3. The sign face shall not exceed 50 square feet in area. (Ord. 935 § 3 (part), 2015)

10.34.130 Commercial and Industrial Zones - Number of Allowed Signs and Allowable Sign Area.

The following sign regulations apply to the C-1, C-2, and CM zones.

A. Freestanding Signs (Monument and Pylon).

1. Number, Size, and Height. The maximum number, size, and height of street-oriented freestanding signs shall be based upon the length of the street frontage of the property, center, business park, or cohesive business complex designed and functioning as one development. Signs erected for such development shall be regulated as established in Table 3-11.

TABLE 3-11 FREESTANDING SIGNS				
Street Frontage	Number of Sign Structures - Maximum	Maximum Area per Side per Sign	Maximum Height per Sign	Type of Sign Structure Allowed

0-199 feet	1	50 sf	8 ft.	monument
200-299 feet	1	100 sf	15 ft.	monument
	2	50 sf	8 ft.	monument
300-499 feet	1 or	200 sf	25 ft.	pylon
	2 or	125 sf	15 ft.	monument
	3	75 sf	10 ft.	monument
500-999 feet	1 or	250 sf	25 ft.	pylon
	2 or	200 sf	20 ft.	pylon
	3	125 sf	15 ft.	monument
1,000 feet or more	3 or	250 sf	25 ft.	pylon
	4 or	200 sf	20 ft.	pylon
	5	125 sf	15 ft.	monument

2. Location Relative to Right-of-Way and Adjacent Property. Allowed signs shall be located minimum of five feet from any public right-of-way and a minimum of five feet from any adjacent property. Where the adjacent property is in a residential zone, the minimum setback shall be 15 feet.

3. Multiple Tenant Signs. On a street-oriented freestanding sign advertising multiple tenants, the minimum size of a single tenant's portion of such sign shall be not less than twelve 12 square feet in area.

4. Design of Street-Oriented Signs. All street-oriented freestanding signs and sign structures shall incorporate architectural elements, materials, and colors of the building(s) to which they relate. Exposed support posts, angle irons, conduits, cables or other similar structural and electrical elements are not permitted. If the architectural features, color, or exterior materials of the building(s) are changed, the sign structure shall be similarly changed.

5. Street Address Required on Monument Signs. The street address number(s) of the property(ies) represented by a monument sign shall be included on all faces of the monument structure in six-inch high numerals. The area required for the numerals shall not be counted towards the maximum permitted sign area.

B. Directory Signs. Directory signs are allowed only on properties, centers, or business parks exceeding five acres in size. Such signs shall be subject to the approval of the Director with regard to the number, size, and location. In no event shall any single directory sign exceed 50 square feet in sign area and eight feet in height.

C. Drive-through Business Signs. Drive-through businesses are allowed a maximum of two additional outdoor freestanding or wall-mounted menu board signs for the purpose of advertising services rendered or products sold on the premises. Each individual sign shall not exceed 40 square feet in area, or 60 feet combined area, and shall not exceed eight feet in height measured from finished grade. See also 10.50.090 (Menu and Drive-up Boards).

D. Signs on Buildings.

1. Tenant Identification Signs. Any tenant identification wall sign erected after the effective date of this Chapter in an existing multiple-tenant development shall comply with the following standards unless the property owner or designee applies for and is granted approval of a master sign program pursuant to Section 10.34.140 (Master Sign Programs).

a. Each tenant space is allowed one tenant identification wall sign on each side of the building facing a public street or parking

facility for the building or where the main entrance is located. Each sign shall not exceed one square foot of sign area for each linear foot of such side of the building. In no case shall a tenant identification sign exceed 200 square feet in total area.

b. In addition to the main tenant identification wall sign, for each building wall visible from a public street, alley, or parking facility, a secondary tenant identification wall sign is allowed for every 50 linear feet of building wall. Each sign shall not exceed one-half square foot of sign area for each linear foot of building wall, nor shall the sign area of each sign exceed 50 square feet.

c. Tenant identification wall signs shall be attached parallel with the building wall or building fascia and shall not project more than 18 inches from the wall on which they are mounted. Tenant identification wall signs shall consist of individually attached letters no greater than 18 inches in height centered on the wall to which they are attached. Such signs shall not exceed 70 percent of the width of the respective tenant space and shall be centered vertically and horizontally in a sign band. The sign shall not project above or below the wall or building fascia upon which the sign is attached and shall maintain a minimum clearance of not less than eight feet above finished grade. If the sign is overhanging a driveway, it shall maintain a minimum clearance of not less than 16 feet above finished grade.

d. The copy on tenant identification wall signs shall consist of individual letters attached to the building wall, including but not limited to channel letters and raised letters other signs involving one-piece panels may be considered. Such signs shall include scalloped edges, rounded corners, or similar design features to avoid a box-like appearance. If necessary to provide reasonable sign area, such signs may project above or below fascia surfaces subject to the approval of the Director.

h. Sign color is limited to a maximum of three colors unless the use of corporate color schemes or logos dictates the use of more than three colors.

i. A maximum of two lines of copy is permitted, unless the configuration of a sign dictates that more than two lines of copy be used. Sign copy shall be placed on a horizontal line except if a corporate logo includes copy that is placed on other than a horizontal line.

2. Projecting Signs. In addition to tenant identification wall signs permitted above, projecting signs may be allowed subject to the following requirements:

a. Projecting signs are allowed only as a secondary identification sign and are only permitted on walls of buildings within five feet of a public right-of-way.

b. One projecting sign is allowed only at or near each public entrance to the building.

c. Each projecting sign shall not exceed a maximum of four square feet in area.

d. Projecting signs shall be placed perpendicular to the building wall and shall not extend above the level of the eave of a sloped roof or the highest point on a flat roof.

e. Projecting signs and their supports shall not project more than three feet from the wall to which they are attached and shall not project over the public right-of-way.

f. Projecting signs shall maintain a minimum vertical clearance of not less than eight feet from finished grade.

g. The design, materials, and colors of the projecting sign and sign supports shall complement the style of the building and shall be consistent with design guidelines adopted by the City.

3. Address Signs Required. All building tenant spaces shall display the number of the building address on the building wall, window, or door above or next to the main entrance. In no case shall the numerals and letters be less than four inches in height. The area required for the numerals shall not be counted towards the maximum permitted sign area.

4. Awning Signs. The following regulations shall apply to awning signs.

a. Awning signs shall only be located on valance panels that are horizontal or nearly horizontal. Such sign shall maintain a minimum clearance of not less than eight feet over any public or private sidewalk or walkway and 16 feet over any driveway.

b. Not more than two awning signs are permitted per side of a building.

c. Awning signs shall not exceed a total area of four square feet, and copy shall not exceed eight inches in height.

5. Marquee Sign. A maximum of two marquee signs for movie or theater uses are allowed subject to the following provisions.

a. For single-screen motion picture theaters and live performance theaters, each sign area shall not exceed 60 square feet per

sign face. For a multiple-screen motion picture theater, the sign area shall not exceed 20 square feet per screen, up to a maximum of 200 square feet per sign face;

b. Marquee signs can have a manual changeable copy or electronic changeable copy.

c. The height of the letters shall not exceed 24 inches.

d. The marquee sign shall not project above the parapet or roof eaves along the wall in front of which it is erected.

e. The content shall be limited to identification of the theater, the movie or other entertainment being offered at that location, the sale of any service or product available on that premises, and any other activity or sale associated with the premises. No off-site advertising shall be allowed.

6. Service Station Price Signs. Service station price signs shall consist of either a monument sign or wall sign and are subject to the following requirements. Service station price signs can have a manual changeable copy or electronic changeable copy. The sign area for price signs shall not count toward the maximum allowable sign area.

7. Monument Sign.

a. The price sign shall be no more than 20 square feet in area and five feet in height from finished grade.

b. The price sign shall be located so as not to impede the vision clearance triangle required by Section 10.24.030 (Vision Clearance Triangle at Intersections) and in no case less than five feet from a public right-of-way. In addition, the sign shall be located wholly on the property within a landscape planter.

c. No more than one service station price sign is allowed on each street frontage.

8. Wall Sign. Wall-mounted price signs may be allowed on sides of buildings facing a public street in lieu of monument signs. Such signs shall be no more than 20 square feet in area.

9. Signs for Outdoor Uses. Uses that are not typically or reasonably conducted indoors and are allowed as outdoor uses per Chapters 10.12 (Commercial Zones) and 10.14 (Commercial-Manufacturing Zone) may maintain the following signs and devices.

a. Advertising signs for outdoor displays of vehicular merchandise such as automobile, truck, and equipment sales and rental agencies are subject to the following limitations.

b. The sign shall be located on, and if applicable, supported by the object being advertised and shall not exceed the dimensions of such object or project above such object.

c. The sign shall only apply to the object to which the sign is attached or placed upon. Messages that are divided into segments and displayed on separate items in tandem in order to provide a larger sign message are not allowed.

10. Flags, pennants, streamers, and banners may be displayed subject to the following requirements.

a. Flags, pennants, streamers, or banners shall not be attached to trees or other landscaping elements, shall be maintained and supported entirely out of public rights-of-way, and are allowed above, in, or immediately surrounding the area where products are displayed outdoors.

b. No flag, pennant, streamer or banner may be attached to a structure that has been erected for the express purpose of supporting such devices.

c. Flags, pennants, streamers, and banners shall be well maintained. If torn, missing, faded or otherwise in poor condition, the advertising device shall be immediately removed or replaced.

d. Flags, pennants, streamers, and banners shall be removed immediately upon the termination of the use for which such advertising devices were intended.

e. The Director shall approve the sign plan application prior to the display of any flags, pennants, streamers or banners. In addition to the findings set forth in Section 10.34.060.E, the application may be denied if the number, size, and/or density of the signs being displayed are excessive so as to distract or interfere with pedestrian or vehicular traffic.

E. Permanent Window Signs. The following regulations shall apply to permanent window signs.

1. Permanent window signs are permitted on glazed window and glazed door areas located on the first floor of a building. Such signs must consist of professionally designed and produced decals. No painted permanent window signs are permitted.

2. There is no limit on the number of signs. However, the total area of all such signs on any one building face shall not exceed 25 percent of the total window area of that building face or a total of 40 square feet on that building face, whichever is lesser. No portion of any window sign shall be located higher than 10 feet above the grade adjacent to the window on which such sign is located.

3. For purposes of public safety, window signs shall not be placed in a manner whereby the view into a tenant unit at eye level (approximately five feet) from outside a window is substantially obstructed.

4. Lighted and scrolling LED or similar signs are permitted, provided such signs comply with the provisions of this subsection.

F. Outdoor Murals. Outdoor murals may be permitted subject to the review and approval of the Commission. The review by the Commission is not intended to restrict artistic expression but to ensure that such mural is consistent with the following guidelines.

1. A mural shall not be located on a structure or in a district on the State or National Register of Historic Places, unless such mural was originally produced as part of that structure.

2. A mural shall be located on a uniform wall surface that is of a single continuous plane and surface material. The mural shall be centered and/or framed by the architectural features of the wall on which it is located.

3. The mural shall not advertise or depict products or services that are offered for sale, lease, or rent on the property on which it is located.

4. The maintenance of a mural shall be the responsibility of the owner of the property upon which the mural is located. (Ord. 935 § 3 (part), 2015)

10.34.140 Master Sign Programs.

A. Purpose and Intent. Master Sign Programs are intended to provide for uniformity and design consistency within commercial or industrial developments. A Master Sign Program may include standards, criteria, and guidelines that are more restrictive than the requirements of this Chapter. As an incentive to creating signage that is well designed, attractive, appropriately proportioned, and architecturally compatible with the buildings on the site on which the signs are to be located, an approved Master Sign Program may allow for more flexibility with regard to sign area, number, or height of signs than what is otherwise permitted under this Chapter.

B. Applicability of Master Sign Program to New Developments. A Master Sign Program is required for multiple-tenant developments with four or more tenants.

C. Applicability of Master Sign Program to Existing Developments. Any existing single-tenant development located in a commercial or industrial zone which is converted for occupancy by four or more tenants sharing the same building or parking facilities is considered a new development project for the purposes of this section. No new or additional signs, other than temporary signs, shall be installed prior to the approval of a Master Sign Program.

D. Application; Approval by Director Required.

1. An application for a Master Sign Program shall be filed on forms provided by the Director and fees paid pursuant to a fee schedule adopted by Council resolution. The Director may act to approve, approve with conditions, or deny a Master Sign Program application.

2. If the applicant, pursuant to subparagraph A above, requests modifications to the sign standards contained in this Chapter 10.34, the application shall clearly state and illustrate the justification for such modification. In granting an approval for a Master Sign Program with modifications to the sign standards, the Director, or the Commission or Council on appeal, shall be required to make the following findings:

a. That the Master Sign Program complies with all applicable provisions of the General Plan and the purposes of this Chapter 10.34;

b. That the Master Sign Program provides for well-designed, attractive, and appropriately proportioned signage that is architecturally compatible with the buildings on the site; and

c. That signage erected and maintained pursuant to the Master Sign Program will not adversely affect adjacent properties and uses with regard to size, placement, or illumination. (Ord. 935 § 3 (part), 2015)

10.34.150 Temporary Signs.

A. Temporary Signs - General. The temporary signs identified in subsection C, below, are permitted in all non-residential zones subject to the requirements stated in subsection C. All temporary signs, with the exception of temporary window signs, shall require the issuance of a temporary sign permit by the Director in accordance with procedures established by the Director and in accordance with subsection B, below.

B. Permit Approval Required.

1. Prior to the erection or use of any temporary sign as set forth in this Section, a temporary sign permit shall be obtained from the Director. If the application is submitted after the temporary signs have been erected, the fee charged shall be 150 percent of the permit fee.

2. A permit for a temporary sign shall not be issued for the same business or permittee more than six times in any one calendar year.

3. The applicant shall submit a detailed site plan and/or elevation indicating the proposed location of such temporary signs. The display of temporary signs shall not obstruct the visibility of the businesses or authorized signs on the site, nor shall the temporary sign obstruct the temporary signs of other businesses on the same site.

C. Permitted Temporary Signs.

1. Banners and Pennants.

a. One banner is permitted for each tenant space, except that corner tenant spaces or freestanding single-occupant structures may maintain a maximum of two banners, which shall be displayed on separate sides of the building at any one time. Pennants may be substituted for banners.

b. Individual banners shall be limited in size to a maximum of 50 square feet.

c. A banner shall be attached to, and parallel with, a wall of the structure to which it is related, except where there are no structures involved, such as temporary outdoor events, carnivals, or outdoor promotional sales. In no case shall banners be suspended between separate structures.

d. No one business shall be allowed to display a banner or banners for more than 90 days per calendar year.

e. A business may erect a temporary sign consisting of a banner on a commercial or industrial property where a new business is opening or has opened at that property where the sign is displayed. Such sign shall not exceed a total sign area of 50 square feet and shall be securely affixed to the structure in which the business being advertised is located. Such sign shall not be displayed for more than any one 90-day period.

f. Notwithstanding the above, banners are permitted on freestanding light poles within commercial centers that are 10 acres or more in area, with the banners limited to providing identity of the center or to promote special events, community events, or holidays.

2. Balloon Displays.

a. Balloon displays are limited to air or helium-filled balloons that are individually not larger than three and one-half cubic feet in volume. Such balloons shall not extend beyond 10 feet from the point of attachment and shall not interfere with pedestrian or vehicular traffic.

b. No more than one balloon for each lineal foot of street frontage is allowed.

c. No one business shall be allowed to maintain a balloon for more than 90 days per calendar year.

3. Temporary Window Signs. Temporary window signs shall not exceed 25 percent of the window area of the window in which they are placed and for the purposes of public safety, shall not be placed or extend higher than five feet above the grade adjacent to the window on which such sign is located.

4. Hand-Held Sign.

a. Commercial hand-held signs shall not be displayed within any public right-of-way.

b. Commercial hand-held signs on private property are allowed where a business is holding a promotion or sales event and where all required business licenses and/or permits have been issued.

c. Off-site hand-held signs are prohibited.

5. Other Temporary Signs. Other temporary signs that are not prohibited may be allowed with approval of a Temporary Sign Permit, subject to review by the Director and in accordance with criteria established by the Director. Such temporary signs shall not occupy required parking spaces, impede required pedestrian travel, or impede required vehicular access to and from the property or within the property. (Ord. 935 § 3 (part), 2015)

10.34.160 Signs Utilizing Non-Roman Alphabet.

A. Public Safety Necessity. The City recognizes the importance of signs for advertising business locations and services. An equally important function of signs is identifying businesses and locations clearly in a manner to emergency services and response personnel that allows them to provide a high degree of public safety protection. In recognition of this latter important function of signs, the City establishes the standards set forth in this Section.

B. Requirement for Supplementary English Language Characters. Every sign larger than four square feet of surface area erected in connection with any business within the City of La Puente which utilizes any non-Latin/Roman letters, symbols, or characters in 50 percent or more of its advertising message and in lettering readable from the nearest public street, shall be considered to be a non-English language sign. Each non-English language sign shall contain, at a minimum, a generic description written in English of the nature of such business, legible from the nearest public street. (Ord. 935 § 3 (part), 2015)

10.34.170 Electronic Display Billboards.

A. Purpose and Intent. These provision regulate the establishment, operations, and maintenance of Electronic Display Billboards, as defined in 10.34.050. The City recognizes that Electronic Display Billboards can serve a community purpose through the generation of revenue for the City, for the advertising of products and services that may be of interest to community members, and for the provision of a medium to display public service announcements and emergency messages.

B. Applicability. This Section applies to all Electronic Display Billboards in the City as follows:

1. The provisions of this Section are in addition to any standards or other regulations imposed by the required Development Agreement. However, where any standard(s) imposed by the required Development Agreement conflict with the general standards specified in this Section, the standards imposed by the Development Agreement shall prevail. In no case, however, shall the required Development Agreement allow for deviations from subsections D, F and I below.

2. No Electronic Display Billboard shall be erected or maintained that does not comply with the provisions of this Section and any other applicable statutes or laws.

3. In the event of direct and irreconcilable conflict between any provisions of this Section and any other provisions of Chapter 10, or any other provisions contained in the Municipal Code, the more restrictive requirements shall govern.

C. Application: Development Agreement Required.

1. Development Agreement. A Development Agreement, prepared and adopted in compliance with Section 65864 et seq. of the Government Code and the City's Code, shall be required to allow an Electronic Display Billboard.

2. Mandatory Contents of Development Agreement. Each Development Agreement to permit an electronic display billboard considered by the City shall, at a minimum, contain language addressing the following:

a. Annual, quarterly, and/or monthly fees and other public benefits to be conveyed to the City. The City's intent and objective in requiring the payment of fees is to compensate for the aesthetic impact on the community associated with the presence of off-site signs.

b. Any allowed deviations from the development standards established in subsection E, below.

c. The amount of time each day dedicated to public service announcements, at no cost to the City.

d. Terms requiring periodic review of the Development Agreement, as may be required by law or otherwise established by the City.

3. Method of Review and Approval. The Development Agreement shall be filed, processed, reviewed, and approved or denied in

compliance with Chapter 10.118 (Development Agreements). In addition, the following procedures shall be required:

a. The Development Agreement shall be filed with the Development Services Department, along with applicable fees, on forms provided by the Department.

i. The application shall be accompanied by accurate architectural renderings and elevations of the proposed electronic display billboard, as well as a scaled plot plan and elevations showing the locations of all existing structures and improvements on the subject property, and the proposed electronic display billboard.

ii. At the time of filing the application, the applicant shall pay a filing fee in compliance with a Council approved resolution. This fee shall be in addition to any other required fees relative to development of the property and shall be for the purpose of defraying the costs associated with City review and action on the application.

b. The Commission may recommend approval and the Council may approve the Development Agreement for an Electronic Display Billboard if all of the following finding can first be made:

- i. The proposed Electronic Display Billboard is to be located in an appropriate area as defined by subsection E, below;
- ii. The proposed Electronic Display Billboard is placed on its site in the least visually impacting manner;
- iii. The subject Development Agreement contains appropriate language addressing revenue for the City;
- iv. The proposed Electronic Display Billboard complies with all of the applicable development standards specified in subsection E, below, unless modified through the Development Agreement, as well as all applicable Federal, State, and local laws;
- v. The placement of the proposed Electronic Display Billboard will not obscure or otherwise visually impact any Council-designated historical buildings;
- vi. The placement of the proposed Electronic Display Billboard will not adversely affect residential use of property; and
- vii. The placement of the proposed Electronic Display Billboard will not pose a traffic hazard.

c. The Commission may recommend and/or the Council may impose additional conditions as are deemed reasonable and necessary to ensure that the Electronic Display Billboard is consistent with the General Plan, compatible with surrounding land uses, meets the provisions and intent of Chapter 10, minimizes potential traffic hazards, and otherwise protects the public health, safety, and general welfare.

D. Location: Where Permitted and Prohibited.

1. Electronic Display Billboards shall only be permitted on City-owned property (as defined in Section 10.132.040 of this Code) in any nonresidential zone or within the Downtown Specific Plan area.

2. No Electronic Display Billboards shall be located any closer than 1,500 linear feet of another electronic display billboard, as measured from the centerline of each support structure.

3. No Electronic Display Billboard shall be permitted on or overhanging the roof of any building.

E. Development Standards.

1. Sign Face Dimensions. The Electronic Display Billboard display area shall not exceed 672 square feet, exclusive of border, trim, and other special advertising features of additions.

2. Height. Unless permitted pursuant to the terms of the Development Agreement, the maximum overall height of Electronic Display Billboards shall not exceed 36 feet, measured from the finished grade of the Billboard structure's base to the top of the billboard structure.

3. Support Structure. All proposed Electronic Display Billboards shall be designed to have a single cylindrical column support, and shall be structurally sound and designed with consideration to seismic safety. Billboard faces shall be in line with the support structure, and no cantilevered design will be approved.

4. Cutouts and Attachments. No cutouts or attachments shall be permitted, unless permitted pursuant to the terms of the Development Agreement.

5. Double-faced Signs. Bidirectional or double-faced Electronic Display Billboards shall be located on the same cylindrical column structure and shall be restricted to the following:

a. The distance between sign faces shall not exceed eight feet ; and

b. Electronic Display Billboard faces located on the same structure shall be positioned back-to-back (i.e., their backs shall be parallel to each other) and within five degrees of perpendicular to the roadway from which they are to be viewed.

6. Mechanical Screening. Each sign structure shall, at all times, 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 the facing may be removed for a maximum period of 48 consecutive hours.

7. Billboard Owner Identification Signs. Billboard owner identification signs shall be provided on all Electronic Display Billboards and shall have a minimum character height of 12 inches.

8. Undergrounding of Utilities. The Electronic Display Billboard owner shall underground all utilities installed in connection with the electronic display billboard.

9. Compliance with other Codes. All Electronic Display Billboards shall comply with the appropriate detailed provisions of the latest editions of the California Building, Electrical, and related Codes.

F. Operational Standards.

1. The images on the Electronic Display Billboards shall not change more often than every eight seconds, and transitions between images shall not exceed one second. The images shall change instantaneously, with no special effects or video. Any form of moving, animated, oscillating, or rotating images, or any other design intended to attract attention through movement or the semblance of movement on the whole or any part of the sign, or any other method or device that suggests movement, is prohibited at all times.

2. Each Electronic Display Billboard shall include a photometric sensor that will adjust the intensity of the sign for daytime and nighttime viewing. The nighttime intensity shall be limited to 0.3 foot candles (over ambient levels) as measured at a height of five feet above the ground and a distance of between 150 and 350 feet from the sign under consideration, depending on the size of the sign. The City may further restrict the intensity of any electronic display billboard.

3. Electronic display billboards shall be required to provide for public service announcements, Amber Alerts, and other community service announcements per the terms of the required Development Agreement.

G. Column/Support Structure Screening Standards.

1. The area surrounding the base of the column structure of an Electronic Display Billboard shall be landscaped or screened in compliance with the requirements of this Subsection. The intent is to achieve a positive and creatively aesthetic treatment of the column structure as viewed from the ground level and to discourage graffiti.

2. The base around the column structure of the Electronic Display Billboard shall be screened from the adjacent uses. Examples of potential screening methods may include landscaping, decorative walls and fencing, or public art to achieve the intent of this subsection. Decorative walls and fences and public art may be used in conjunction with landscaping but may not be used by themselves to comply with screening requirements.

3. The plant materials used for landscaping shall be drought-resistant and irrigated with an automatic drip irrigation system.

H. Ladders Prohibited. The installation and/or maintenance of a ladder or any other feature that allows unauthorized access to the column structure or sign face of any Electronic Display Billboard is prohibited.

I. General Standards. Unless otherwise specified in this section, the general advertising requirements specified in the Business and Professions Code, Division 3, Chapter 2, shall apply to plans and materials for and to design, construction, identification and maintenance of Electronic Display Billboards under this Section.

J. Maintenance Standards.

1. All Electronic Display Billboards shall be maintained in good condition and working order at all times, and free of graffiti, peeling paint, faded colors, and/or damaged materials.

2. Notwithstanding the requirements of Section 3.44.040 of the Municipal Code, when Electronic Display Billboard is defaced with graffiti, the sign owner shall remove the graffiti within 48 hours after having received mailed or electronic notice by the City. (Ord. 935 § 3 (part), 2015)

10.34.180 Sign Performance Standards.

A. Light and Glare. No sign shall create light or glare effects that intrude into adjacent public rights-of-way or other properties.

B. Emergency Access Considerations.

1. No sign or sign structure shall be installed, relocated, or maintained in any manner that will prevent free ingress to or egress from any door, window, or fire escape.

2. Signs and sign structures shall not be located in any manner that constitutes an immediate hazard to the safety of, or block the path of travel of, pedestrians or vehicular traffic.

C. Avoid Conflict with Traffic Control. No sign shall by color, wording, design, location, or illumination resemble or conflict with any traffic control device.

D. Construction. All signs shall comply with the applicable requirements of Title 8 (Building Regulations) of the La Puente Municipal Code. (Ord. 935 § 3 (part), 2015)

10.34.190 Sign Maintenance Requirements.

A. All signs shall be maintained in a structurally sound manner and free from missing or defective parts, discoloration, peeling or faded paint or decals, bent, broken, or missing casings or faceplates. The display surface of all signs shall be kept clean, neatly painted, and free from rust and corrosion. Any crack, broken surface, malfunctioning lights, missing sign copy, or other unmaintained or damaged portion of a sign, including the sign structure, shall be repaired or replaced. Cabinet signs designed to accommodate plexiglass or plastic sign faces shall be so equipped at all times. Sign cabinets for vacant buildings or tenant spaces shall be covered with blank plexiglass panels.

B. Owners of properties on which signs not properly maintained may be issued a notice to maintain, alter, or repair the sign by the Director. Upon a written notice from the Director, the maintenance, alterations, or repairs specified in the notice shall be made within 30 calendar days after the date of receipt of such notice.

C. For wall-mounted signs, at such time that they are altered, maintained, or replaced, the wall surface behind and surrounding the wall mounted sign shall be cleaned, painted, and repaired to the satisfaction of the Director. (Ord. 935 § 3 (part), 2015)

10.34.200 Nonconforming Signs, Amortization and Abatement of Signs.

A. Determination of Legal Nonconformity. Any sign lawfully constructed and maintained prior to the effective date of this Chapter with a valid permit and/or other entitlement, and which complied with all applicable laws on the date of its approval and installation, is a legal nonconforming sign, provided that the Director determines that the sign is properly maintained and does not pose a danger to the public health, safety, and welfare.

B. Inventory and Abatement of On-Premise Signs.

1. Inventory of Signs. Within 270 days of the date of adoption of this Section, the Director shall cause to be performed an inventory of all on-premise signs within the City to identify those which are illegal or abandoned. For the purposes of this subparagraph, the term "illegal" denotes a sign which was erected without compliance with all ordinances and regulations in effect at the time of its construction and erection or use, and the term "abandoned" denotes a sign, which remains in place or is not maintained for a period of 90 days which no longer advertises or identifies an ongoing business, product or service available on the business premises where the sign is located.

2. Report. When the inventory has been completed, the Director shall report the actual cost of conducting that inventory to the Council so the Council may by resolution provide for the recoupment of that cost in the manner authorized by Section 5491.2 of the Business and Professions Code.

3. Abatement. Identified illegal and abandoned signs are subject to abatement as a public nuisance. Any sign, which does not conform to the requirements of this Chapter shall be brought into compliance with the requirements of this Chapter within 15 years of the date of adoption of this chapter. Upon expiration of the 15-year amortization period, the sign shall be removed, without compensation to the owner, or the sign shall be brought into conformance with the requirements of this Chapter. If the sign is not removed or brought into conformance with this Chapter within that time, the sign is subject to abatement as a public nuisance.

4. Nonconforming Signs Which May Be Abated Without Payment of Compensation. Any sign which does not comply with the requirements of this chapter and which may be abated without the payment of compensation pursuant to Section 5497 of the Business and Professions Code shall be brought into compliance with the requirements of this chapter as soon as may reasonably be accomplished and in no event later than six months after the adoption of this chapter. Any sign which is not brought into conformance with the requirements of this chapter within that time are subject to abatement as a public nuisance.

C. Temporary Signs. Temporary or portable nonconforming signs which were erected with a permit prior to the effective date of this Chapter may remain until the expiration of the permit, after which such signs shall be immediately removed.

D. Continuation and Maintenance. Nonconforming signs and/or other advertising which existed prior to the effective date of this Chapter may be permitted to continue as legal nonconforming signs, except as otherwise provided in this Section or unless ordered discontinued, modified, or removed as a public nuisance in compliance with the Municipal Code.

E. Modification and Maintenance of Legal Nonconforming Signs.

1. Nonconforming signs shall not be altered or reconstructed so as to increase the discrepancy between existing conditions and current standards for sign area, height, or setback.

2. Sign copy and/or faces on legal nonconforming sign cabinets, directory signs or street-oriented freestanding signs may be changed, provided that the sign cabinets or supporting structures are not replaced or removed, except temporarily for maintenance purposes.

3. The sign face of an existing wall-mounted cabinet sign shall be allowed to be changed if the new sign face will have an opaque background with illuminated letters, numbers, or symbols. No increase in sign area shall be allowed.

4. The existence of a legal nonconforming tenant identification wall sign shall not prevent the installation of a conforming freestanding sign, and vice versa.

5. A legal nonconforming sign must comply with all requirements of this Chapter regarding safety, maintenance, and repair.

F. Restoration of Damaged Nonconforming Signs.

1. Whenever a nonconforming sign is involuntarily destroyed by force majeure to the extent of 50 percent or less of the appraised replacement value of the sign, as determined by the Building Official, the sign may be rebuilt and resumed. A Building Permit for the restoration shall be required.

2. Whenever a nonconforming sign is involuntarily destroyed by force majeure to an extent greater than 50 percent of the appraised replacement value of the sign, as determined by the Building Official, or is voluntarily razed or is required by law to be razed, the sign shall not be resumed except in full conformity with the current regulations for the zone in which it is located.

3. The extent of damage or destruction shall be determined by comparing the estimated cost of restoring the sign to its condition before the damage or partial destruction and the estimated cost of replacing the sign as it existed before the damage. Estimates for this purpose shall be reviewed and approved by the Building Official. (Ord. 935 § 3 (part), 2015)

10.34.210 Signs Prohibited on Public Property within the Public Right-of-way.

A. Prohibition. No person shall paint, mark or write on, or post or otherwise affix, any notice, placard, bill, poster, card, sticker, banner or sign to any public or utility property within the public right-of-way, including upon any sidewalk, crosswalk, curb, lamp post, hydrant, tree, alley, telephone, telephone pole or lighting system, or other public alarm or communication system erected on public property.

B. Removal of Signs. The Director may remove or cause to be removed any sign unlawfully posted or affixed on any public or utility property. Such sign(s) shall be held for a period not less than 10 days during which the owner of the sign may claim the sign. In the event that the owner does not claim such sign within the 10-day period, the Director may destroy or otherwise dispose of such sign. The owner of the sign shall reimburse the City for the actual costs of removing, storing, and destroying or otherwise disposing of the sign. (Ord. 935 § 3 (part), 2015)

10.34.220 Emergency Abatement of Signs.

A. When the Director determines a sign constitutes an imminent danger to the public safety, the Director may take appropriate

action to abate the danger.

B. If any sign is removed to abate such a threat to the public safety, the Director shall notify the owner of such sign, in writing, stating the location where the sign is being held and that it will be destroyed if not claimed by the owner within 30 days after the date of such notice. The sign will be returned to the owner only upon payment of the cost of such emergency abatement. If the sign is not claimed within 30 days after the receipt of the notice, or within 10 days upon conclusion of a hearing requested by the owner as provided for in paragraph C of this section, the City may otherwise dispose of the sign.

C. The cost of such emergency abatement shall be charged against the owner of the sign and may be recovered by the City by an appropriate legal action or by assessment against the property. The person assessed shall be granted a hearing before the Planning Commission to contest the amount or propriety of the charge if such person requests a hearing within 30 days of notice from the City.

D. For the purposes of this section, a sign shall be presumed to be property of the person who owns the premises upon which the sign is located. (Ord. 935 § 3 (part), 2015)

Chapter 10.36

PROPERTY MAINTENANCE

Sections:

10.36.010 Statement of Need and Purpose.

10.36.020 Applicability.

10.36.030 Relationship to Other Laws.

10.36.040 General Maintenance Provisions.

10.36.010 Statement of Need and Purpose.

A. Statement of Need. The City Council finds and determines as follows:

1. The property values and the general welfare of the City of La Puente are founded, in part, upon the appearance and maintenance of private property within the City.

2. The lack of landscaping and/or landscape maintenance on private property, including overgrown, dead, or decayed vegetation and weeds and the accumulation of rubbish and debris, is a condition that is injurious to the public health, safety, and welfare of property owners, business owners, and residents of the City of La Puente.

3. The lack of exterior structure maintenance, including but not limited to partially destroyed or partially constructed structures; unpainted structures or portions of structures; broken windows; damaged or defective structure exteriors; and poorly maintained roofs, walls, fences, driveways, sidewalks, or walkways is injurious to the public health, safety, and welfare of property owners, business owners, and residents of the City of La Puente.

B. Purpose. This Chapter, based on the above statement of need, sets forth comprehensive minimum maintenance standards for structures, yards, land, landscaping, facilities, and equipment for the purpose of protecting the public's health, safety, and welfare, and helping to preserve property values. (Ord. 935 § 3 (part), 2015)

10.36.020 Applicability.

The provisions of this Chapter shall apply to all private and public property within the City of La Puente. (Ord. 935 § 3 (part), 2015)

10.36.030 Relationship to Other Laws.

This Chapter complements the provisions of Chapter 3.20 (Public Nuisances) of the Municipal Code. In the event of any inconsistency between this Chapter and any other provisions of the Zoning Code or other sections of the Municipal Code, or in the event that this Chapter conflicts with laws of the State or other City ordinances, the higher standard-the standard that provides for a higher level of property maintenance-shall prevail, unless otherwise specified. (Ord. 935 § 3 (part), 2015)

10.36.040 General Maintenance Provisions.

A. General. All properties within the City shall be kept and maintained in a clean, neat, orderly, operable, and usable condition that is safe both to occupants and visitors. This requirement applies to structures, portions of structures, paving, fences, walls, landscaping, water, earth, and any other structure or natural feature.

B. Prohibition on Attractive Nuisances. Any property which can be easily accessed by children must be kept clear of attractive nuisances, as defined in Chapter 3.20, that create a danger for children and other persons, including but not limited to abandoned, neglected, or broken equipment, machinery, appliances, refrigerators or freezers; construction materials and construction equipment; and hazardous pools, ponds, and excavations.

C. Structure Maintenance. All structures and paved areas shall be kept and maintained in a manner that does not detract from the appearance of surrounding properties, and that protects the health, safety, and welfare of the user, occupant, and the general public. All such structures and paved areas shall be deemed substandard and in violation of this Chapter when any or all display evidence of dilapidated conditions including, but not limited to, the following:

1. Faulty, sagging, or leaking roof structure, missing roof tiles, deteriorated roofing materials, or other visible roofing materials;
2. Substantial areas of deteriorated structure siding materials including, but not limited to, dry rot, termite infestation, dented or rusting metal siding, weathered and peeling paint, broken or missing pieces of stucco, or other siding materials;
3. Broken or missing windows;
4. Inadequate site drainage and/or standing water adjacent to structure foundations;
5. Broken or inoperable sanitary and plumbing facilities and/or fixtures;
6. Broken or missing foundation;
7. Broken, torn, or missing attic vent screens;
8. Broken, ripped, or torn window screens;
9. Structural defects such as warped, bowed, or sagging structural members including, but not limited to, headers, sills, beams, eaves, doorways, doorjambs, and similar structural or architectural elements.

D. Fences and Walls. All fences and walls shall be kept and maintained in a manner that does not detract from the appearance of surrounding properties, and that protects the health, safety, and welfare of the user, occupant, and general public. Fences and walls shall be deemed substandard and in violation of this Chapter when they display evidence of dilapidation or other conditions, such as any or all of the following:

1. Sagging, broken, rotted, or defective support posts or other structural members;
2. Missing or broken fence boards;
3. Damaged or missing blocks and grout lines from a block wall;
4. Substantial areas of deterioration including dry rot, broken or missing pieces or stucco, holes, or warped or leaning fence or wall areas;
5. Chain link fence material which is rusted, damaged or broken;
6. Portions of the fence or wall which are substantially defaced with graffiti;
7. Any condition of deterioration or any fault resulting in the fence or wall being structurally unsound or otherwise hazardous to property owners, occupants, or visitors;
8. Height extensions of walls or fences in violation of this Zoning Code.

E. Litter and Refuse. All yards, landscaped areas, and other areas of private property surrounding structures shall be kept free of trash, old building materials, junk, unlicensed or inoperative vehicles, broken or discarded furniture, boxes, salvage materials, shopping carts, and other such material and equipment which, by its appearance, location, or use, makes it incompatible with the principal use or other predominate principal uses in the immediate neighborhood.

F. Private Streets, Sidewalks, and Driveways.

1. All parking, loading, storage, driveway, and vehicle maneuvering areas shall be kept and maintained so as to not detract from the appearance of the surrounding properties and to protect the health, safety and welfare of the user, occupant, and general public. Such areas shall be kept in a neat and clean condition, free of inoperative vehicles, abandoned items, trash, debris or rubbish, furniture, equipment, play equipment, or similar materials, and free of potholes, sinkholes, standing water, cracks, and/or broken areas.
2. Parking space delineation, pavement striping and related features, and signs shall be repainted, refurbished, and/or replaced when the same become faded, damaged, or destroyed to such an extent as to no longer be effective.
3. When any paved area, which includes sidewalks, driveways, and private roadways, shows evidence of dilapidated or deteriorated conditions, it shall be deemed substandard and in violation of this Chapter. Such areas shall be periodically resurfaced or sealed in order to minimize seepage of water into the ground below.

G. Landscaping and Vegetation.

1. All landscaped areas shall be kept and maintained in a manner that does not detract from the appearance of surrounding properties, and that protects the health, safety, and welfare of the user, occupant, and general public, and in conformance with the provisions of Chapter 10.32 (Landscaping).
2. Landscaped areas shall be kept in a neat and clean condition, free of weeds, debris and dead, diseased or dying vegetation, and broken or defective decorative elements of the landscaped area.
3. Vegetation in landscaped areas shall be mowed, groomed, trimmed, pruned, and watered as to keep the same in a healthy, growing condition. Irrigation systems shall be kept in good working condition and repair so as to prevent leaks, overwatering, or public health hazards.
4. Vegetative overgrowth shall not be permitted in a manner that is likely to harbor rodents, vermin, insects, or other nuisances; or impedes, obstructs, or denies pedestrian or other lawful travel on sidewalks, walk-ways, or other public rights-of-way.

H. Inoperable Vehicles. No person shall maintain on any property in the City any abandoned, wrecked, dismantled, or inoperative vehicle, as set forth in Chapter 6.64 (Abandoned, Wrecked, Dismantled, and Inoperative Vehicles) of the Municipal Code.

I. Maintenance Responsibility.

1. It shall be the responsibility of any owner of any structure, residence, property, grounds, or lots to ensure compliance with the property maintenance standards set forth in this Chapter and Chapter 3.20 of the Municipal Code on private property within the City.
2. It shall be the responsibility of any owner, tenant, lessee, or occupant of any structure, residence, property, grounds, or lots to remove debris and remove any vegetation that is in violation of this Chapter that has accumulated on any streets within the City, if such person(s) placed the debris on such private property or streets, or otherwise owns, is occupying, or has custody or control over such private property or streets. (Ord. 935 § 3 (part), 2015)

Chapter 10.38

PERFORMANCE STANDARDS

Sections:

- 10.38.010 Applicability.
- 10.38.020 Air Quality, Dust and Dirt.
- 10.38.030 Hazardous Materials.
- 10.38.040 Heat and Cold.
- 10.38.050 Mechanical Devices.
- 10.38.060 Noise.
- 10.38.070 Odor.
- 10.38.080 Outdoor Light and Glare.
- 10.38.090 Outdoor Storage, Refuse Areas, and Service Areas.

10.38.100 Vibration.

10.38.110 Enforcement.

10.38.010 Applicability.

The following provisions, standards, and specifications shall apply to all properties, structures, uses, and activities in all zones within the City, unless an exception is specifically noted. (Ord. 935 § 3 (part), 2015)

10.38.020 Air Quality, Dust and Dirt.

No operation or activity (for example, construction, grading, and agriculture) shall cause the emission of any smoke, fly ash, dust, fumes, vapors, gases or other forms of air pollution, beyond any boundary line of the parcel, which exceeds the requirements of any air quality plan or General Plan Air Quality Element adopted by the City. To ensure a dust free environment, appropriate grading procedures shall include, but are not limited to, the following:

- A. Schedule all grading activities to ensure that repeated grading will not be required and implementation of the desired land use (e.g. planting, paving or construction) will occur as soon as possible after grading.
- B. Disturb as little native vegetation as possible.
- C. Water graded areas as often as necessary to prevent blowing dust or dirt, hydro seeding with temporary irrigation, adding a dust palliative, and/or building wind fences.
- D. Re-vegetate graded areas as soon as possible.
- E. Construct appropriate walls or fences to contain the dust and dirt within the parcel subject to the approval of the City Engineer. (Ord. 935 § 3 (part), 2015)

10.38.030 Hazardous Materials.

- A. Fire and Explosive Hazards. All activities involving and all storage of flammable and explosive materials shall be provided at all times with adequate safety devices, adequate firefighting and fire suppression equipment, and devices standard in the industry, except as otherwise provided by applicable fire codes.
- B. Radioactivity or Electric Disturbances. No activities shall be permitted which emit dangerous radiation or which create electrical disturbances that affect activities and operations on any other property. Radioactive emissions shall be further subject to applicable Federal and State law and regulations.
- C. Liquid and Solid Waste. The regulations set forth in Chapter 4.08 (Sanitary Sewers and Industrial Waste) of the Municipal Code shall apply. (Ord. 935 § 3 (part), 2015)

10.38.040 Heat and Cold.

No operation or activity shall emit heat or cold which would cause a temperature increase or decrease on any adjacent property in excess of five degrees Fahrenheit, whether the change is in the air, on the ground, or in any structure, or in any body of water. (Ord. 935 § 3 (part), 2015)

10.38.050 Mechanical Devices.

Air conditioners, antennas, heating, cooling, ventilating equipment, swimming pool pumps, transformers, and all other mechanical devices shall be screened from surrounding properties and streets with a fence, architecturally compatible wall, landscaping, berming, or combination thereof, and shall be so operated that they do not disturb adjacent uses and activities. (Ord. 935 § 3 (part), 2015)

10.38.060 Noise.

The regulations set forth in Chapter 4.34 (Noise Regulations) of the Municipal Code shall apply. (Ord. 935 § 3 (part), 2015)

10.38.070 Odor.

No emission of odorous gases or other odorous matter in such quantities as to be readily detectable shall be permitted beyond the property lot lines of the source. Any process which may involve the creation or emission of any odors shall be provided with a secondary safeguard system so that control will be maintained if the primary safeguard system should fail. (Ord. 935 § 3 (part), 2015)

10.38.080 Outdoor Light and Glare.

All lighting shall be arranged so as to keep light from directed on site, whether the illumination is direct or indirect light from the source. No operation, activity, sign or lighting fixture shall create illumination which exceeds 0.5 footcandles minimum maintained on any adjacent property. No direct or sky-reflected glare, whether from floodlights or from high temperature processes such as combustion or welding or otherwise, visible at the property lot line of the source, shall be permitted. (Ord. 935 § 3 (part), 2015)

10.38.090 Outdoor Storage, Refuse Areas, and Service Areas.

All permitted storage areas for maintenance equipment, vehicles, or refuse, and all collection areas and service areas, shall be enclosed or effectively screened from public view with a fence, wall, landscaping, or berming as required by this Title 10. (Ord. 935 § 3 (part), 2015)

10.38.100 Vibration.

No vibration shall be permitted which can be felt at or beyond the property line. (Ord. 935 § 3 (part), 2015)

10.38.110 Enforcement.

A. Administration and Enforcement of Performance Standards. Administration and enforcement of performance standards shall be as follows:

1. Measurement. The determination of the existence of any objectionable elements shall be made at the location of the use creating the objectionable elements and at any points where the existence of such elements may be more apparent. The measurements necessary for enforcement of performance standards set forth in this section shall be taken at property line boundaries.

2. Additional Enforcement Provisions. Initial and continued compliance with performance standards is required of every use, and provisions for enforcement of continued compliance with performance standards shall be invoked by the Director against any use if there are reasonable grounds to believe that performance standards are being violated by such use. (Ord. 935 § 3 (part), 2015)

Chapter 10.40 TRANSPORTATION DEMAND MANAGEMENT

Sections:

10.40.010 Purpose.

10.40.020 Applicability.

10.40.030 Findings Required Prior to Permit Issuance.

10.40.040 Employment Generation Factors.

10.40.050 Transportation Demand and Trip Reduction Measures.

10.40.060 Equivalent Facilities or Measures.

10.40.070 Maintenance of Facilities.

10.40.080 Implementation and Monitoring.

10.40.010 Purpose.

This Chapter establishes requirements for new development projects that are intended to work toward reducing vehicle trips, relieving traffic congestion, and reducing greenhouse gas emissions associated with vehicle exhaust. Toward these ends, these provisions promote alternative transportation methods and encourage the efficient use of existing and planned transportation infrastructure. (Ord. 935 § 3 (part), 2015)

10.40.020 Applicability.

The requirements of this Chapter shall apply to all new, nonresidential development projects and mixed-use development projects that are estimated to employ 100 or more persons. Prior to approval of any affected development project, the applicant shall make provision for, at a minimum, all of the applicable transportation demand management and trip reduction measures set forth in this Chapter. (Ord. 935 § 3 (part), 2015)

10.40.030 Findings Required Prior to Permit Issuance.

No Building or Grading Permit shall be issued and no construction shall commence for any project covered by this Chapter until the Director makes a determination that the required transportation demand management program has been developed that will:

- A. Reduce the number of peak-period vehicle trips generated in association with the proposed development;
- B. Promote and encourage the use of alternative transportation modes (e.g., ridesharing, carpools, vanpools, public transit, bicycles and walking); and
- C. Provide those facilities that support alternate transportation modes. (Ord. 935 § 3 (part), 2015)

10.40.040 Employment Generation Factors.

A. The following generation factors shall be used for determining employment projections in the absence of more specific information.

Land Use Category	Gross Square Feet/Employee
Retail	500
Office/Professional	250
Industrial	750
Hotel	1.0/room

B. Employment projections shall be developed by the project applicant, subject to approval by the Director. The employment projection for a mixed-use development shall be calculated on a case-by-case basis, based upon the proportion of development devoted to each type of use. (Ord. 935 § 3 (part), 2015)

10.40.050 Transportation Demand and Trip Reduction Measures.

A. Development Standards for Projects up to 50,000 Square Feet.

1. Affected development projects having up to 50,000 square feet of structure area shall provide a bulletin board, display case, or kiosk displaying transportation information. Such kiosk shall be located where the greatest number of employees is likely to see it, to the satisfaction of the Director. Information in the area shall include, but is not limited to, the following:

- a. Current maps, routes, and schedules for public transit routes serving the site.
 - b. Telephone numbers for referrals on transportation information, including numbers for the regional ridesharing agency and local transit operators.
 - c. Ridesharing promotional material supplied by commuter-oriented organizations.
 - d. Bicycle route and facility information, including regional/local bicycle maps and bicycle safety information.
 - e. A listing of facilities available for carpoolers, vanpoolers, bicyclists, transit riders, and pedestrians at the site.
2. Bicycle parking facilities shall be provided as set forth in Section 10.30.170 (Bicycle Parking Requirements).

B. Development Standards for Projects between 50,001 and 100,000 Square Feet.

1. Affected development projects having between 50,001 and 100,000 square feet of structure area, in addition to meeting the requirements in paragraph A.1 above, shall comply with the following:

a. Not less than 10 percent of employee parking area shall be located as close as is practical to the employee entrance(s), and shall be reserved for use by potential carpool/vanpool vehicles, without displacing handicapped and customer parking needs. This preferential carpool/vanpool parking area shall be identified on the site plan upon the application for building permit. A statement that preferential carpool/vanpool spaces for employees are available and a description of the method for obtaining such spaces must be included on the required transportation information board. Spaces will be signed/striped as demand warrants. However, at all times at least one space shall be signed/striped for carpool/vanpool vehicles.

b. Preferential parking spaces reserved for vanpools must be accessible to vanpool vehicles. When located within a parking structure, a minimum vertical interior clearance of seven feet two inches shall be provided for those spaces and access ways to be used by such vehicles. Adequate turning radii and parking space dimensions shall also be included in vanpool parking areas.

2. Bicycle parking facilities shall be provided as set forth in Section 10.30.170 (Bicycle Parking Requirements).

C. Development Standards for Projects over 100,000 Square Feet.

1. Affected development projects having over 100,000 square feet of structure area, in addition to meeting the requirements in paragraphs A.1 and B.1 above, shall be required to comply with the following:

a. Provide a safe and convenient zone in which vanpool and carpool vehicles may deliver or board their passengers.

b. If determined necessary by the City to mitigate the project impact, bus stop improvements must be provided. The City will consult with the local bus service providers in determining appropriate improvements. When locating bus stops and/or planning building entrances, the entrances must be designed to provide safe and efficient access to nearby transit stations/stops.

2. Bicycle parking facilities shall be provided as set forth in Section 10.30.170 (Bicycle Parking Requirements). (Ord. 935 § 3 (part), 2015)

10.40.060 Equivalent Facilities or Measures.

The project applicant shall have the option of deleting or modifying any or all of the site development requirements if equivalent facilities or measures are provided. The applicant shall demonstrate the equivalency of the proposed measures to the satisfaction of the Director. (Ord. 935 § 3 (part), 2015)

10.40.070 Maintenance of Facilities.

All facilities and improvements constructed or otherwise required by this Chapter shall be maintained in a state of good repair. (Ord. 935 § 3 (part), 2015)

10.40.080 Implementation and Monitoring.

For the purpose of determining whether applicable developments are in compliance with the provisions of this Chapter, the Director shall monitor compliance in a manner deemed appropriate and reasonable. Monitoring mechanisms may include:

- A. Current procedures for site development plan review as appropriate.
- B. Field/site inspections.
- C. Other building site reports/surveys which the City may deem appropriate. (Ord. 935 § 3 (part), 2015)

Chapter 10.42

PROHIBITION OF MEDICAL MARIJUANA COOPERATIVES OR COLLECTIVES

Sections:

- 10.42.010 Purpose and Applicability.
- 10.42.020 Medical Marijuana Cooperatives and Collectives Prohibited.
- 10.42.030 Violation and Enforcement.

10.42.010 Purpose and Applicability.

It is the purpose and intent of this Chapter to preclude the opening, establishment, and operation of medical marijuana cooperatives and collectives in all zones in the City. (Ord. 935 § 3 (part), 2015)

10.42.020 Medical Marijuana Cooperatives and Collectives Prohibited.

- A. Medical marijuana cooperative or collective is not a permitted use and is prohibited in all zones throughout the City. No permit or any other applicable license or entitlement for use, nor any business license, shall be approved or issued for the establishment, maintenance or operation of a medical marijuana cooperative or collective within the City.
- B. The establishment, maintenance, or operation of a medical marijuana cooperative or collective within the City is declared to be a public nuisance and may be abated by the City either pursuant to Chapter 3.20 of the La Puente Municipal Code or any other available legal remedies, including but not limited to declaratory relief and civil injunctions. (Ord. 935 § 3 (part), 2015)

10.42.030 Violation and Enforcement.

The establishment, maintenance, or operation of a medical marijuana cooperative or collective in violation of or in non-compliance with any of the requirements of this Chapter or applicable provisions of Title 10 (Zoning) or La Puente Municipal Code shall be subject to any enforcement remedies available under the law and/or La Puente Municipal Code, including but not limited to Chapter 1.12 and Chapter 3.20. In addition, the City may enforce the violation of this Chapter by means of civil enforcement through a restraining order, a preliminary or permanent injunction, or by any other means authorized under the law. (Ord. 935 § 3 (part), 2015)

Chapter 10.44

MARIJUANA REGULATIONS

Sections:

- 10.44.010 Purpose and Applicability.
- 10.44.020 Definitions.
- 10.44.030 Prohibition of Marijuana.
- 10.44.040 Personal Cultivation.

10.44.010 Purpose and Applicability.

It is the purpose and intent of this Chapter to prohibit the cultivation, processing, manufacturing, laboratory testing, labeling, storing, and wholesale and retail distribution of cannabis in the City.

(Ord. 946 § 3, 2017)

10.44.020 Definitions.

For the purposes of this Chapter, the following definitions shall apply:

"Cannabis" shall have the same meaning as "cannabis" under California Business and Professions Code Section 19300.5(f).

"Private residence" shall mean a house, apartment unit, mobile home, or other similar dwelling..

(Ord. 946 § 3, 2017)

10.44.030 Prohibition of Marijuana.

A. A person may not plant, cultivate, harvest, dry, or process cannabis outdoors in any zoning district in the City. No use permit, building permit, business permit, variance, or any other permit or entitlement, whether administrative or discretionary, shall be approved for any such use or activity within the City.

B. Any commercial or industrial use involving cannabis, including, but not limited to, the cultivation, processing, manufacturing, laboratory testing, labeling, storing, delivery, transportation, and wholesale and retail distribution of cannabis, and all cannabis derivatives, is prohibited. No use permit, building permit, business permit, variance, or any other permit or entitlement, whether administrative or discretionary, shall be approved for any such use or activity.

(Ord. 946 § 3, 2017)

10.44.040 Personal Cultivation.

A person may not plant, cultivate, harvest, dry, or process cannabis inside a private residence, or inside an accessory structure to a private residence located upon the grounds of a private residence, unless otherwise permitted by State law. Notwithstanding the foregoing, the Planning Commission may, by resolution, adopt regulations, including an application process, for the personal cultivation of cannabis inside a private residence.

(Ord. 946 § 3, 2017)

10.44.050 Violation and Enforcement.

Any violation of this Chapter shall be subject to any enforcement remedies available under the law and/or La Puente Municipal Code, including but not limited to Chapter 1.12 and Chapter 3.20. In addition, the City may enforce the violation of this Chapter by means of civil enforcement through a restraining order, a preliminary or permanent injunction, or by any other means authorized under the law. In addition to the penalties set forth herein, any violation of this Chapter is declared to be a public nuisance and may be abated by the City either pursuant to Chapter 3.20 of the La Puente Municipal Code or any other available legal remedies, including but not limited to declaratory relief and civil injunctions.

(Ord. 946 § 3, 2017)

ARTICLE 4: REGULATIONS FOR SPECIFIC LAND USES AND ACTIVITIES

Sections:

- 10.50.010 Purpose and Applicability.
- 10.50.020 Accessory Uses.
- 10.50.030 Alcohol Sales.
- 10.50.040 Animal and Poultry Keeping.
- 10.50.050 Cyber/Internet Cafes
- 10.50.060 Day Care - Large Family (Seven - 14 children).
- 10.50.070 Day Care - Small Family (Eight or fewer children).
- 10.50.080 Day Care Centers - Children (15 or more children).
- 10.50.090 Drive-through and Drive-up Facilities.
- 10.50.100 Game Arcades.
- 10.50.110 Home Occupations.
- 10.50.120 Religious Assembly Uses in Residential Zones.
- 10.50.130 Public Dancing in Residential Zones.
- 10.50.140 Recycling Facilities.
- 10.50.150 Secondhand Stores.
- 10.50.160 Service Stations.
- 10.50.170 Smoke Shops.
- 10.50.180 Tattoo and Body Piercing Establishments.
- 10.50.190 Vehicle Sales.
- 10.50.200 Wireless Communications Facilities.

10.50.010 Purpose and Applicability.

A. Purpose. This Chapter provides locational, site planning, developmental, and/or operational standards for certain land uses that are allowed by Article 2 (Zones, Allowable Uses, and Development and Design Standards) within individual or multiple zones, and for activities that require special standards to mitigate their potential adverse impacts.

B. Applicable Standards. The land uses and activities covered by this Chapter shall comply with the provisions of each Section applicable to the specific use, in addition to all other applicable provisions of this Zoning Code.

1. Where Allowed. Each use shall be located only where allowed by Article 2 (Zones, Allowable Uses, and Development and Design Standards).

2. Developmental Standards. The standards for specific uses specified in this Chapter are required in addition to all other applicable provisions of this Zoning Code (e.g., Articles 2 and 3, etc.).

a. The land use tables in Article 2 (Zones, Allowable Uses, and Development and Design Standards) and the specific characteristics of the use, as defined in Article 9 (Definitions), determine when the standards of this Chapter apply to a specific land use.

b. In the event of any conflict between the requirements of this Chapter and those of Article 2 (Zones, Allowable Uses, and Development and Design Standards) or Article 3 (Regulations Applicable to All Zones), the requirements of this Chapter shall control.

10.50.020 Accessory Uses.

A. Purpose and Applicability. This Section provides locational, developmental, and/or operational standards for accessory uses. The provisions in this Section shall apply to accessory uses where allowed in compliance with Article 2 (Zones, Allowable Uses, and Development and Design Standards) and the following standards.

B. City Standards.

1. Secondary to a Primary Use. An accessory use shall be secondary to a primary use and shall be allowed only in conjunction with a primary use or structure to which it relates under the same regulations as the primary use in any zone.

2. Specific Standards. These regulations are found in the use regulations tables in Article 2 (Zones, Allowable Uses, and Development and Design Standards) of this Zoning Code and may be subject to specific standards specified in this Chapter or the standards established for each zone, as specified in the Article 2 tables. (Ord. 935 § 3 (part), 2015)

10.50.030 Alcohol Sales.

A. Purpose and Applicability. This Section provides locational and operational standards for off-sale alcohol sales establishments of less than 5,000 square feet (also referred to as liquor stores). The provisions in this Section shall apply to alcohol sales establishments where allowed in compliance with Article 2 (Zones, Allowable Uses, and Development and Design Standards) and the following standards.

B. Applicable Provisions and Prohibitions.

1. Prohibited Locations. Off-sale alcohol sales establishments of less than 5,000 square feet shall not be located within an 800-foot radius of another off-sale alcohol sales establishment or any sensitive use as defined in Article 9 (Definitions), disregarding the corporate boundary of the City, and as measured in compliance with Subparagraph 2. (Measurement of Distance), below.

2. Measurement of Distance. The distance between an off-sale alcohol sales establishment and a sensitive use or another off-sale alcohol sales establishment shall be made in a straight line, without regard to the intervening structures or objects, from the closest exterior wall of the structure, or a portion of the structure, in which the establishment is located, to the property line of the parcel on which the structure, or portion of the structure, in which the sensitive use or another off sale alcohol sales establishment occurs or is located. (Ord. 935 § 3 (part), 2015)

10.50.040 Animal and Poultry Keeping.

A. Purpose and Applicability. This Section provides locational and operational standards for animal and poultry keeping operations. The provisions in this Section shall apply to animal and poultry keeping operations where allowed in compliance with Article 2 (Zones, Allowable Uses, and Development and Design Standards) and the following standards. Additionally, all animal and poultry keeping shall be in compliance with Municipal Code Chapter 3.36 (Animal Control Ordinance).

B. City Standards.

1. Animals Prohibited in City. No person shall keep, maintain or cause to be kept or maintained any of the following, on any premises, within the City:

- a. Burros, jacks, or jennies.
- b. Cattle or calves.
- c. Dangerous or poisonous reptiles, as determined by the Director, except when located in hospitals or educational institutions.
- d. Emus, llamas, or ostriches.
- e. Goats or sheep.
- f. Lions, tigers, or similar animals ordinarily considered to be wild and dangerous.

g. Oxen.

h. Swine, except any pygmy pig that was kept or maintained as a pet on a developed parcel in a residential zone as of December 31, 1997; provided, the pygmy pig at all times has a valid Animal License issued by the County of Los Angeles and that proof from a licensed veterinarian has been provided to the Department that the pygmy pig has been spayed or neutered.

i. None of the animals referred to above, shall be considered to be a "household pet," as that term is defined in Article 9 (Definitions), regardless of whether the animal is usually or ordinarily kept within a dwelling.

2. Noisy Animals Prohibited. No person shall keep or maintain upon any premises in any zone in the City, any crowing rooster, guinea fowl, peacock, or any other fowl or animal which by any sound or cry shall disturb the peace and quiet of any neighborhood in violation of the regulations specified in Municipal Code Chapter 4.34 (Noise Regulations).

3. Keeping of Dogs and Cats Restricted. No person occupying a dwelling unit shall keep or maintain more than up to three dogs and up to three cats for a maximum total of six animals, over four months of age, within the residential zones of the City. The dogs and/or cats shall be kept for the personal use and enjoyment of the occupants of the dwelling only. The commercial breeding of dogs and cats is prohibited.

4. Keeping of Poultry, Rabbits, and other Small Animals Restricted. The following standards shall apply to poultry, rabbits, and other small animals (as defined in Article 9 [Definitions]) within the City.

a. No person shall keep or maintain more than one poultry, rabbit, and/or small animal for each 1,000 square feet of parcel area, not to exceed a combined total of 20 poultry, rabbits, and/or small animals located on a residential site.

b. Poultry or small animals under three months of age and not exceeding 25 in number shall not be counted in computing the number of poultry or small animals on the subject premises.

c. The private keeping of poultry, rabbits, and small animals are not allowed on nonresidential sites.

d. This Subparagraph shall not be interpreted to limit or prohibit homing pigeons. Government Code Section 65852.6 states that it is the policy of the State to permit breeding and the maintaining of homing pigeons consistent with the preservation of public health and safety. For purposes of this Subparagraph, a "homing pigeon," sometimes referred to as a racing pigeon, is a bird of the order Columbidae. It does not fall in the category of "fowl or poultry" which includes chickens, ducks, geese, turkeys, and other domesticated birds other than homing pigeons.

5. Keeping of Horses Restricted.

a. No horse or pony shall be kept or maintained on any residentially or commercially zoned property having an area of less than one-half acre.

b. Horses and ponies may be kept at a ratio of one horse or pony for each one-half acre of parcel area, with the maximum number limited to three.

c. The horses and ponies shall be kept for the personal use and enjoyment of the occupants of the premises only.

d. No horse breeding shall be allowed on the subject property.

6. Compliance with Health Regulations.

a. The keeping of domestic animals or poultry provided for in this Section, except household pets, shall conform to all provisions of the City's health ordinances governing the keeping of animals and poultry.

b. No animal, poultry, or any barn, coop, corral, grazing area, pen, or stable shall be maintained within:

(1) 50 feet of any residence, dwelling, or structure used for human habitation;

(2) 50 feet of any public street;

(3) 30 feet of any portion of an adjoining residential zoned property, except where the residential properties are parcels containing one-half acre or more; or

(4) 300 feet of any hospital, place of assembly, public park or school.

c. All premises upon which animals or poultry are kept and all corrals, enclosures, pens, structures, and yards shall be kept in a clean, orderly, and sanitary condition so that they will not cause foul odors, breeding of flies, or any way become a public nuisance.

d. All applicable Los Angeles County rules and regulations related to the keeping of animals shall be complied with. (Ord. 935 § 3 (part), 2015)

10.50.050 Cyber/Internet Cafes.

A. Purpose and Applicability. This Section provides locational, developmental, and operational standards for cyber/internet cafes. The provisions in this Section shall apply to cyber/internet cafes where allowed in compliance with Article 2 (Zones, Allowable Uses, and Development and Design Standards) and the following standards. The applicable provisions specified in Municipal Code Chapter 5.08 shall also apply.

B. Prohibited in Residential Zones. Cyber/internet cafes shall be prohibited in all residential zones of the City.

C. Definitions. The following words and phrases shall have the meaning specified in this Section:

1. Cyber/Internet Café. An establishment that provides four 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, and/or access to other computer software programs, to the public for compensation and/or for public access. A cyber/internet cafe does not include a public use or internet learning center as defined below.

2. Public Use or Internet Learning Center. An establishment that provides computer access which is operated by the City, a school district, a library, a college district, or a private institution of learning which provides classes in computer instruction or uses computers to aid in academic instruction, or a nonprofit organization which does not receive compensation from individuals using the cyber/internet cafe in any form other than school tuition. However, this exception shall not be applicable if the Los Angeles County Sheriff's Department determines, on the basis of one or more incidents at the agency, that the implementation of the provisions concerning cyber/internet cafes is necessary for the public safety.

D. Locational and Operational Standards.

1. Separation Requirements.

a. Prohibited Locations. No cyber/internet cafe shall be located within an 800-foot radius of another cyber/internet cafe or any sensitive use as defined in Article 9 (Definitions), disregarding the corporate boundary of the City, and as measured in compliance with Subparagraph b. (Measurement of Distance), below.

b. Measurement of Distance. The distance between a cyber/internet cafe and a sensitive use or another cyber/internet cafe shall be made in a straight line, without regard to the intervening structures or objects, from the closest exterior wall of the structure, or a portion of the structure, in which the cyber/internet cafe is located, to the property line of the parcel on which the structure, or portion of the structure, in which the sensitive use or another cyber/internet cafe occurs or is located.

2. Curfew for Minors. Minors shall be accompanied by a parent or legal guardian after 10:00 P.M. and may not enter the facility during those times as the school district in which the facility is located is conducting its regular education program. These hours of operation shall be posted in a conspicuous place to the satisfaction of the Director.

3. Hours of Operation. Reasonable conditions may be imposed restricting hours of operation beyond those identified in Municipal Code Section 3.25.030, so as to protect the public health, safety, and welfare and surrounding property and uses.

4. Camera/Video Surveillance System. There shall be a camera/video surveillance system capable of delineating on playback of the system the activity and physical features of persons or areas within the premises. The system shall cover all entrances and exit points and all interior spaces, except for bathroom and private office areas. The system shall be subject to inspection by the City during business hours any day of the week. The system shall be maintained in good working order, including the recording of the videotape, at all times. The videotape shall be maintained for a minimum period of 72 hours.

5. Employees/Security Measures.

a. Employees. All cyber/internet cafes shall provide full-time adult attendants or supervisors, 21 years of age or older, at a ratio of one attendant/supervisor for each 10 machines, plus one security guard for each 20 machines or fraction thereof or as otherwise directed by the Los Angeles County Sheriff's Department.

b. Security Measures.

(1) Security measures may include, but are not limited to additional security guards, background investigations of the business

applicants, and surveillance video equipment.

(2) The provisions specified in Municipal Code Section 5.08.020 (e.g., fingerprinting requirement for background checks) shall also apply.

6. Adult Business Activities. Adult business activities and/or uses are prohibited, unless specifically approved in compliance with the requirements of Chapter 10.62 (Adult Businesses).

7. Fire Exit Plan. The owner shall submit and receive approval of an exit plan from the Los Angeles County Fire Department. The plan shall address all exiting requirements of the Uniform Building Code and Uniform Fire Code. This includes, but is not limited to, providing an existing planshowing equipment location, aisle locations, and dimensional widths, and having approved exit doors and panic hardware.

8. Lighting and Visibility.

a. Adequate lighting shall be maintained inside the business and parking areas. An interior and exterior lighting plan shall be reviewed and approved by the Director before occupancy.

b. No window treatment(s) shall be installed or maintained that would prohibit the view of the interior during normal business hours.

9. Illegal Gambling Prohibited. Under no circumstances shall electronic game machines, which include computers and other amusement devices, be used for illegal gambling or gaming.

10. Pool Tables/Amusement Devices Prohibited. Pool tables or other amusement devices are prohibited.

11. Private Booths Prohibited. Any booth or individual computer use area within the cyber/internet cafe shall be visible from a continuous and accessible main aisle in a public portion of the cyber/internet cafe, and shall not be obscured by any door, curtain, wall, two-way mirror, or other device which would prohibit a person from seeing the entire interior of the booth/individual viewing area from the main aisle. Further, no one shall maintain any booth/individual viewing area in any configuration unless the entire interior where the computer that is being used is visible from one main aisle. No doors are permitted on a booth/individual viewing area. No partially or fully enclosed booth/individual viewing areas or partially or fully concealed booth/individual viewing areas shall be maintained.

12. Smoking/Alcoholic Beverages Prohibited.

a. No person shall be permitted to smoke or consume alcoholic beverages on the inside of the cyber/internet cafe premises.

b. The sale of cigarettes and alcohol on the premises is prohibited.

c. No intoxicated or disorderly persons shall be allowed to remain on the premises.

d. Signs shall be posted stating this condition to the satisfaction of the Director.

13. Tournaments Prohibited. No tournaments, sweepstakes, or other exchange of prizes shall be allowed at any cyber/internet cafe. (Ord. 935 § 3 (part), 2015)

10.50.060 Day Care - Large Family (Seven to 14 children).

A. Purpose and Applicability. This Section provides standards for the location, development, and operation of large family child day care homes for seven to 14 children in compliance with State law. The provisions in this Section shall apply to large family child day care homes which shall be allowed in all residential zones in compliance with Article 2 (Zones, Allowable Uses, and Development and Design Standards) and the following standards.

B. State Requirements. These standards shall apply in addition to requirements imposed by the California Department of Social Services.

C. Codes and Standards. All large family child day care homes shall comply with the following standards and obtain a Zoning Clearance, in compliance with Subsection C. 9., below:

1. Licensing. Prior to commencing business as a large family child day care home, the operator of a large family child day care home shall obtain and maintain a valid license from the California Department of Social Services in compliance with California Code of Regulations, Title 22, Division 12 (Child Care Facility Licensing Requirements), and a City Business License, in compliance with

2. Care Provider's Residence. The large family child day care home shall be the residence of the care provider, in compliance with Health & Safety Code Section 1596.78, as the same may be amended from time to time.

3. Fire Protection Systems. Mandatory fire extinguishers and smoke detector devices shall be installed and maintained in compliance with Building Code and Fire Code standards, and State law.

4. Location. Large family child day care homes shall be permitted in all residential zones, and shall comply with all property development standards for the respective residential zone in which they are located.

5. Separation.

a. A large family child day care home proposed within a residential zone shall not be located within a 300-foot radius of another large family child day care home, other day care facility, or group home facility, disregarding the corporate boundary of the City.

b. The Director may allow more than one large family child day care home within 300 feet of any another like facility specified in Subparagraph a., above, if the applicant first demonstrates one of the following to the satisfaction of the Director:

(1) Any existing large family child day care home located within 300 feet is at capacity; or

(2) The need exists for a particular or unique service not provided by an existing like facility specified in Subparagraph a. above, located within 300 feet of a proposed large family child day care home.

6. Parking and Drop-off/Pick-up Area.

a. The large family child day care home shall provide one off-street parking space for each permanent non-resident employee during business hours.

b. A minimum of two off-street parking spaces shall be provided as a drop-off and pick-up area. The spaces shall be in addition to those required for the dwelling unit in compliance with Chapter 10.30 (Off-Street Parking and Loading). A driveway may be used to provide the spaces, provided that the City Traffic Engineer approves the arrangement based on traffic and pedestrian safety considerations.

c. A passenger-loading plan shall be required to minimize noise and parking issues to the maximum extent possible.

d. Additional parking may be required to minimize impacts on adjacent parcels.

e. A facility located on a through street classified as a collector or arterial street shall provide a drop-off and pick-up area that does not require backing into the street.

7. Noise. In order to protect adjacent residential dwellings from noise impacts, a large family child day care home located within a residential zone may only operate a maximum of 17 hours each day between the hours of 6:00 a.m. and 11:00 p.m. and may only conduct outdoor activities between the hours of 8:00 A.M. and 8:00 P.M.

8. Signs. Signs shall comply with Chapter 10.34 (Signs).

9. Zoning Clearance Required. In compliance with the provisions specified in this Section, the applicant shall request that the Director issue a Zoning Clearance prior to the initiation or commencement of operation of the large family child day care home.

a. Change of Tenancy or Ownership. A new Zoning Clearance shall be obtained for a change of lessee, operator, or owner even when the change does not involve a change in the use being conducted on the subject property. The purpose of this provision is to ensure that the new lessee, operator, or owner is made aware of the Zoning Code requirements applicable to large family child day care homes.

b. Zoning Clearance Approval. The Director shall issue the Zoning Clearance after first determining that the request complies with all Zoning Code provisions applicable to the proposed use or structure.

c. Form of Approval. An approval may be in the form of a stamp, signature, a letter to the applicant, or other certification, at the discretion of the Director.

d. Final Decision. Decisions by the Director regarding the Zoning Clearance are final unless appealed to the Commission in compliance with Chapter 10.114 (Appeals). (Ord. 935 § 3 (part), 2015)

10.50.070 Day Care - Small Family (Eight or fewer children).

A. Purpose and Applicability. This Section provides provisions for the location and operation of small family child day care homes for eight or fewer children in compliance with State law. The provisions in this Section shall apply to small family child day care homes where allowed in compliance with Article 2 (Zones, Allowable Uses, and Development and Design Standards) and the following standards.

B. State Requirements.

1. These provisions shall apply in addition to requirements imposed by the California Department of Social Services.

2. The operator of a small family child day care home shall obtain and maintain a valid license from the California Department of Social Services in compliance with California Code of Regulations, Title 22, Division 12 (Child Care Facility Licensing Requirements).

C. Permitted by Right. As required by State law (See Health and Safety Code Section 1597.30 et seq. (Family Day Care Homes), small family child day care homes (eight or fewer children) shall be considered a residential use of property and shall be an allowed use permitted by right within a residence located in a residential zone with no City land use permits required. (Ord. 935 § 3 (part), 2015)

10.50.080 Day Care Centers - Children (15 or more children).

A. Purpose and Applicability. This Section provides standards for the location and operation of child day care centers for 15 or more children in compliance with State law. The provisions in this Section shall apply to child day care centers where allowed in compliance with Article 2 (Zones, Allowable Uses, and Development and Design Standards) and the following standards.

B. State Requirements. These standards shall apply in addition to requirements imposed by the California Department of Social Services.

C. City Standards. Day care centers shall comply with the following standards, in addition to all of the standards identified in Section 10.50.060 (Day Care - Large Family), above:

1. Parcel Size. The minimum parcel size for a child day care center shall be 10,000 square feet.

2. Separation. The minimum separation between the main assembly building of the center and a residential zone shall be 30 feet.

3. Play Areas and Pools.

a. Each facility shall have both indoor and outdoor play areas in compliance with State requirements.

b. An on-site outdoor play area of not less than 75 square feet per child for which the facility is licensed to accommodate, but in no case less than 450 square feet per facility, shall be required.

c. The outdoor play area shall not be located in the front yard area.

d. A minimum four-foot-high fence shall enclose an outdoor play areas and a minimum five-foot high fence shall enclose a pool.

4. Parking and Drop-off/Pick-up Standards.

a. Each facility shall provide an off-street parking space for each employee and a separate, off-street parking space for dropping-off and picking-up children.

b. Spaces shall comply with the design and size requirements for parking spaces identified in Chapter 10.30 (Off-Street Parking and Loading).

c. The design of the drop-off and pick-up area shall not require backing into any street. (Ord. 935 § 3 (part), 2015)

10.50.090 Drive-through and Drive-up Facilities.

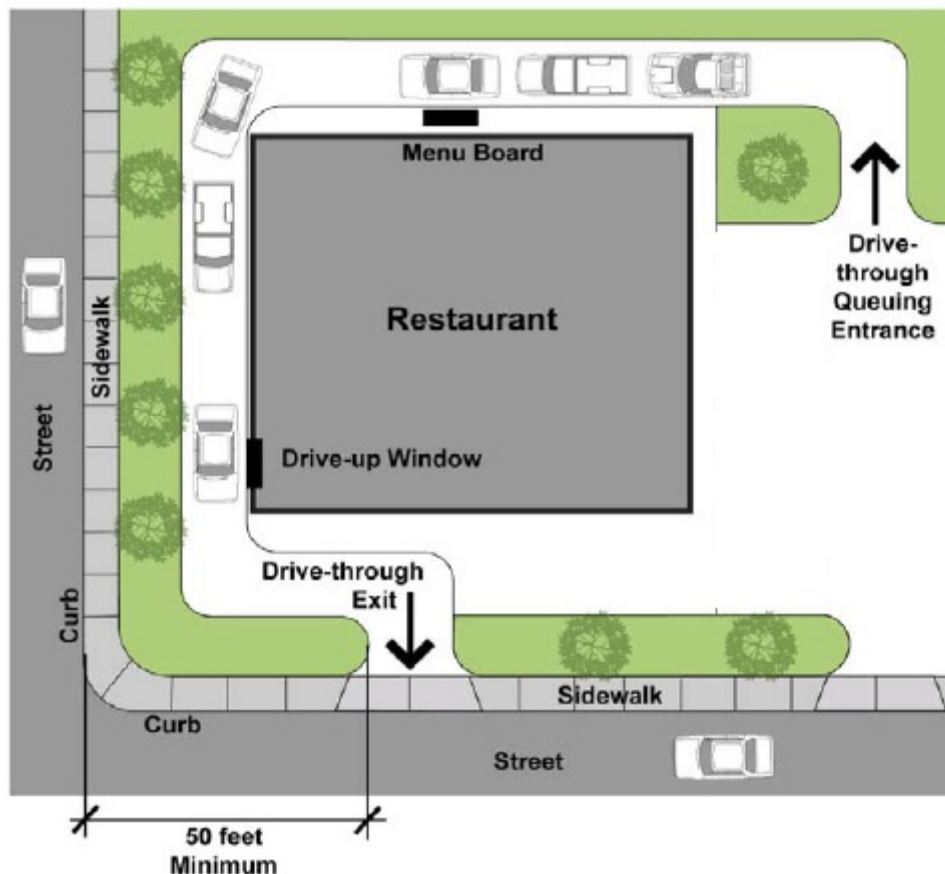
A. Purpose and Applicability. This Section provides locational and operational standards for retail trade or service uses providing drive-through and drive-up facilities which shall be designed and operated to effectively mitigate problems of congestion, excessive

pavement, litter, noise, traffic, and unsightliness. The provisions in this Section shall apply to drive-through and drive-up facilities where allowed in compliance with Article 2 (Zones, Allowable Uses, and Development and Design Standards) and the following standards.

B. Aisle Standards.

1. Drive-through aisles shall have a minimum 10-foot interior radius at curves and a minimum 12-foot width.
2. Each drive-through entrance/exit shall be at least 50 feet from an intersection of public rights-of-way, measured from where the two intersecting street curbs come together at the corner, and at least 25 feet from the curb cut on an adjacent property.

Figure 4-1
Drive-through Intersection Distance Requirement



3. Each entrance to an aisle and the direction of traffic flow shall be clearly designated by signs/pavement markings.

C. Curbing and Landscaping Required. Each drive-through aisle shall be separated by curbing and landscaping from the circulation routes necessary for ingress or egress from the property, or access to a parking space in compliance with Chapter 10.32 (Landscaping).

D. Pedestrian Walkways. Pedestrian walkways should not intersect the drive-through access aisles, but where they do, they shall have clear visibility and be emphasized by enhanced paving or markings.

E. No Reduction in Off-street Parking. The provision of drive-through service facilities shall not justify a reduction in the number of required off-street parking spaces.

F. Accommodation of Waiting Vehicles. The location and design of drive-through and drive-up access aisles shall be evaluated in compliance with Chapter 10.94 (Site Plan and Design Review).

1. All drive-through and drive-up facilities, except restaurants. Drive-through and drive-up access aisles shall provide sufficient space to accommodate waiting vehicles.
2. Restaurants. Each drive-through and drive-up access aisle for restaurants shall provide sufficient space before the menu board to accommodate at least four waiting vehicles and at least four waiting vehicles between the menu board and the drive up window. The Commission may modify this standard based on specific site characteristics.

G. Menu and Preview Boards. Menu boards and preview boards may only be installed in compliance with all of the following

requirements.

1. Each drive-up lane shall be allowed a menu board at the ordering device in association with the drive-up window use. The size of the menu board shall be in compliance with Section 10.34.130 (Commercial and Industrial Zones - Number of Allowed Signs and Allowable Sign Area).

2. Each drive-up lane shall be allowed a preview board in addition to the menu board. The size of the preview board shall be in compliance with Section 10.34.130 (Commercial and Industrial Zones - Number of Allowed Signs and Allowable Sign Area).

3. Approval of a menu and preview sign board shall be subject to an approval of a Sign Plan or Master Sign Program in compliance with Chapter 10.34 (Signs) before installation of any signs on the subject site.

4. Loud speakers associated with a menu board shall be designed, installed, and maintained (both maximum noise level and direction) to ensure compliance with the regulations specified in Municipal Code Chapter 4.34 (Noise Regulations).

5. All menu and preview boards shall utilize low intensity illumination.

6. Any proposed carhop and/or walk-up menu boards shall not exceed six square feet in area and shall be located in areas approved through the required Conditional Use Permit process in compliance with Chapter 10.34 (Signs).

H. Prevention of Headlight Glare. Each drive-through aisle shall be appropriately screened with a combination of landscaping, low walls, and/or berms maintained at a height of three feet to prevent headlight glare from impacting adjacent streets and parking lots.

I. Wall Required When Adjoining Residential Uses.

1. A minimum six-foot high solid decorative wall shall be constructed on each property line that adjoins a residentially zoned or occupied parcel.

2. The wall shall be appropriately finished on both sides.

3. A minimum five-foot deep landscaping strip shall be provided between the wall and any driveway in compliance with Chapter 10.32 (Landscaping).

4. The design of the wall and the proposed construction materials shall be subject to the review and approval of the Director. (Ord. 935 § 3 (part), 2015)

10.50.100 Game Arcades.

A. Purpose and Applicability. This Section provides locational, developmental, and operational standards for game arcades. The provisions in this Section shall apply to game arcades where allowed in compliance with Article 2 (Zones, Allowable Uses, and Development and Design Standards) and the following standards. The applicable provisions specified in Municipal Code Chapter 5.08 shall also apply.

B. Prohibited in Residential Zones. Game arcades shall be prohibited in all residential zones of the City.

C. Locational and Operational Standards.

1. Separation Requirements.

a. No game arcade shall be located within a 300-foot radius of another game arcade or any sensitive use as defined in Article 9 (Definitions), disregarding the corporate boundary of the City, and as measured in compliance with Subparagraph b. (Measurement of Distance), below.

b. The distance between a game arcade and a sensitive use or another game arcade shall be made in a straight line, without regard to the intervening structures or objects, from the closest exterior wall of the structure, or a portion of the structure, in which the game arcade is located, to the property line of the parcel on which the structure, or portion of the structure, in which the sensitive use or another game arcade occurs or is located.

2. Containment of Game Arcade Areas. Game arcade areas shall be clearly defined and shall be totally contained within a structure.

3. Hours of Operation. Reasonable conditions may be imposed restricting hours of operation beyond those identified in Municipal Code Section 3.25.030, so as to protect the public health, safety, and welfare and surrounding property and uses.

4. Management Requirements. Game arcades shall provide full-time adult attendants or supervisors, 21 years of age or older, at a ratio of one attendant/supervisor for each 10 machines, plus one security guard for each 20 machines or fraction thereof or as otherwise directed by the Los Angeles County Sheriff's Department.

5. Reasonable Conditions. Reasonable conditions pertaining to both the construction of the facility and its maintenance shall be considered in order to minimize the effect of congregation, noise, parking, and other factors generated by the use, which may be detrimental to the public health, safety, and welfare of the surrounding community.

6. Adult Business Activities Are Prohibited. Adult business activities and/or uses are prohibited, unless specifically approved in compliance with the requirements of Chapter 10.62 (Adult Businesses).

7. Adequate Lighting Required. Adequate lighting shall be maintained inside the business and parking areas. An interior and exterior lighting plan shall be reviewed and approved by the Director before occupancy.

8. Window Treatment Restrictions. No window treatment(s) shall be installed or maintained that would prohibit the view of the interior during normal business hours.

9. Minors Utilizing the Facilities. Minors shall be accompanied by a parent or legal guardian after 10:00 p.m. and may not enter the facility during those times as the school district in which the facility is located is conducting its regular education program. These hours of operation shall be posted in a conspicuous place to the satisfaction of the Director.

10. Proof of Age Requirements. Patrons who appear under the age of 21 shall present proper identification to verify their age before using the facility, unless they are accompanied by a parent or legal guardian. Notice of this prohibition shall be posted at the entrance to the satisfaction of the Director.

11. Waiting and Seating Area Requirements. Establishments with internet access consisting of 25 percent or more of the gross floor area shall provide a waiting area with seating equal to one seat for every four computer stations.

a. No waiting list may be maintained beyond the seating capacity of the waiting area.

b. No outside waiting (loitering) or seating area shall be allowed and signs shall be posted stating this prohibition to the satisfaction of the Director.

12. Vehicle and Bicycle Parking Space Requirements

Vehicle and bicycle parking space and design requirements shall be in compliance with Chapter 10.30 (Off-Street Parking and Loading).

13. Floor Plan Approval from the Los Angeles County Fire Department Required. The applicant shall submit and receive an approved floor plan from the Los Angeles County Fire Department.

14. Security Plan Required. A security plan shall be subject to the review and approval of the Los Angeles County Sheriff's Department.

15. Security Measure Requirements.

a. Security measures may include, but are not limited to additional security guards, background investigations of the business applicants, and surveillance video equipment.

b. The provisions specified in Municipal Code Section 5.08.020 (e.g., fingerprinting requirement for background checks) shall also apply. (Ord. 935 § 3 (part), 2015)

10.50.110 Home Occupations.

A. Purpose and Applicability. This Section provides locational, developmental, and operational standards for the conduct of home occupations. The provisions in this Section shall apply to home occupations where allowed in compliance with Article 2 (Zones, Allowable Uses, and Development and Design Standards) and the following standards.

B. Business Permit Required. The operator of the home occupation shall have first received a Business Permit issued in compliance with Municipal Code Chapter 5.08 (Business and Occupation Permits).

C. Compliance Required. All home occupations shall comply with the applicable locational, developmental, and operational

standards identified in this Section.

D. City Standards. Each home occupation shall comply with all of the following standards.

1. Only the permanent resident(s) of the subject dwelling shall be employed on the premises in the conduct of a home occupation.
2. Except as provided for in Subparagraph 8., below, the home occupation shall be conducted within a dwelling and shall be clearly incidental to the use of the structure as a dwelling.
3. There shall be no direct on-site sale of products, either wholesale or retail.
4. Maintenance of associated tools and equipment shall take place out of public view and shall not be in violation of NPDES or the City's Noise Ordinance standards, and not disrupt the residential neighborhood.
5. The use shall not generate pedestrian or vehicular visits or traffic beyond that determined by the Director to be normal for the zone or neighborhood in which it is located.
6. A list of the type, quantity, and concentration of all hazardous materials and hazardous substances, as defined by the California Health and Safety Code, utilized in conjunction with a home occupation shall be provided to the Fire Department and Building Department. No quantity or concentration of these materials beyond what is allowed by the Los Angeles Fire Code or Building Code for residential structures shall be allowed.
7. There shall be no signs related to the home occupation visible outside of the dwelling.
8. Not more than one room or the equivalent of 20 percent of the floor area of the entire dwelling unit, whichever is greater, shall be employed for the home occupation. Use of the garage or carport is allowed; provided, that all required vehicle storage is maintained in compliance with this Zoning Code (at least two parking spaces shall be continually maintained for parking purposes), and the garage doors shall be closed at all times when not in use.
9. The appearance of the dwelling or any accessory structure shall not be altered so that the dwelling may be reasonably recognized as serving a nonresidential use (either by color, construction, dust, hours of operation, materials, odors, lighting, noise, sounds, vibrations, etc. or that disturbs the peace). The existence of a home occupation shall not be apparent beyond the boundaries of the subject site.
10. There shall be no use of utilities or community facilities beyond that normal to the use of the property for residential purposes as defined in the zone.
11. Visitation and deliveries incidental to the home occupation shall be limited to the hours of 7:00 a.m. to 7:00 p.m., Monday through Friday, 9:00 a.m. to 5:00 p.m., on Saturdays and Sundays.
12. Only one vehicle, in addition to the other vehicles registered to the occupant(s), owned or leased by the operator of the home occupation, which does not exceed an unladen weight of 6,000 pounds may be used by the occupant(s) directly or indirectly in connection with a home occupation.
13. Other than that specified in Subparagraph 12., above, the home occupation shall not involve the use of commercial vehicles for delivery of materials to or from the premises in a manner different from normal residential usage, except for FedEx, UPS, or USPS-type home deliveries/pick-ups.
14. Trailers used in conjunction with the home occupation shall be stored within an entirely enclosed garage or in the side or rear setback area, behind a five to six-foot high solid fence or wall.
15. No waste receptacles contrary to those provided by the City's waste franchisee for the subject residential property shall be maintained on the premises.
16. Only one home occupation may be allowed in any dwelling.
17. All home occupations shall be subject to an annual inspection to ensure compliance with the requirements of this Section.
18. All pre-existing home occupations shall conform to all applicable Zoning Code requirements before or upon renewal of the annual Business Permit.
19. All Cottage Food Operations (i.e., an enterprise at a private home where low-risk food products are prepared and/or packaged for sale to consumers), conducted as a home occupation, shall be operated in compliance with the applicable provisions of this Section and Government Code Section 51035. (Ord. 935 § 3 (part), 2015)

10.50.120 Religious Assembly Uses in Residential Zones.

A. Purpose and Applicability. This Section provides locational and operational standards for religious assembly uses, only when located in a residential zone. The provisions in this Section shall apply to religious assembly uses located in residential zones where allowed in compliance with Article 2 (Zones, Allowable Uses, and Development and Design Standards).

B. City Standards. Except as specified in this Section, the premises on which a religious assembly use is located shall comply with the regulations and restrictions applicable to the residential zone in which it is located. Additionally, all new religious assembly uses allowed within residential zones shall comply with all of the following standards.

1. Parcel Size. The minimum parcel size shall be one acre or 43,560 square feet.

2. Location. A religious assembly use shall have frontage on a site with a minimum of two separate access points to secondary or larger roadways as designated in the City's General Plan.

3. Separation - On-Site. The main assembly hall and all other on-site structures shall be separated from the nearest parcel used for residential purposes by a minimum of 25 feet.

4. Circulation.

a. The location of the religious assembly use and the on-site improvements shall provide for safe and efficient pedestrian and vehicular circulation.

b. Vehicular access shall be provided in compliance with Subparagraph 2. (Location), above.

c. The applicable review authority may require the presence of one or more parking attendants and/or police officers to ensure the safe operation of parking facilities, pedestrian circulation, and traffic circulation on the public right-of-way.

5. Hours of Operation. The applicable review authority shall determine the allowable hours of operation for a religious assembly use, taking into consideration appropriate factors that include but are not limited to: size of the proposed facility, number of anticipated regular members, number and scope of the specific activities to be conducted on the site, the circulation pattern of the adjoining residential neighborhood, potential vehicular and pedestrian congestion, and proximity to adjoining residences.

6. Noise.

a. Regardless of the decibel level and taking into consideration the noise levels generated by religious assembly uses, all noise generated from a religious assembly use shall not unreasonably offend the senses or obstruct the free use and comfortable enjoyment of neighboring properties.

b. Mitigation measures may be required to minimize noise impacts (e.g., approved location of parking and loading areas, the provision of sound attenuation barriers, etc.).

c. All noise generated from a religious assembly use shall be in compliance with Municipal Code Chapter 4.34 (Noise Regulations).

7. Overconcentration. A religious assembly use shall not be located within a 300-foot radius of another existing religious assembly use, disregarding the corporate boundary of the City, unless the applicable review authority grants an exception. The review authority, in granting an exception, shall first find that the proposed concentration will not be detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing in the neighborhood of the proposed use.

8. Parking.

a. Parking and loading requirements shall be in compliance with Chapter 10.30 (Off-Street Parking and Loading).

b. Parking shall not be allowed within required front or street-side setback areas.

c. An area for the safe and acceptable means of drop-off and pick-up of persons using the religious assembly facility shall be provided.

9. Signs. Signs shall be in compliance with the requirements of Chapter 10.34 (Signs).

10. Wall Required. A six-foot high solid decorative masonry wall shall be constructed and properly maintained along all property lines abutting residential zones, except in the front setback area or within a corner cutoff intersection area, in compliance with the requirements of Chapter 10.28 (Fences, Hedges, and Walls).

11. Site Plan and Design Review Required. A detailed site plan and architectural elevations shall be subject to the approval of a Site Plan and Design Review in compliance with Chapter 10.94 (Site Plan and Design Review). (Ord. 935 § 3 (part), 2015)

10.50.130 Public Dancing in Residential Zones.

A. Purpose and Applicability. This Section serves to prohibit public dancing operations within any of the residential zones of the City.

B. Public Dancing Prohibited.

1. The advertising, conducting, holding, participating in, or promoting any entertainment or public dance within any of the residential zones of the City is prohibited.

2. The provisions of this Section shall not apply to bona fide charitable institutions, religious assembly uses, political organizations, public structures, and schools.

3. Local law enforcement officers shall enforce the provisions of this Section.

C. Definitions. For purposes of this Section, the following terms shall have the following meanings.

1. Bona Fide Charitable Institution. Bona fide charitable institution means and includes those institutions or organizations which qualify for a tax exempt certificate in compliance with State Revenue and Taxation Code Section 23701d.

2. Bona Fide Political Organization. Bona fide political organization means and includes any political organizations which qualify for a tax exempt certificate in compliance with State Revenue and Taxation Code Section 23701r, or any political group, organization, or person whose activities or proceeds are used exclusively for the benefit of a political candidate or issue, and which activities do not include dancing.

3. Entertainment. Entertainment means and includes any activity allowed, engaged in, or planned to occur for the purpose of or resulting in the attracting, entertaining, pleasing, or retaining customers or patrons, and shall specifically include, but not be limited to, the playing of any musical instrument by any human being, the playing of discs, records, tapes, or other musical reproduction devices, or performing the functions of a disc jockey.

4. Private Dance. Private dance means any dance conducted by the persons legally residing in a private residence for themselves, their immediate family, relatives, and guests, and which is not for profit or a commercial purpose, and to which the public is not admitted or allowed to participate, and to which the public is not invited or solicited by any form or invitation or advertisement, and for which no admission is required, or accepted and for which no collection, consideration, contribution, offering, or anything of value is accepted, requested, or required for admission or participation.

5. Public Dance. Public dance means any dance other than a private dance (see Private dance, above). (Ord. 935 § 3 (part), 2015)

10.50.140 Recycling Facilities.

A. Purpose and Applicability. This Section provides locational, developmental, and operational standards for various types and sizes of recycling facilities (e.g., reverse vending machine(s), small collection facilities, and large collection facilities). The provisions in this Section shall apply to recycling facilities where allowed in compliance with Article 2 (Zones, Allowable Uses, and Development and Design Standards) and the following standards.

B. Permit Requirements. Recycling facilities are subject to permit review/approval in compliance with Article 2 (Zones, Allowable Uses, and Development and Design Standards); provided, the following standards are met.

C. Locational, Developmental, and Operational Standards. Recycling facilities shall comply with the following standards.

1. Reverse Vending Machine(s). Reverse vending machine(s) shall be allowed in compliance with all of the following standards.

a. The machines shall be installed as an accessory use in compliance with the applicable provisions of this Zoning Code, and shall not require additional parking.

b. If located inside of a structure, the machines shall be within 30 feet of the entrance and shall not obstruct pedestrian

circulation.

c. If located outside of a structure, the machines shall not occupy or block required parking spaces or drive aisles, shall be constructed of durable waterproof and rustproof material(s), and shall be appropriately screened from view from the public right-of-way, subject to the approval of the Director.

d. The machine(s) shall be set back at least 20 feet from any property line, and not obstruct vehicular circulation or pedestrian access in compliance with Americans with Disability (ADA) regulations.

e. The machines shall not exceed a floor or ground area of 50 square feet total, including any protective enclosure, nor eight feet in height.

f. The machines shall have a maximum sign area of four square feet for each machine, exclusive of operating instructions.

g. The machines shall have operating hours which are consistent with the operating hours of the primary use.

h. The area in front of the machines shall be illuminated to ensure comfortable and safe operation, if operating hours are between dusk and dawn.

2. Small Collection Facilities (Up to 350 square feet in size). Small collection facilities shall be allowed in compliance with all of the following standards.

a. The facility shall not exceed a floor or ground area of 350 square feet nor one parking space, not including space that would be periodically needed for the removal of materials or exchange of containers.

b. The facility shall not use power-driven processing equipment, except for reverse vending machines.

c. The facility shall not be located within 50 feet of any parcel zoned or occupied for residential use.

d. The facility shall be set back at least 10 feet from any property line, and not obstruct vehicular or pedestrian circulation.

e. The facility shall accept only glass, metal, or plastic containers, paper, and reusable items.

f. The facility shall use containers that are constructed with durable waterproof and rustproof material(s), secured from unauthorized removal of material, and shall be of a capacity sufficient to accommodate materials collected and the collection schedule.

g. Collection containers and site fencing shall be of a color and design that would be compatible and harmonious with the character of their location.

h. Signs may be provided as follows:

(1) Recycling facilities may have identification signs with a maximum area of 15 percent for each side of the structure or 12 square feet, whichever is greater. In the case of a wheeled facility, the side shall be measured from the ground to the top of the container.

(2) Signs shall be both compatible and harmonious with the character of their location.

(3) Directional signs without advertising messages may be installed with the approval of the Director.

i. Additional parking spaces shall not be required for customers of a small collection facility located in the established parking lot of the primary use.

j. Mobile recycling units shall have an area clearly marked to prohibit other vehicular parking during hours when the mobile unit is scheduled to be present.

k. Use of parking spaces by the patrons and the attendant shall not reduce available parking spaces below the minimum number required for the primary use, unless the Director determines that existing capacity is not fully utilized during the time the recycling facility would be on the site.

3. Large Collection Facilities (Greater than 350 square feet in size). Large collection facilities, which are larger than 350 square feet of floor or ground area, or located on a separate parcel not accessory to a primary use, are allowed in compliance with Article 2 (Zones, Allowable Uses, and Development and Design Standards), subject to Site Plan and Design Review, in compliance with Chapter 10.94 and all of the following standards:

a. The facility shall not abut a parcel zoned or occupied for residential use.

- b. The facility shall be screened from public rights-of-way, by eight-foot high solid decorative masonry walls or located within an enclosed structure.
- c. Structure setbacks and landscaping shall be provided as required for the applicable zone.
- d. Exterior storage of material shall be in sturdy containers that are secured and maintained in good condition.
- e. The site shall be maintained clean, sanitary, and free of litter and any other undesirable materials, and shall be cleaned of loose debris on a daily basis.
- f. Containers provided for "after hours" donation of recyclable materials shall be permanently located at least 100 feet from any parcel zoned or occupied for residential use, constructed of sturdy, rustproof material(s), have sufficient capacity to accommodate materials collected, and be secured from unauthorized entry or removal of materials.
- g. Dust, fumes, odor, smoke, or vibration, above ambient levels, shall not be detectable on adjoining parcels. (Ord. 935 § 3 (part), 2015)

10.50.150 Secondhand Stores.

- A. Purpose and Applicability. This Section provides operational standards for retail secondhand stores. The provisions in this Section shall apply to retail secondhand stores where allowed in compliance with Article 2 (Zones, Allowable Uses, and Development and Design Standards) and the following standards.
- B. City Standards. Except as specified in this Section, the premises on which a retail secondhand store is located shall comply with the regulations and restrictions applicable to the zone in which it is located.
 - 1. Design Quality. A proposed retail secondhand store shall be of an architectural and visual quality and character that harmonizes with, or where appropriate, enhances the surrounding area.
 - 2. Store Front Appearance. The store front of a retail secondhand store shall not be distinguishable from a store selling new merchandise other than by signs and merchandise displayed.
 - 3. Display of Merchandise for Sale. All merchandise shall be displayed in a similar manner to that of a store selling new merchandise.
 - 4. Completely Enclosed Structure. All available merchandise shall be displayed, sold, and stored within a completely enclosed structure.
 - 5. Business Permit Required. A retail secondhand store shall receive and maintain a valid City Business Permit issued in compliance with Municipal Code Chapter 5.08 (Business and Occupation Permits). (Ord. 935 § 3 (part), 2015)

10.50.160 Service Stations.

- A. Purpose and Applicability. This Section provides locational and operational standards for retail automotive service stations. The provisions in this Section shall apply to retail automotive service stations where allowed in compliance with Article 2 (Zones, Allowable Uses, and Development and Design Standards) and the following standards.
- B. City Standards. Except as specified in this Section, the premises on which a retail automotive service station use is located shall comply with the regulations and restrictions applicable to the zone in which it is located.
 - 1. Parcel Size. The minimum parcel size shall be 16,000 square feet.
 - 2. Minimum Street Frontage. The minimum street frontage shall be 120 feet. If located on a corner, at least one street frontage shall measure 120 feet.
 - 3. Allowed Uses. The primary use of land allowed shall be the dispensing of motor fuels, lubricants, and oils, vehicle recharging, and the exchange of motor vehicle parts in kind. Limited vehicle/equipment repair shall be limited to the hours of 7:00 a.m. to 7:00 p.m., daily.
 - 4. Prohibited Uses.

- a. Activities involving automobile and/or truck body painting and/or general vehicle/equipment repair (as defined in Article 9 [Definitions]) shall not be allowed.
 - b. Products and/or merchandise, excluding service station equipment, stored outside of any structure shall not be allowed.
5. Sale of Alcoholic Beverages. The sale of alcoholic beverages and/or other items unrelated to the operation of motor vehicles are only allowed subject to the approval of a Conditional Use Permit in compliance with Chapter 10.84 (Conditional Use Permits and Minor Use Permits).
6. Within Enclosed Structure(s). All operations, except services rendered directly to the occupant of a motor vehicle (e.g., airing of tires, pumping of fuel), shall be conducted in an entirely enclosed structure.
7. Restroom Facilities. The restroom facility entrances shall be completely screened from public view.
8. Off-Street Parking Requirements. Off-street parking spaces shall be provided in compliance with Chapter 10.30 (Off-Street Parking and Loading).
9. Landscaping Requirements. A minimum of 10 percent of the total project site shall be adequately landscaped in compliance with Chapter 10.32 (Landscaping).
10. Mechanical Equipment Screening Requirements. All exterior mechanical equipment, except for the fuel pumps, shall be properly screened from public view to the satisfaction of the Director.
11. Solid Waste and Recyclable Storage Areas.
- a. At least 72 square feet of solid waste and recyclable storage area(s) shall be provided.
 - b. The solid waste and recyclable storage area(s) shall be properly enclosed to the satisfaction of the Director.
12. On-site Lighting. Adequate on-site lighting shall be provided in compliance with Section 10.38.080 (Outdoor Light and Glare).
13. Mixed Uses. In the case of mixed uses/occupancies or uses of a business premises:
- a. The applicable review authority may allow mixed uses/occupancies with retail automotive service stations as specifically allowed in the conditions of approval of the Conditional Use Permit or Minor Use Permit; provided, the added use(s) are allowed in the subject zone.
 - b. The total number of off-street parking spaces shall be the sum total required for the various uses computed separately, in compliance with Chapter 10.30 (Off-Street Parking and Loading). Spaces located adjacent to fuel pumps shall not be counted toward meeting the off-street parking requirements.
 - c. It shall first be adequately demonstrated that each approved use/occupancy meets the applicable development standards and will not interfere with the independent operation of other occupancies or use(s) of land on the subject site. (Ord. 935 § 3 (part), 2015)

10.50.170 Smoke shops.

- A. Purpose and Applicability. This Section provides location and operational standards for smoke shops, including those selling e-cigarettes. The provisions in this Section shall apply to smoke shops where allowed in compliance with Article 2 (Zones, Allowable Uses, and Development and Design Standards) and the following standards.
- B. Applicable Provisions and Prohibitions.
1. Prohibited Locations. No smoke shop shall be located within an 800-foot radius of another smoke shop or any sensitive use as defined in Article 9 (Definitions), disregarding the corporate boundary of the City, and as measured in compliance with Subparagraph 2 (Measurement of distance), below.
 2. Measurement of Distance. The distance between a smoke shop and a sensitive use or another smoke shop shall be made in a straight line, without regard to the intervening structures or objects, from the closest exterior wall of the structure, or a portion of the structure, in which the smoke shop is located, to the property line of the parcel on which the structure, or portion of the structure, in which the sensitive use or another smoke shop occurs or is located.
 3. Accessory Use. A smoke shop is not and shall not be approved as an accessory use to any other use allowed in compliance with Article 2 (Zones, Allowable Uses, and Development and Design Standards). (Ord. 935 § 3 (part), 2015)

10.50.180 Tattoo and Body Piercing Establishments.

A. Purpose and Applicability.

1. This Section provides standards for tattoo and body piercing establishments. The provisions in this Section shall apply to tattoo and body piercing establishments where allowed in compliance with Article 2 (Zones, Allowable Uses, and Development and Design Standards) and the following standards. To promote the public health, safety and welfare and to ensure the appropriate mix of land uses within the City, it is appropriate to establish land use and zoning regulations, as well as locational, developmental, and operational standards and regulations for tattoo and body piercing establishments.

2. Extreme body modification may pose serious negative health risks and complications including bleeding, infections, toxic shock syndrome, meningitis, and staph infections. Moreover, amongst adolescents, tattooing has been associated with delinquency, substance abuse, engagement in risk-taking behavior, and may contribute to youth dropping out of school. The time place and manner restrictions specified in this Section, assist in mitigating the negative secondary effects associated with tattoo and body piercing establishments.

B. Definitions. The following words and phrases shall have the same meanings as specified in California Health and Safety Code Section 119300 et seq. as the same may be amended from time to time, and whenever used in this Section shall be construed as defined in this Section:

1. Body piercing. Body piercing means and includes the creation of an opening in the body of a human being for the purpose of inserting jewelry or other decoration. This includes, but is not limited to, piercing of an ear, lip, tongue, nose, or eyebrow. Body piercing does not include piercing an ear with a disposable, single-use stud or solid needle that is applied using a mechanical device to force the needle or stud through the ear.

2. Body piercing establishment or parlor. Body piercing establishment or parlor means and includes any establishment where body piercing is conducted.

3. Branding. Branding means and includes any method, including, but not limited to, the use of heat, cold, chemical compound, or cauterizing to apply a scar to the body for the purpose of creating a permanent mark or design on the skin.

4. Extreme body modification. Extreme body modification means and includes the practice of modifying the physical body using the techniques of branding and scarification.

5. Permanent cosmetics. Permanent cosmetics means and includes the application of pigments to or under the skin of a human being for the purpose of permanently changing the color or appearance of the skin. This includes, but is not limited to, permanent eyeliner, eye shadow, or lip color.

6. Scarification. Scarification means and includes any method used to alter skin texture by cutting the skin and controlling the body's healing process in order to produce wounds which result in permanently raised welts or bumps, or any other technique that changes the contour, or level plane of the skin and/or results in a scar on the skin.

7. Tattooing. Tattooing means and includes to insert pigment under the surface of the skin of a human being, by pricking with a needle or otherwise, to produce an indelible mark or figure visible through the skin.

8. Tattoo establishment or parlor. Tattoo establishment or parlor means and includes any establishment where tattooing is conducted.

C. Extreme Body Modification Services Prohibited. Business enterprises which engage in the performance of extreme body modification services, as defined in this Section, are prohibited in all zones throughout the City. No permit or any other applicable license or entitlement for use, including but not limited to the issuance of a Business License, shall be approved or issued for the establishment, maintenance, or operation of any business enterprise that engages in the performance of extreme body modification services within the City limits. The establishment, maintenance, or operation of any business enterprise which conducts extreme body modification services within the City limits is declared to be a public nuisance.

D. Separation Requirements.

1. A tattoo and body piercing establishments shall not be located within an 800-foot radius of another tattoo and body piercing establishment or any sensitive use as defined in Article 9 (Definitions), disregarding the corporate boundary of the City.

2. The distance between a tattoo and body piercing establishment and a sensitive use or another tattoo and body piercing establishment shall be made in a straight line, without regard to the intervening structures or objects, from the closest exterior wall of the structure, or a portion of the structure, in which the tattoo and body piercing establishment is located, to the property line of the parcel on which the structure, or portion of the structure, in which the sensitive use or another tattoo and body piercing establishment

occurs or is located.

E. Prohibited Hours. A tattoo and body piercing establishments shall not operate between the hours of 10:00 p.m. and 7:00 A.M. each and every day.

F. Minors Prohibited. The tattoo and body piercing establishment operator shall not allow minors to patronize the business, unless accompanied by an adult.

G. Alcoholic Beverage Use and Smoking Prohibited.

1. No person shall be permitted to smoke or consume alcoholic beverages on the inside of a tattoo and body piercing establishment. The sale of cigarettes and alcohol on the premises is prohibited. No intoxicated or disorderly persons shall be allowed to remain on the premises.

2. Signs shall be posted stating this prohibition to the satisfaction of the Director.

H. Security Plan Required. The business operator shall submit a security plan which shall be subject to the review and approval of the Director.

I. Compliance with State and County Laws and Licensing Requirements Required. Full compliance with all applicable State and County laws and licensing requirements is required. (Ord. 935 § 3 (part), 2015)

10.50.190 Vehicle Sales.

A. Purpose and Applicability. This Section provides location, developmental, and operational standards for the conduct of motor vehicle sales facilities. The provisions in this Section shall apply to vehicle sales facilities where allowed in compliance with Article 2 (Zones, Allowable Uses, and Development and Design Standards).

B. City Standards. All vehicle sales facilities shall comply with all of the following standards.

1. Minimum Parcel Size Required. Newly established vehicle sales facilities shall require a minimum parcel size of 16,000 square feet.

2. Permanent Sales Structures Required.

a. All vehicle sales transactions, except for outdoor sales and displays, shall be conducted in permanent structures only.

b. All on-site structures shall be architecturally consistent on all sides and architecturally related to each other.

c. Showrooms shall be oriented toward major public streets.

d. No portable/mobile structures shall be used for the vehicle sales office/facility.

3. Accessory Activities.

a. All parts, accessories, etc., shall be stored within a fully enclosed structure(s).

b. All repair or installation activities (if proposed and allowed) shall be conducted between the hours of 7:00 a.m. and 7:00 p.m. daily.

c. Motor vehicle repair or service work (if proposed and allowed) shall not occur outside of a fully enclosed and properly designed and constructed structure.

d. Service bays (if proposed and allowed) with individual access from the exterior of the structure shall not directly face or front on a public right-of-way and shall be designed to minimize the visual intrusion onto adjoining properties.

e. Outdoor hoists shall be prohibited.

f. An adequate on site queuing area for service customers (if proposed and allowed) shall be provided. Required off-street parking spaces may not be counted as queuing spaces.

g. Outside storage or parking of any disabled, wrecked, or partially dismantled vehicle (if proposed and allowed) shall only be allowed in an approved area(s) enclosed by solid decorative walls and screened from view from adjacent properties and public streets, subject to the approval of the Director.

h. All outside equipment storage areas (if proposed and allowed) shall be screened from view from the public street and any adjacent residential area.

i. Public address systems shall not be used in outdoor areas. Cell phones and/or personal paging devices can be used if it necessary to contact employees outdoors.

j. Compressors and similar equipment (if proposed and allowed) shall be located within a fully enclosed structure.

4. Off-Street Parking Required.

a. Off-street parking requirements shall be established during initial project review to adequately accommodate all on-site uses including showroom, office, parts and service areas (if proposed and allowed), as well as employee and customer parking.

b. Sufficient space shall be provided for service drop-offs (if proposed and allowed) to prevent stacking of waiting vehicles onto a public street.

c. All off-street parking shall be designed, constructed, and operated in compliance with Chapter 10.30 (Off-Street Parking and Loading).

5. Outdoor Vehicle Displays. All outdoor vehicle display areas shall be provided with a landscaped buffer of at least five feet in width located adjacent to the front setback/right-of-way.

6. Outdoor Vehicle Storage.

a. For purposes of this Section, "vehicle storage" is defined as the keeping of vehicles in an area not normally accessible to customers except with the authorization and/or accompaniment of facility employees.

b. All storage areas shall be completely screened from public view with a combination of landscaping, trellises, and walls as appropriate, subject to the approval of the Director.

7. Lighting.

a. Night lighting shall be limited to signs, outdoor vehicle sales displays, the indoor showroom, and incidental security lighting.

b. All on-site lighting shall be in compliance with Section 10.38.080 (Outdoor Light and Glare).

8. Paved Surfaces Required.

a. All vehicles associated with the business shall be displayed, parked, or stored on-site on paved surfaces only and not in adjoining streets or alleys.

b. Auxiliary off-site storage of vehicles (if proposed and allowed) shall only be at appropriate locations with appropriate paving and screening, subject to the approval of the Director.

9. Loading/Unloading of Vehicles. All loading and unloading of vehicles shall occur on site and not in adjoining public rights-of-way.

10. Perimeter Landscaping Required.

a. A landscaped planter at least five-feet wide in inside dimension shall be provided along the front and street side property lines, except for openings required for vehicular and pedestrian circulation. On corner parcels, an on-site planter area of not less than 200 square feet shall be provided at the corner of two intersecting streets.

b. Landscaping shall comprise a minimum of 10 percent of the entire site area. This landscaping is in addition to the required residential buffers and street frontage landscaping.

c. Wherever a vehicle sales facility is located adjacent to a residential zone or use, a solid decorative screening wall at least seven feet in height shall be provided.

d. All landscaping shall be installed and permanently maintained in compliance with Chapter 10.32 (Landscaping).

11. On-Site Master Sign Program Required.

a. All allowed on-site signs shall require the review and approval of a Master Sign Program in compliance with Chapter 10.34 (Signs).

- b. All permanent signs shall be designed, installed, and permanently maintained in compliance with Chapter 10.34 (Signs).
 - c. All temporary signs shall be designed, installed, and properly maintained in compliance with Section 10.34.150 (Temporary Signs).
12. On-Site Fence/Wall Standards.
- a. Fences and walls shall be architecturally compatible with the on-site structures.
 - b. All fences and walls shall be designed, constructed, and permanently maintained in compliance with Chapter 10.28 (Fences, Hedges, and Walls). (Ord. 935 § 3 (part), 2015)

10.50.200 Wireless Communications Facilities.

A. Purpose and Intent.

1. The purpose of this Section is to regulate the installation, operation, and maintenance of personal Wireless Communications Facilities in the City. The City recognizes that the unrestricted installation of redundant personal Wireless Communications Facilities is contrary to the City's efforts to stabilize economic and social aspects of neighborhood environments, and to promote safety and aesthetic considerations, family environments, and a basic residential character within the City in enacting this Section, the City intends to:

- a. Promote and protect the health, safety, comfort, convenience and general welfare of residents and business in compliance with this Zoning Code;
- b. Protect the benefits derived by the City, its residents, and the general public from access to personal wireless services while minimizing, to the greatest extent feasible, the redundancy of personal Wireless Communications Facilities in the City;
- c. Balance these goals by permitting the installation and operation of personal Wireless Communications Facilities where they are needed, while reducing, to the greatest extent feasible, adverse economic, safety, and/or aesthetic impacts on nearby properties and the community as a whole; and
- d. Comply with applicable law, including the 1996 Telecommunications Act.

2. In enacting this Section, it is the intent of the Council that no additional rights or entitlements be conferred to construct or maintain personal Wireless Communications Facilities, other than those rights or entitlements existing under applicable State or Federal law.

3. This Section is intended to regulate all uses of wireless communications in the City, including uses by public utilities, to the extent of the City's power to regulate the use of land under State or Federal law, but not to exceed the scope of the City's authority.

B. Applicability. This Section applies to all proposed antennas and modifications and related personal Wireless Communications Facilities, as follows:

- 1. All applications for approval of the installation of new personal Wireless Communications Facilities in the City.
- 2. All facilities for which applications were received by the Director but not approved prior to the effective date of the ordinance codifying this Section, shall comply with the regulations and guidelines of this Section.
- 3. All facilities for which applications were approved by the City on or prior to the effective date of the ordinance codifying this Section shall be exempt from this Section, except for the requirements of Subparagraph C.6.c.

All facilities for which applications have been previously approved, but are now or hereafter:

- a. Expanded;
- b. Modified by the installation of additional antennas, larger antennas or more powerful antennas; or
- c. When one or more new bands of service are activated shall comply with this Section.

C. Standards for All Personal Wireless Communications Facilities. All personal Wireless Communications Facilities shall comply with the following requirements:

1. Permit Requirements. No personal Wireless Communications Facility shall be installed, expanded, modified by the installation of additional antennas, larger antennas or more powerful antennas, or when one or more new bands of service are activated, until the applicant or operator has obtained:

a. The required permits or other City authorizations,

b. An Encroachment Permit from the Public Works Department (if applicable), and

c. Any other permit required by the Municipal Code including a Building Permit or Electrical Permit. Applications for new facilities and substantial modifications to existing facilities shall be first reviewed by the Director. All discretionary permits will be scheduled for public hearing in compliance with this Section. The applicable Review Authority shall determine if a proposed project is the least intrusive means to close a significant gap in the applicant's service coverage.

2. Application Content. Applications for the approval of personal Wireless Communications Facilities shall include, but are not necessarily limited to, an application fee and the following information, in addition to all other information required by the City for a discretionary permits or authorizations application in compliance with Chapter 10.82 (Permit Application Filing and Processing):

a. Written documentation demonstrating a good faith effort to locate the proposed facility in the least intrusive location in compliance with the location requirements of Subparagraph C.3., below;

b. Scaled visual simulations showing the proposed facility superimposed on photographs of the site and surroundings, to assist the applicable review authority in assessing the visual impacts of the proposed facility and its compliance with the provisions of this Section;

c. A master plan which identifies the location of the proposed facility in relation to all existing and potential facilities maintained by the operator intended to serve the City. The master plan shall reflect all potential locations that are reasonably anticipated for construction within two years of submittal of the application. Applicants may not file, and the City shall not accept, applications that are not consistent with the master plan for a period of two years from approval of applicable discretionary permit or authorization unless: (i) the applicant demonstrates materially changed conditions which could not have been reasonably anticipated to justify the need for a personal Wireless Communications Facility site not shown on a master plan submitted to the City within the prior two years or (ii) the applicant establishes before the applicable review authority that a new personal Wireless Communications Facility is necessary to close a significant gap in the applicant's personal Communications service, and the proposed new installation is the least intrusive means to do so;

d. A siting analysis which identifies a minimum of five other feasible locations within or without the City which could serve the area intended to be served by the facility, unless the applicant provides compelling technical reasons for providing fewer than the minimum. The alternative site analysis shall include at least one collocation site;

e. An affirmation, under penalty of perjury, that the proposed installation will be FCC compliant, in that it will not cause members of the general public to be exposed to RF levels that exceed the MPE levels deemed safe by the FCC. A copy of the fully completed FCC form "A Local Government Official's Guide to Transmitting Antenna RF Emission Safety: Rules, Procedures, and Practical Guidance: Appendix A" titled "Operational Checklist for Determination of Whether a Facility is Categorically Excluded" for each frequency band of RF emissions to be transmitted from the proposed facility upon the approval of the application. All planned radio frequency emissions on all frequency bands shall be shown on the Appendix A form(s) attached to the application. All planned radio frequency emissions are to be entered on each Appendix A form only in wattage units of "effective radiated power;"

f. A statement signed by a person with legal authority to bind the applicant attesting under penalty of perjury to the accuracy of the information provided in the application;

g. A noise study, prepared by a qualified engineer, for the proposed personal Wireless Communications Facility including, but not limited to, equipment (i.e., air conditioning units and back-up generators);

h. A written statement of the applicant's willingness to allow other carriers to collocate on the proposed personal Wireless Communications Facility wherever technically and economically feasible and aesthetically desirable;

i. Other information as the Director shall establish from time to time in compliance with the Permit Streamlining Act, Government Code Section 65940, or to respond to changes in law or technology; and

j. An application for a personal Wireless Communications Facility in a public right-of-way for which the applicant claims entitlement under California Public Utilities Code Section 7901 shall be accompanied by evidence satisfactory to the Director that the applicant is a telephone corporation or has written authorization to act as an agent for a telephone corporation.

3. Preferred Zones and Locations. When doing so would not conflict with one of the standards specified in this Subsection or

with Federal law, personal Wireless Communications Facilities shall be located in the most appropriate location as described in this Subparagraph, which range from the most appropriate to the least appropriate. Nothing in this Section shall detract from the requirements of Subparagraph C.4.a., below.

- a. Collocation on an existing facility in a commercial zone;
- b. Collocation on an existing structure or utility pole in a commercial zone;
- c. Location on a new structure in a commercial zone;
- d. Collocation on an existing facility in a public facility or recreation zone;
- e. Location on an existing structure or utility pole in a public facility or recreation zone; or
- f. Location on a new structure in a public facility or recreation zone.

No new facility may be placed in a less appropriate area unless the applicant demonstrates to the satisfaction of the applicable Review Authority that no more appropriate location can feasibly serve the area the facility is intended to serve provided, however, that the applicable review authority may authorize a facility to be established in a less appropriate location if doing so is necessary to prevent substantial aesthetic impacts.

4. Design and Development Standards. Personal Wireless Communications Facilities shall be designed and maintained as follows:

a. All new personal Wireless Communications Facilities shall be set back at least 1,000 feet from schools, dwelling units, and parks, as measured from the closest point of the personal Wireless Communications Facility (including accessory equipment) to the applicable property line, unless an applicant establishes that a lesser setback is necessary to close a significant gap in the applicant's personal Communications service, and the proposed personal Wireless Communications Facility is the least intrusive means to do so. An applicant who seeks to increase the height of an existing personal Wireless Communications Facility, or of its antennas, located less than 1,000 feet from a school, dwelling unit, or park shall establish that the increase is necessary to close a significant gap in the applicant's personal Communications service, and the proposed increase is the least intrusive means to do so.

b. Facilities shall have subdued colors and non-reflective materials which blend with the materials and colors of the surrounding area and structures.

c. Unless otherwise prohibited by State or Federal law, all equipment not located on a roof shall be underground; any equipment that is not undergrounded shall be screened from adjacent uses to the maximum extent feasible.

d. The facilities shall not bear any signs or advertising devices other than certification, warning, or other signage required by law or expressly permitted by the City.

e. At no time shall equipment noise (including air conditioning units) from any facility exceed the applicable noise limit established in Section 10.38.060 (Noise) at the facility's property line; provided, however, that for any facility located within 500 feet of any property zoned residential, or improved with a residential use, the equipment noise shall at no time be audible at the property line of any residentially zoned, or residentially improved property.

f. If the majority of radio frequency coverage from the proposed facility is outside the City limits, the applicant shall, in addition to the other requirements of this Section, prove that the applicant is unable to locate the proposed facility within the locale(s) that will receive the majority of the coverage from the proposed personal Wireless Communications Facility, and that no other feasible location for the facility exists outside of the City limits. The fact that an applicant for a discretionary permit in the City has been denied a wireless facility, antenna, or wireless coverage in another jurisdiction shall not be considered evidence or proof that the applicant is unable to locate in another jurisdiction.

5. Independent Expert Review. The City shall retain an independent, qualified consultant to review any application for a permit for a new personal Wireless Communications Facility or modification to an existing personal Wireless Communications Facility. The review is intended to be a review of technical aspects of the proposed Wireless Communications Facility or modification of an existing Wireless Communications Facility and shall address any or all of the following:

- a. Whether the proposed Wireless Communications Facility is necessary to close a significant gap in coverage and is the least intrusive means of doing so;
- b. The accuracy and completeness of submissions;
- c. Technical demonstration of the unavailability of alternative sites or configurations and/or coverage analysis;

- d. The applicability of analysis techniques and methodologies;
- e. The viability of alternative sites and alternative designs; and
- f. Any other specific technical issues designated by the City.

The cost of the review shall be paid by the applicant through a deposit estimated to cover the cost of the independent review, established by the Director.

6. Conditions of Approval. All facilities approved under this Section shall be subject to the following conditions:

a. Facilities. Facilities shall not bear any signs or advertising devices other than legally required certification, warning, or other required seals or signs, or as expressly authorized by the City.

b. Abandonment.

(1) Personal Wireless Communications Facilities that are no longer operating shall be removed at the expense of the applicant, operator, or owner no later than 90 days after the discontinuation of use. Disuse for 90 days or more shall also constitute a voluntary termination by the applicant of any land use entitlement under this Zoning Code or any predecessor to this Code.

(2) The Director shall send a written notice of the determination of non-operation to the owner and operator of the personal Wireless Communications Facility, who shall be entitled to a hearing on that determination before the Commission, provided that written request for a hearing is received by the Department within 10 days of the date of the notice. Any hearing shall be conducted in compliance with Chapter 10.116 (Public Notices and Hearings), although no further appeal from the decision of the Commission may be had other than in compliance with Code of Civil Procedure Section 1094.5. Upon a final decision of the Commission or the running of the time for a request for a hearing without such a request, the operator shall have 90 days to remove the facility.

(3) The operator of a facility shall notify the City in writing of its intent to abandon a permitted site. Removal shall comply with applicable health and safety regulations. Upon completion of abandonment, the site shall be restored to its original condition at the expense of the applicant, operator, or owner.

(4) All facilities not removed within the required 90-day period shall be in violation of this Zoning Code. In the event the City removes a disused facility upon the failure of the applicant, operator, or owner to timely do so, the applicant, operator, and owner shall be jointly and severally liable for the payment of all costs and expenses the City incurs for the removal of the facilities, including legal fees and costs.

c. Indemnification. The applicant, operator of a facility and property owner (when applicable) shall defend, indemnify and hold the City and its elective and appointed boards, commissions, officers, agents, consultants and employees harmless from and against all demands, liabilities, costs (including attorneys' fees), or damages arising from the City's review and/or approval of the design, construction, operation, location, inspection or maintenance of the facility.

d. Removal of Unsafe Facilities. If, at any time after 10 years of the issuance of a Building Permit or Encroachment Permit, or any shorter period permitted by Government Code Section 65964(b), any personal Wireless Communications Facility becomes incompatible with public health, safety or welfare, the applicant or operator of the facility shall, upon notice from the City and at the applicant's or operator's own expense, remove that facility. Written notice of a determination in compliance with this Subparagraph shall be sent to the owner and operator of the personal Wireless Communications Facility, who shall be entitled to a hearing on that determination before the Commission, provided that written request for a hearing is received by the Department within 10 days of the date of the notice. Any hearing shall be conducted in compliance with Chapter 10.116 (Public Notices and Hearings), although no further appeal from the decision of the Commission may be had other than in compliance with Code of Civil Procedure Section 1094.5. Upon a final decision of the Commission or the running of the time for a request for a hearing without such a request, the operator shall have 90 days to remove the facility.

e. Monitoring Requirements. The owner or operator of any personal Wireless Communications Facility approved in compliance with this Subsection shall cooperate with the Director to verify that the facility conforms with relevant building and safety requirements, and verify that the facility complies with the requirements of this Section.

f. Performance Bond. Before the issuance of a Building Permit or Encroachment Permit, the applicant or owner/operator of the facility shall pay for and provide a performance bond, which shall be in effect until all facilities are fully and completely removed and the site reasonably returned to its original condition. The purpose of this bond is to cover the applicant's or owner/operator of the facility's obligation under the conditions of approval and the Municipal Code. The bond coverage shall include, but not be limited to, removal of the facility, maintenance obligations and landscaping obligations. (The amount of the performance bond shall be set by the Director on a case-specific basis and in an amount reasonably related to the obligations required under this Zoning Code and all

conditions of approval, and shall be specified in the conditions of approval.)

g. Nontransferability. An applicant shall not transfer a permit to any person or entity before completion of construction of a personal Wireless Communications Facility.

h. As-built Photographs. The applicant shall submit as-built photographs of the facility within 90 days of installation of the facility, detailing the installed equipment.

7. In addition to the findings required in Chapter 10.84 (Conditional Use Permits and Minor Use Permits) no proposed personal Wireless Communications Facility may be approved unless the applicable review authority first finds all of the following:

a. The applicant has demonstrated by clear and convincing evidence that the facility is necessary to close a significant gap in the operator's service coverage. The evidence shall include in-kind call testing of existing facilities within the area the applicant contends is a significant gap in coverage to be served by the facility.

b. The applicant has demonstrated by clear and convincing evidence that no feasible alternate site exists that would close a significant gap in the operator's service coverage which alternative site is a more appropriate location for the facility under the standards of this Section.

c. The facility satisfies the location requirements of Subparagraph C.3., above.

8. Violations. The City may revoke a discretionary permit for any personal Wireless Communications Facility in violation of this Section in compliance with Chapter 10.122 (Permit Revocations and Modifications). The remedies specified in this Section shall be cumulative, and the City may resort to any other remedy available at law or in equity and resort to any one remedy shall not cause an election precluding the use of any other remedy with respect to a violation.

D. Standards for Personal Wireless Communications Facilities Not Located Within a Public Right-of-Way. In addition to the requirements specified in Subsection C., above, all personal Wireless Communications Facilities not located within a public right-of-way shall comply with the following requirements:

1. Location Requirements. To minimize aesthetic and visual impacts on the community, personal Wireless Communications Facilities shall be located in compliance with the following standards:

a. General Requirements. A freestanding Wireless Communications Facility tower or monopole shall be set back a distance of at least 150 percent of the height of the tower from the nearest property line of any residentially zoned or occupied lot.

b. Restricted Locations - Stealth Facilities Required. Personal Wireless Communications Facilities located within any nonresidential zone on a site that contains a legally established residential use shall be designed as a stealth facility:

c. Prohibited Locations. No personal Wireless Communications Facility shall be established within any residential or open space zone.

(1) Residential Zones. No facility shall be located within a residential zone, including areas set aside for open space, parks, or playgrounds.

(2) Open Space. No facility shall be located within an open space zone or park.

Any Wireless Communications Facility proposed for a site within any open space zone shall not be deemed a "public utility" as that term is otherwise defined and understood in the Municipal Code regarding development in open space zones.

d. Guidelines for Placement on Structures. Antennas shall be mounted on structures utilizing the methods described below. If an antenna cannot be mounted as specified in Subparagraph (1), it may be mounted in compliance with Subparagraph (2). If an antenna cannot be mounted as specified in either Subparagraph (1) or (2), it may be mounted in compliance with Subparagraph (3):

(1) A stealth facility mounted on an existing structure or collocated on an existing tower;

(2) A stealth facility mounted on an existing steel or concrete pole, including a light standard; or

(3) A stealth facility mounted on a new steel, wood, or concrete pole.

2. Design and Development Standards. Personal Wireless Communications Facilities shall be designed and maintained as follows:

a. Building-mounted facilities shall be designed and constructed to be fully screened in a manner that is compatible in color, texture and type of material with the architecture of the structure on which the facility is mounted.

b. All accessory equipment associated with the operation of a personal Wireless Communications Facility shall be located within a building enclosure or underground vault that complies with the development standards of the zone in which the accessory equipment is located.

3. Exception to Location Restrictions - Council Approval Required. Notwithstanding Subparagraph D.1.c., above, personal Wireless Communications Facilities may be allowed in a prohibited location only if the applicant obtains a Conditional Use Permit from the Council following a public hearing and recommendation from the Commission, and provides technically sufficient and conclusive proof that the proposed location is necessary for provision of wireless services to substantial areas of the City, that it is necessary to close a significant gap in the operator's coverage and that there are no less intrusive alternative means to close that significant gap.

E. Standards for Personal Wireless Communications Facilities Located within Public Rights-of-Way. In addition to the requirements in Subsection C., above, all personal Wireless Communications Facilities located within public rights-of-way shall comply with the following requirements to the fullest extent permitted by State and Federal law.

1. Construction. These standards are intended to exert the maximum authority available to the City in the regulation of personal Wireless Communications Facilities under applicable State and Federal law but not to exceed that authority. Accordingly, this Section shall be construed and applied in light of any limits on the City's authority. The purpose of this Subsection is to regulate personal Wireless Communications Facilities proposed for sites within public rights-of-way consistently with the rights conferred on telephone corporations by Public Utilities Code Sections 7901 and 7901.1 and to address the aesthetic and safety concerns unique to such proposals due to their highly visible location in rights-of-way that must be safely shared with pedestrians, motorists and other utility infrastructure.

2. Application Content. Applications for the approval of personal Wireless Communications Facilities within the public right-of-way shall include the following information, in addition to all other information required by Subparagraph C.2., above. The applicant shall provide certification that the facility is for the use of a telephone corporation or state the basis for its claimed right to enter the right-of-way. If the applicant has a Certificate of Public Convenience and Necessity (CPCN) issued by the California Public Utilities Commission, it shall provide a copy of its CPCN.

3. Guidelines. All personal Wireless Communications Facilities located within a public right-of-way shall be designed as follows:

a. Ground-mounted equipment shall be screened, to the fullest extent possible, through the use of landscaping, walls, or other decorative feature, as approved by the applicable review authority.

b. Pole-mounted equipment shall not exceed six cubic feet.

c. Pole-mounted antennas shall adhere to the following guidelines:

(1) If an antenna cannot be mounted as specified in Subparagraph (a), it may be mounted in compliance with Subparagraph (b). If an antenna cannot be mounted as specified in either Subparagraph (a) or (b), it may be mounted in compliance with Subparagraph (c).:

(a) A stealth facility mounted on an existing, collocated monopole or tower;

(b) A stealth facility mounted on an existing steel or concrete pole, including a light standard; or

(c) A stealth facility mounted on a new steel, wood, or concrete pole but only if an operator shows that it cannot otherwise close a significant gap in its service coverage, and that the proposal is the least intrusive means of doing so.

(2) All installations shall be engineered to withstand high wind loads. An evaluation of high wind load capacity shall include the impact of an additional antenna installation on a pole with existing antennae.

(3) The maximum height of any antenna shall not exceed 24 inches above the height of a pole or tower other than a streetlight pole, nor six feet above the height of a streetlight pole, nor shall any portion of the antenna or equipment mounted on a pole be less than 16 feet above any drivable road surface. All installations on utility poles shall fully comply with California Public Utilities Commission General Order 95 as it now exists or may hereafter be amended.

(4) A freestanding Wireless Communications Facility tower or monopole shall be set back a distance of at least 150 percent of the height of the tower to the nearest structure designed for occupancy.

d. Equipment shall be located so as not to cause any physical or visual obstruction to pedestrian or vehicular traffic, inconvenience to the public's use of a public right-of-way, or safety hazards to pedestrians and motorists. In no case shall ground-mounted equipment, walls, or landscaping be less than 18 inches from the front of the curb.

e. Facilities shall not be located within 500 feet of another Wireless Communications Facility on the same side of a street.

f. No facility shall be built so as to cause the right-of-way in which the facility is located to fail to comply with the Americans with Disabilities Act.

4. Findings. In addition to the findings specified in Subparagraph C.7., above, no proposed personal Wireless Communications Facility within a public right-of way may be approved unless all of the following findings are first made:

a. The proposed facility has been designed to blend with the surrounding environment, with minimal visual impact on the public right-of-way.

b. The proposed facility will not have an adverse impact on the use of the public right-of-way, including but not limited to, the safe movement and visibility of vehicles and pedestrians.

5. Conditions of Approval. In addition to compliance with the guidelines specified in Subparagraph 3., above, and the conditions of approval listed in Subparagraph C.6., above, all facilities approved under this Subsection shall be subject to the following conditions:

a. Any approved Wireless Communications Facility located within a public right-of-way shall be subject to conditions, changes or limitations as are from time to time deemed necessary by the City Engineer to: (i) protect the public health, safety, and welfare; (ii) prevent interference with pedestrian and vehicular traffic; or (iii) prevent damage to a public right-of-way or any property adjacent to it. Before the City Engineer imposes conditions, changes, or limitations in compliance with this Subparagraph 3., above, the City Engineer shall notify the applicant or operator, in writing, by mail to the address specified in the application or other address as may be on file with the City. The change, new limitation or condition shall be effective 24 hours after deposit of the notice in the United States mail.

b. The applicant or operator of the personal Wireless Communications Facility shall not move, alter, temporarily relocate, change, or interfere with any existing facility without the prior written consent of the owner of that facility. No structure, improvement or facility owned by the City shall be moved to accommodate a personal Wireless Communications Facility unless: (i) the City determines, in its sole and absolute discretion, that the movement will not adversely affect the City or surrounding residents or businesses, and (ii) the applicant or operator pays all costs and expenses related to the relocation of the City's facilities. Every applicant or operator of any personal Wireless Communications Facility shall assume full liability for damage or injury caused to any property or person by his, her, or its facility. Before commencement of any work in compliance with an Encroachment Permit issued for any personal Wireless Communications Facility within a public right-of-way, an applicant shall provide the City with documentation establishing to the City's satisfaction that the applicant has the legal right to use or interfere with any other facilities within the public right-of-way to be affected by applicant's facilities.

c. Should any utility company offer electrical service to a Wireless Communications Facility which service does not require the use of a meter cabinet, the applicant or operator of the facility shall at its cost remove the meter cabinet and any foundation thereof and restore the area to its prior condition.

F. Standards for Satellite Antennas. Satellite antennas, including portable units and dish antennas, shall be designed, installed and maintained in compliance with the regulations of the Federal Communications Commission. Satellite antennas with diameters larger than one meter in residential zones and two meters in nonresidential zones shall also comply with the following requirements, provided these provisions do not conflict with applicable State and Federal regulations.

1. Application - Plans. Plans for satellite antennas shall be submitted with applications for a Building Permit, and shall include a site plan and elevation drawings indicating the height, diameter, color, setbacks, foundation details, landscaping, and method of screening. The plans shall be subject to approval of the Director.

2. Location. No satellite antenna shall be located within any required front yard or street side yard setbacks in any zone. In addition, no portion of a satellite antenna shall extend beyond a property line.

3. Color. A satellite antenna and its supporting structure shall be painted a single, neutral, non-glossy color such as an earth tone, gray, or black.

4. Wiring. All wiring shall be placed underground whenever possible.

5. Residential Zones. In any residential zone, satellite antennas shall be subject to the following standards:

a. Satellite antennas shall not exceed 15 feet in height, as measured from the finished grade or other surface on which the antenna is placed;

b. Only one satellite antenna may be allowed on any single-family residential site;

c. Only one antenna shall be allowed per dwelling unit on any multi-family residential site;

d. A satellite antenna shall be separated from adjacent properties by at least a six-foot-high solid wall or fence or by trees or other plants of equal minimum height;

e. Any satellite antenna that is taller than an adjacent property-line fence shall be located away from the side or rear property line a distance equal to or greater than the height of the antenna;

f. The diameter of a satellite antenna shall not exceed two meters. This provision may be modified by the Director if the applicant provides a sufficient technical study prepared by a qualified engineer demonstrating to the Director's satisfaction that strict compliance would result in no satellite reception; and

g. A satellite antenna shall be used for private, noncommercial purposes only.

6. Nonresidential Zones. In any nonresidential zone, satellite antennas may be roof- or ground-mounted and shall be subject to the following standards:

a. If roof-mounted, satellite antennas shall be screened from ground view by a parapet or other screening

approved by the Director. The minimum height and design of a parapet, wall, or other screening shall be subject to the approval of the Director;

b. If ground-mounted, satellite antennas shall not be located between a structure and an adjacent street, and shall be screened from public view and neighboring properties;

c. The location and height of satellite antennas shall comply with all requirements of the underlying zone; and

d. If the subject site abuts a residential zone, all antennas shall be set back a minimum distance from the property line equal to the height of the antenna, unless screened from view.

G. Standards for Amateur Radio Antennas. All amateur radio antennas shall be designed, constructed, and maintained as follows:

1. The maximum height shall not exceed 40 feet, measured from finished grade;

2. Any boom or other active element or accessory structure shall not exceed 25 feet in length;

3. Antennas may be roof- or ground-mounted; and

4. Antennas may not be located in any front or side setbacks.

5. These standards in Subsection F. are subject to modification or waiver by the Director on a case-by-case basis where required for the City to comply with FCC PRB-1 and California Government Code Section 65850.3 and where such modification or waiver is based on sufficient technical information provided in writing by the applicant at the request of the City.

H. Effects of Development on Antenna Reception. The City shall not be liable if development within the City after installation of an antenna impairs antenna reception, transmission, utility, or function to any degree.

I. Private Enforcement. In addition to any other remedy available to the City under this Zoning Code, at law, or in equity, violations of this Section may be remedied as follows:

1. The City Attorney may bring a civil action to enforce this Section and to obtain the remedies specified below or otherwise available in equity or at law.

2. Any person acting for the interests of himself, herself, or itself, or of its members, or of the general public (hereinafter "a private enforcer") may bring a civil action to enforce this Section with the remedies specified below, if both the following requirements are met:

a. The action is commenced more than 60 days after the private enforcer gives written notice of an alleged violation of this Section to the City Attorney and to the alleged violator.

b. No person acting on behalf of the City has commenced or is prosecuting an action regarding the violation(s) which was or were the subject of the notice on the date the private action is filed.

3. A private enforcer shall provide a copy of his, her, or its action to the City Attorney within seven days of filing it.

4. Upon settlement of or entry of judgment in an action brought in compliance with Subparagraph 7., below, the private enforcer

shall give the City Attorney a notice of that settlement or judgment. No private enforcer may settle such an action unless the City Attorney or the court determines the settlement to be reasonable in light of the purposes of this Section. Any settlement in violation of this requirement shall be set aside upon motion of the City Attorney to a court of competent jurisdiction.

5. Upon proof of a violation of this Section, the court shall award the following:

a. Appropriate injunctive relief and damages in the amount of either:

(1) Upon proof, actual damages; or

(2) With insufficient or no proof of damages, a minimum of \$500 dollars for each violation of this Section (hereinafter "statutory damages"). Unless otherwise specified in this Section, each day of a continuing violation shall constitute a separate violation. Notwithstanding any other provision of this Section, no private enforcer suing on behalf of the general public shall recover statutory damages based upon a violation of this Section if a previous claim brought on behalf of the general public for statutory damages and based upon the same violation has been adjudicated, whether or not the private enforcer was a party to that earlier adjudication.

b. Restitution to the appropriate party or parties of gains obtained due to a violation of this Section.

c. Exemplary damages, where it is proven by clear and convincing evidence that the defendant is guilty of oppression, fraud, malice, or a conscious disregard for public health and safety.

d. Attorney's fees and costs reasonably incurred by a successful party in prosecuting or defending an action.

Any damages awarded in an action brought by the City Attorney shall be paid into the City's general fund, unless the court determines that they should be paid to a damaged third party.

6. Upon proof of at least one violation of this Section, a private enforcer, the City Attorney, any peace officer, or Zoning Code enforcement official may obtain an injunction against further violations of this Section or, as to small claims court actions, a judgment payable on condition that a further violation of this Section occur within a time specified by the court.

7. Notwithstanding any legal or equitable bar, a private enforcer may bring an action to enforce this Section solely on behalf of the general public. When a private enforcer does so, nothing about such an action shall act to preclude or bar the private enforcer from bringing a subsequent action on his, her, or its own behalf based upon the same facts.

8. Nothing in this Section shall prohibit a private enforcer from bringing an action to enforce this Section in small claims court, provided the relief sought is within the jurisdiction of that court.

J. Additional Notice to Neighbors.

1. After an application to allow the installation of a Wireless Communications Facility in compliance with this Section is complete, the City shall endeavor to provide property owners at least 10 days' prior notice of the initial public hearing on the matter.

2. Written notice shall be mailed to the record owner of each property located within 1,500 feet of the proposed site in compliance with Chapter 10.116 (Public Notices and Hearings).

3. Failure of the City to provide notice in compliance with this Subsection shall not be grounds to challenge a determination provided that the notice otherwise required by law has been provided. (Ord. 935 § 3 (part), 2015)

ARTICLE 5: NONCONFORMITIES

Chapter 10.60 GENERAL NONCONFORMING PROVISIONS

Sections:

10.60.010 Intent and Purpose.

10.60.020 Establishment of Lawful Nonconforming Status: Nonconforming Uses, Structures and Parcels

10.60.030 Continuation of Incidental Nonconformity.

10.60.040 No Reversion to Nonconformance.

10.60.010 Intent and Purpose.

A. General. The purpose of this Article 5 is to establish uniform provisions for the regulation of nonconforming land uses, structures and parcels. It is the intent of this Article 5 to bring nonconformities, such as nonconforming uses, structures, and parcels, into conformity with the provisions of this Zoning Code and to eliminate the long-term continuance of such nonconformities. This Article is intended to permit continuation of uses and continued occupancy and maintenance of structures that were legally established but do not comply with all of the standards and requirements of this Zoning Code in a manner that promotes the public health, safety, and welfare and does not conflict with the goals and objectives of the General Plan.

B. Applicability. The provisions of this Article shall apply to any structure, use, or parcel that was legally established prior to the adoption of this Zoning Code but fails to meet any provisions contained herein, or any subsequent amendments.

C. Existing Permits Not Affected. Nothing contained in this Article or Zoning Code shall be deemed to require any change in the plans, construction, or designated use of any structure for which a building permit or land use entitlement has properly been issued in accordance with the provision of ordinances then in effect and upon which actual construction or use has been started prior to the date the nonconformity was established, provided that in all such cases regarding construction, actual construction shall be diligently carried on until completion of the structure. (Ord. 935 § 3 (part), 2015)

10.60.020 Establishment of Lawful Nonconforming Status: Nonconforming Uses, Structures and Parcels.

A. A legal nonconforming use, structure, or parcel is one that was lawfully established or lawfully existing prior to the effective date of this Zoning Code and continuing since that time, but which no longer conforms to the provisions of this Zoning Code due to a change in zoning regulations, change in zone district boundaries, or change in other applicable regulations of this Code. Such legal nonconforming use, structure, or parcel may continue subject to the requirements of this Article.

B. Uses, structures, and parcels that were illegally or unlawfully established, constructed, or divided shall not be considered legal or lawful nonconforming uses, structures, or parcels.

C. A nonconformity may result from any inconsistency with the requirements of this Zoning Code including but not limited to, location, density, floor area, height, yard, usable open space, buffering, performance standards, or the lack of an approved Conditional Use Permit or other required authorization, permit, or approval. (Ord. 935 § 3 (part), 2015)

10.60.030 Continuation of Incidental Nonconformity.

Any structure or use that has nonconforming parking, landscaping, accessory structures, setbacks or yard area, or structure height may continue indefinitely, provided no improvements, other than routine maintenance, are performed. However, at the time any application is filed for a building permit or any other permit required or authorized by this Zoning Code to modify or expand the structure or use, a good faith effort shall be made to correct the incidental nonconformity. Exceptions include structure height and setbacks, which can be continued in a nonconforming state, provided that the nonconformity is not increased, and off-street parking spaces, which shall otherwise comply with the provisions of Chapter 10.72 (Miscellaneous Nonconforming Provisions). (Ord. 935 § 3 (part), 2015)

10.60.040 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 shall not be restored.

(Ord. 935 § 3 (part), 2015)

Chapter 10.62 ADULT BUSINESSES

Sections:

10.62.010 Purpose and application.

- 10.62.020 Location requirements.
- 10.62.030 Development standards.
- 10.62.040 Permitted zoning classifications.
- 10.62.050 Adult business permit - Required.
- 10.62.060 Adult business permit - Application.
- 10.62.070 Application fee.
- 10.62.080 Permit application - Review and approval.
- 10.62.090 Existing adult businesses.
- 10.62.100 Review of termination schedule.
- 10.62.110 Conflicts.
- 10.62.120 Modification or revocation.
- 10.62.130 Obscene and harmful matter.
- 10.62.140 Definitions.

10.62.010 Purpose and application.

The purpose of this chapter is to regulate adult businesses which, unless closely regulated, have serious secondary effects on the community. These secondary effects include, but are not limited to, the following: depreciation of property values; increases in vacancy rates in residential and commercial areas; increases in incidences of criminal activity; increases in litter, noise and vandalism; and the interference with enjoyment of residential property in the vicinity of such businesses.

It is neither the intent nor the effect of this chapter to impose limitations or restrictions on the content of any communicative material. Similarly, it is neither the intent nor the effect of this chapter to restrict or deny access by adults to materials of a sexually explicit nature, or to deny access by the distributors or exhibitors of such materials to their intended market.

It is the intent of this chapter to afford new adult business a reasonable opportunity to locate in a relevant real estate market.

Nothing in this chapter is intended to authorize, legalize or license the establishment, operation or maintenance of any business, building or use which violates any city ordinance or any statute of the state of California regarding public nuisances, unlawful or indecent exposure, sexual conduct, lewdness or obscene or harmful matter or the exhibition or public display thereof. (Ord. 736 § 1 (part), 1996)

10.62.020 Location requirements.

(a) Adult businesses shall not be located:

- (1) Within two hundred and fifty feet of any property within a residential zone or used for residential purposes, regardless whether such use or property is located within the city;
- (2) Within five hundred feet of any property upon which a school, public park, public library, church, temple or other place used exclusively for religious worship is located, regardless whether such property is located within the city; or
- (3) Within five hundred feet of any property upon which another adult business is located, regardless whether such property is located within the city.

(b) The distances specified in this section shall be measured in a straight line, without regard to intervening structures or objects, from the nearest property line of the property where an adult business is to be located to the nearest property line of the premises of any facility, use or business referenced above in subsection (a) of this section. (Ord. 736 § 1 (part), 1996)

10.62.030 Development standards.

The following development standards shall apply to adult businesses:

- (1) No adult business shall be located in any temporary or portable structure.
- (2) Trash dumpsters shall be enclosed by a fence or other permanent structure so as not to be accessible to the public.
- (3) No exterior door or window on the premises shall be propped or kept open at any time while the business is open, and any exterior windows shall be covered with opaque covering at all times.
- (4) Permanent barriers shall be installed and maintained to screen the interior of the premises from public view from each door used as an entrance or exit to the business.
- (5) No landscaping shall exceed thirty in height, except trees with foliage not less than six feet above the ground.
- (6) The entire exterior grounds, including the parking lot, shall be lighted in such a manner that all areas are clearly visible at all times.
- (7) Signage shall conform to the standards established for the zone where the adult business is located and shall not depict or describe "specified sexual activities" or "specified anatomical areas," as those terms are defined in this chapter.
- (8) All entrances to an adult business shall be clearly and legibly posted with a notice indicating that minors are prohibited from entering the premises.
- (9) No nonconforming structure shall be converted for use as an adult business.
- (10) The adult business shall not conduct or sponsor any activities which create a demand for parking beyond the number of parking spaces required by this title for the applicable zoning district where the adult business is to be located.
- (11) No adult business shall be operated in any manner that permits the observation of any persons or material depicting or describing specified sexual activities or specified anatomical areas within the premises, from any public way or from any location outside the building or area of such establishment. This provision also shall apply to any merchandise, display, decoration, sign, show window or similar area.
- (12) All exterior areas of the adult business, including buildings, landscaping, and parking areas shall be maintained in a clean and orderly manner at all times.
- (13) Any business license required pursuant to Title 5 of this code shall be kept current at all times.
- (14) Each adult business shall conform to all applicable laws and regulations.
- (15) The adult business shall not operate or be open between the hours of two a.m. and nine a.m.
- (16) The premises within which the adult business is located shall provide sufficient sound-absorbing insulation so that sound generated inside said premises shall not be audible anywhere on any adjacent property or public right-of-way or within any other building or other separate space within the same building.
- (17) The adult business will not conduct any massage, acupuncture, tattooing, acupressure or escort services, and will not allow such activities on the premises.
- (18) At least one security guard shall be on duty patrolling the premises at all times while the business is being operated or is open. If the occupancy limit of the premises is greater than fifty persons, an additional security guard shall be on duty. The security guard(s) shall be charged with preventing violations of law, with enforcing compliance by patrons with the requirements of this chapter and with notifying the sheriff of any violations of law observed. Security guard(s) required by this subsection shall be uniformed in such a manner so as to be readily identifiable as a security guard by the public and shall be duly licensed as a security guard as required by applicable provisions of state or local law. No security guard required pursuant to this subsection shall act as a doorperson, ticket seller, ticket taker or admittance person while acting as a security guard hereunder. (Ord. 736 § 1 (part), 1996)

10.62.040 Permitted zoning classifications.

Adult businesses shall be permitted to be located only in the commercial-manufacturing (C-M) and light manufacturing (M-1) zones.

10.62.050 Adult business permit - Required.

No adult business shall be established until an application for an adult business permit is approved by the planning commission in accordance with the procedures set out in Sections 10.80.060 through 10.80.120 of this title. (Ord. 736 § 1 (part), 1996)

10.62.060 Adult business permit - Application.

An application for an adult business permit shall contain the information required by Section 10.80.060, and a narrative description of the proposed use or development, including: an explanation of how the proposed business will satisfy the applicable requirements set forth in Sections 10.62.010 through 10.62.070 of this chapter. (Ord. 736 § 1 (part), 1996)

10.62.070 Application fee.

When an adult business permit application is filed, it shall be accompanied by the filing fee established by the city council in accordance with Section 10.80.160. (Ord. 736 § 1 (part), 1996)

10.62.080 Permit application - Review and approval.

(a) When an application has been accepted as complete, the director of community development shall set the application for a public hearing before the planning commission within sixty days from the date on which the application was accepted as complete, and shall provide notice of the hearing in accordance with the procedures established in Sections 10.80.090 through 10.80.100 of this title. The planning commission shall approve or disapprove the application within ninety days from the date on which the application was accepted as complete by the director.

(b) Any application for a permit pursuant to this chapter is considered to be a ministerial permit and, as such, is not subject to the time limits specified in Section 65950 et seq. of the Government Code, or the California Environmental Quality Act.

(c) In considering an application for a permit pursuant to this chapter, the planning commission shall approve the permit if it makes the following findings:

- (1) The adult business is consistent with the location and development standards contained this chapter; and
- (2) The adult business is to be located in either the commercial-manufacturing (C-M) or light manufacturing (M-1) zones; and
- (3) The adult business is consistent with the applicable requirements of Title 5 of this code; and
- (4) Except as specifically provided in this chapter, the adult business complies with the development criteria established by this title.

(d) Issuance or denial of the ministerial permit is not subject to administrative appeal. (Ord. 736 § 1 (part), 1996)

10.62.090 Existing adult businesses.

(a) Any adult business lawfully operating on the effective date of this chapter in violation hereof shall be deemed a nonconforming use.

(b) Any adult business lawfully operating on the effective date of this chapter which becomes nonconforming due to the development standards enumerated in Section 10.62.030 shall cease operation, or otherwise be brought into full compliance with the development standards of this chapter, not later than one year following the effective date of this chapter.

(c) Any adult business lawfully operating on the effective date of this chapter which becomes nonconforming due to either the location and distance requirements enumerated in Section 10.62.020 or the permitted zoning classifications enumerated in Section 10.62.040 shall cease operation, or otherwise be brought into full compliance with these criteria, not later than twenty years following

the effective date of this chapter.

(d) An adult business lawfully operating as a conforming use is not rendered a nonconforming use by the subsequent establishment of property used for residential purposes or within a residential zone, within two hundred and fifty feet of the adult business, or the subsequent location of a school, public park, public library, church, temple or other place used exclusively for religious worship, within five hundred feet of the adult business, if the adult business has not been discontinued, which means that interruptions in use cannot exceed six months in duration. (Ord. 736 § 1 (part), 1996)

10.62.100 Review of termination schedule.

An application for review of the termination schedules for a nonconforming adult business prescribed in Section 10.62.090 may be approved by the planning commission in accordance with the procedures set out in Sections 10.80.060 through 10.80.120. In considering an application for review of the termination schedules for an adult business, which is nonconforming due to either the distance requirements or development standards, the planning commission shall use the following criteria in making a determination:

- (1) The owner's financial investment in the business prior to the effective date of this chapter;
- (2) The present actual and depreciated value of the business improvements;
- (3) The applicable federal tax depreciation schedules for such improvements;
- (4) The remaining useful life of the business improvements;
- (5) The extent to which the business fails to comply with all applicable requirements of this chapter;
- (6) The extent, if any, to which the business has been brought into compliance with any of the applicable requirements of this chapter since the date of adoption of this chapter and with which such business previously failed to conform, including the cost incurred for any such improvements;
- (7) The remaining term of any lease or rental agreement under which the business is operating;
- (8) Whether the business can be brought into conformance with all applicable requirements of this chapter without requiring to be relocated, and the cost of complying with such requirements;
- (9) Whether the business must be discontinued at the present location in order to comply with the requirements of this chapter and, if such relocation is required: (i) the availability of relocation sites, and (ii) the cost of such relocation; and
- (10) The ability of the owner to change the business to a conforming use. (Ord. 736 § 1 (part), 1996)

10.62.110 Conflicts.

If the provisions of this chapter conflict with or contravene the provisions of another chapter of this title, the provisions of this chapter shall prevail as to all matters and questions arising out of the subject matter of this chapter. (Ord. 736 § 1 (part), 1996)

10.62.120 Modification or revocation.

After a hearing as provided in Chapter 10.80 of this title, the planning commission may modify or revoke an adult business permit or adult business nonconforming use if it finds that one or more of the following conditions exist:

- (1) The use for which the permit was granted is not being exercised or has been changed to a different use;
- (2) The use for which the permit was granted has ceased to exist or has been discontinued for a period of at least six months in duration;
- (3) The building, structure, equipment or location of such business does not comply with or fails to meet any of the applicable building, plumbing, health and fire codes of the State of California or the city;
- (4) The business owner, its employee, agent or manager has been convicted in a court of competent jurisdiction of any violation of any statute, or any other ordinance, arising from any act performed in the exercise of any rights granted by the adult business permit,

the revocation of which is under consideration;

(5) The business owner, its employee, agent or manager has knowingly made any false, misleading or fraudulent statement of material fact in the application for a permit, or in any report or record required to be filed with the planning commission. (Ord. 736 § 1 (part), 1996)

10.62.130 Obscene and harmful matter.

Adult businesses may not sell or display obscene matter, as that term is defined by Penal Code Section 311 or its successors, and may not exhibit to minors harmful matter, as that term is defined by Penal Code Section 313 or its successors. (Ord. 736 § 1 (part), 1996)

10.62.140 Definitions.

(a) "Adult businesses" include the following:

(1) Any business conducted for the entertainment of adults, engaged in the selling, renting or displaying of publications or material, including, without limitation, film, video or any other form or medium, depicting or describing specified anatomical areas or specified sexual activities as those terms are defined herein. Included in the definition is any business, that as a substantial or significant course of conduct, sells, offers for sale, rents, exhibits, shows or displays publications, or other material, depicting or describing specified anatomical areas or specified sexual activities. Also included in this definition is any business selling, renting, or displaying sexually oriented devices intended for use in specified sexual activities.

A particular business at a particular location that sells, offers for sale, rents, exhibits, shows or displays specified anatomical areas or specified sexual activities in the form of a book, newspaper, pamphlet, film, video or any other form or medium, or sexually oriented devices intended for use in specified sexual activities, which receives fifty percent or more of the gross revenue from, or devotes twenty-five percent or more of the stock on hand or twenty-five percent or more of the gross floor area to such activity, is presumed to be engaging in "substantial or significant" conduct with respect to such activity;

(2) Any business conducted for the entertainment of adults wherein an employee, patron or any other person engages in or is shown specified sexual activities or exposes specified anatomical areas. Included in this definition is any business, which as a substantial or significant portion of its business, provides live or filmed entertainment wherein specified anatomical areas are exposed.

(b) "Specified anatomical areas" include any of the following, whether actual or simulated:

(1) Less than completely and opaquely covered:

(a) human genitals or pubic region,

(b) buttock, and

(c) female breast below a point immediately above the top of the areola; or

(2) Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

(c) Specified sexual activities include any of the following: (1) actual or simulated sexual intercourse, anal intercourse, oral or anal copulation, bestiality, pedophilia, necrophilia, direct physical stimulation of unclothed genitals, flagellation or torture in the context of sexual relationship, or the use of excretory functions in the context of sexual relationships; or (2) clearly depicted human genitals in a state of sexual stimulation, arousal or tumescence; or (3) use of human or animal masturbation, sodomy, oral copulation, coitus, ejaculation; or (4) fondling or touching of nude human genitals, pubic region, buttocks or female breast; or (5) masochism, erotic or sexually oriented torture, beating or the infliction of pain; or (6) erotic or lewd touching, fondling or other contact with an animal by a human being; or (7) human erection, urination, menstruation, vaginal or anal irrigation. (Ord. 736 § 1 (part), 1996)

Chapter 10.63 NONCONFORMING PARCELS

Sections:

10.63.010 Continuation of Nonconforming Parcel.

10.63.020 Modification of Nonconforming Parcels.

10.63.030 Use of Nonconforming Parcels for Single-Unit Dwellings.

10.63.010 Continuation of Nonconforming Parcel.

Any lawfully created parcel, described in the official record on file in the office of Los Angeles County Recorder as a parcel of record, which becomes nonconforming with regard to parcel area, street frontage, parcel width, parcel depth, or accessibility may continue indefinitely with such nonconformity. A nonconforming parcel may be developed and used as if it were a conforming parcel, provided that any development or use complies with all applicable provisions of this Zoning Code. (Ord. 935 § 3 (part), 2015)

10.63.020 Modification of Nonconforming Parcels.

Any lawful nonconforming parcel may not be modified in any manner, including but not limited to subdivision or parcel line adjustment, where the modification increases the degree of nonconformity. (Ord. 935 § 3 (part), 2015)

10.63.030 Use of Nonconforming Parcels for Single-Unit Dwellings.

A. In any zone in which single-unit dwellings are permitted, notwithstanding limitations imposed by other provisions of this Zoning Code, a single-unit dwelling and allowed accessory buildings may be erected on any single legal nonconforming parcel of record. This provision shall apply even though such parcel may fail to meet the requirements for area or width, or both, that are generally applicable in the underlying zone. However, the required setback and yard dimensions and other requirements not involving area or width, or both, of the parcel shall conform to the regulations for the zone in which such parcel is located.

B. Notwithstanding paragraph A above, when two or more of such nonconforming parcels or any combinations of such nonconforming parcels and/or portions of parcels which are nonconforming are contiguous and under the same ownership, the combination of parcels or portions of the parcels shall be considered a single, individual parcel for the purposes of this Zoning Code, and no portions of that parcel shall be used, occupied, divided, or sold in any manner which would diminish compliance with the regulations of this Zoning Code or which would leave remaining any parcels that do not comply with the minimum parcel width, minimum area, or any other requirements of this Zoning Code. (Ord. 935 § 3 (part), 2015)

Chapter 10.64 NONCONFORMING STRUCTURES

Sections:

10.64.010 Continuation of Nonconforming Structure.

10.64.020 Modifications or Expansions of Nonconforming Structure.

10.64.030 Destruction of Nonconforming Structure.

10.64.040 Seismic Retrofitting.

10.64.050 Off-site Relocation.

10.64.010 Continuation of Nonconforming Structure.

A. Any use or structure that was lawfully established prior to the effective date of this Zoning Code or of any subsequent amendments to its text or to the City's Zoning Map may be continued and maintained, provided there is no alteration, enlargement, or addition to any structure; no increase in occupant load; and/or no enlargement of the area, space, or volume occupied by or devoted to such use, except as otherwise provided in this Article.

B. The right to continue a nonconforming structure shall attach to the land and shall not be affected by a change in ownership.

C. No alteration or other change in structures is permitted, except as otherwise provided in this Article. (Ord. 935 § 3 (part), 2015)

10.64.020 Modifications or Expansions of Nonconforming Structure.

A. Additions. A nonconforming structure may be added to, provided that the addition complies with all requirements of this Zoning Code, including but not limited to setbacks, building height, parcel coverage, and parking. However, the following modifications and expansions may be allowed without requiring conformance with established standards.

1. Single-family dwelling units that have nonconforming parking may be expanded to include additional square footage to the unit. However, where a new bedroom is proposed to be constructed, at least one additional parking space shall be provided.

2. Where a side yard setback is nonconforming, an addition to a structure with such nonconformity shall be allowed to maintain the nonconforming setback, provided any such addition does not, as determined by the Director, create any adverse impact on an adjoining property.

3. For any use other than a single-family residence, an expansion of up to 10 percent of the existing floor area may be allowed without any requirement to establish conformity of required setbacks, landscaping, structure height, loading spaces, or open space standards. However, additional parking spaces shall be required for any such addition to meet the requirements of this Title 10 for the additional floor area.

4. Conformance with minimum required landscape standards shall not be required for any addition or expansion.

B. Maintenance and Repair. General maintenance and repair of a nonconforming structure shall be allowed, provided there are no structural alterations. However, structural alterations which the Building Official has determined to be necessary for public health and safety purposes may be allowed.

C. Removal of Nonconformity during Modification or Expansion. In any instance where an existing nonconforming structure or any portion of a nonconforming structure is demolished in the course of maintenance and repair, expansion or addition, or other alteration or modification, all nonconforming portions of the structure so demolished shall be reconstructed in compliance with the applicable regulations of the zone for height, setback, yard, parcel coverage, and other applicable provisions of this Zoning Code. (Ord. 935 § 3 (part), 2015)

10.64.030 Destruction of Nonconforming Structure.

A. General. The following provisions govern reconstruction of a nonconforming structure that is damaged or partially destroyed by fire, flood, wind, earthquake, or other act of nature or an act of the public enemy.

B. Destruction of 50 Percent or More. If the nonconforming structure is damaged to the extent of 50 percent or more of the appraised replacement value of the nonconforming structure, as determined by the Building Official, prior to the damage or partial destruction, or is voluntarily razed or is required to be razed, the structure shall only be restored in full conformity with the provisions of this Zoning Code and all applicable Building Codes.

C. Destruction of Less than 50 Percent. If the total cost of repairs, including structural alterations, required for reconstruction do not exceed 50 percent of the appraised replacement value of the nonconforming structure, as determined by the Building Official, prior to the damage or partial destruction, the damaged or partially destroyed portions of the nonconforming structure may be reconstructed without bringing all portions of the structure into conformance with the provisions of this Zoning Code.

D. Estimate of Damage and Cost of Reconstruction. The extent of damage or partial destruction shall be based upon the reasonable replacement value of the structure immediately prior to the damage or partial destruction, as determined by the City's Building Official. All appraised values referred to in this Section shall be determined by a State licensed appraiser and confirmed by the Building Official. Estimates of repairing or replacing the damaged portion of the structure for purposes of this Section shall be made by or shall be reviewed and approved by the Building Official, and shall be based on the minimum cost of construction in compliance with the Building Code.

E. Exemption for Single-Unit and Multi-Unit Residential Structures. Any legally established single-unit or multi-unit residential structure that experiences destruction of 50 percent or more of the appraised replacement value may be completely reconstructed to the extent it existed prior to such destruction. However, all efforts shall be made to comply with the provisions of this Zoning Code to the extent practicable and in particular, any off-street parking deficiencies that existed prior to such destruction shall be remedied to the greatest extent possible, as determined by the Director. (Ord. 935 § 3 (part), 2015)

10.64.040 Seismic Retrofitting.

Reconstruction and retrofitting necessary to comply with earthquake safety standards shall be allowed without cost limitation, provided such work is limited exclusively to necessary compliance with earthquake safety standards. (Ord. 935 § 3 (part), 2015)

10.64.050 Off-site Relocation.

When a structure is relocated to another parcel, it shall comply with the provisions of this Zoning Code and all other applicable laws and regulations. (Ord. 935 § 3 (part), 2015)

Chapter 10.66 NONCONFORMING USES

Sections:

- 10.66.010 Continuation of Nonconforming Use.
- 10.66.020 Modifications or Expansions of Nonconforming Uses.
- 10.66.030 Nonconforming Use May Not Be Substituted with another Nonconforming Use.
- 10.66.040 Discontinuance of Nonconforming Use.

10.66.010 Continuation of Nonconforming Use.

Any use that was lawfully established prior to the effective date of this Zoning Code or of any subsequent amendments to its text or to the City's Zoning Map may only be continued and maintained provided there is no enlargement of the area, space, or volume occupied by or devoted to such use, except as otherwise provided in this Article. The right to continue a nonconforming use shall attach to the land and shall not be affected by a change in ownership. No substitution, expansion, or other change in use is permitted, except as otherwise provided in this Article. (Ord. 935 § 3 (part), 2015)

10.66.020 Modifications or Expansions of Nonconforming Uses.

A nonconforming use shall not be enlarged, intensified, expanded, or extended in a way so as to occupy any part of the structure or site, or another structure or site, which it did not occupy at the time such use became nonconforming, except as may be permitted by other provisions of this Title 10. (Ord. 935 § 3 (part), 2015)

10.66.030 Nonconforming Use May Not Be Substituted with another Nonconforming Use.

A nonconforming use shall not be substituted, replaced with, or modified to another nonconforming use, except as otherwise provided in this Article. (Ord. 935 § 3 (part), 2015)

10.66.040 Discontinuance of Nonconforming Use.

A nonconforming use shall be deemed to be discontinued or abandoned when such use has ceased to operate or exist for a continuous period of 180 days. A nonconforming use shall not be resumed, reestablished, or reopened after it has been abandoned, discontinued, or changed to a conforming use. Evidence required to show continuous use shall include a valid business license, sales records, and utility bills. (Ord. 935 § 3 (part), 2015)

Chapter 10.68 NONCONFORMING SIGNS

Sections:

- 10.68.010 Nonconforming Signs.

10.68.010 Nonconforming Signs.

Nonconforming signs shall comply with the requirements of Section 10.34.200 (Nonconforming Signs, Amortization and Abatement of Signs) of this Zoning Code.

(Ord. 935 § 3 (part), 2015)

Chapter 10.72 MISCELLANEOUS NONCONFORMING PROVISIONS

Sections:

10.72.010 Nonconforming Parking.

10.72.010 Nonconforming Parking.

A. Use May Continue. Any use which is nonconforming in terms of required off-street parking facilities may continue in the same manner as if it were conforming. However, the number of existing off-street parking spaces shall not be reduced.

B. Expansion. When an existing structure or use with nonconforming parking is expanded, additional parking spaces shall be provided in compliance with the provisions of Chapter 10.30 (Off-Street Parking and Loading). However, the number of additional spaces shall be computed only to the extent of the enlargement or expansion in use, regardless of whether or not the number of previously existing spaces satisfies the requirements of Chapter 10.30 (Off-Street Parking and Loading).

C. Change in Use.

1. When a nonconforming use is changed to a conforming use and additional parking is required per Chapter 10.30 (Off-Street Parking and Loading), the nonconformity shall cease and the new use shall provide all required off-street parking and loading in accordance with the provisions of Chapter 10.30 (Off-Street Parking and Loading). However, the Director shall have the authority to allow for a reduction in the required number of parking and/or loading spaces for the conforming use, provided the following findings can be made:

- a. That the conforming use benefits the community by providing new economic development and job opportunities; and
- b. That the conforming use will not adversely impact surrounding uses or public streets by increasing demand for on-street parking.

2. If the additional parking required by subparagraph 1 cannot be provided on the same site as the use it serves, the applicant may provide alternative parking facilities pursuant to Section 10.30.090.B (Parking Lot Location). (Ord. 935 § 3 (part), 2015)

ARTICLE 6: PERMIT PROCEDURES

Chapter 10.80 GENERAL PROVISIONS

Sections:

10.80.010 Purpose and Intent.

10.80.020 Discretionary Permits and Actions.

10.80.030 Exemptions from Permit Requirements.

10.80.040 Additional Permits May Be Required.

10.80.050 Burden of Proof and Precedence.

10.80.010 Purpose and Intent.

This Chapter establishes the overall form and structure for the application, review, and action on permits and approvals and further

identifies and describes the permits required by this Zoning Code. (Ord. 935 § 3 (part), 2015)

10.80.020 Discretionary Permits and Actions.

A. Administrative Permits and Approvals. Except as specified in Section 10.82.070 (Initial Application Review), the Director shall be the designated review authority for the following permits and approvals, in compliance with Table 6-1 (Review Authority) and Table 6-2 (Review Authority for Site Plan and Design Review). Additionally, the Director has primary administrative authority over certain activities which require the determination of compliance with applicable zoning provisions.

1. Minor Use Permits. An administrative permit authorizing the operation of a specific use of land or a structure in a particular location in compliance with the provisions of this Zoning Code (Chapter 10.84 [Conditional Use Permits and Minor Use Permits]).

2. Minor Variances. An administrative action granting exception to the development standards of this Zoning Code in cases where strict compliance would result in a unique hardship in compliance with (Chapter 10.98 [Variances and Minor Variances]).

3. Reasonable Accommodations. An administrative permit authorizing limited modifications to residential properties to accommodate a person with specified disabilities and physical limitations in compliance with specific criteria and performance standards (Chapter 10.90 [Reasonable Accommodations]).

4. Sign Permits. An administrative permit authorizing a variety of signs for promotional advertising in compliance with specific provisions and conditions of this Zoning Code (Section 10.34.060 [Permit Required]). Temporary signs may also be approved in conjunction with a Temporary Use Permit (Chapter 10.96 [Temporary Use Permits]).

5. Site Plan and Design Review. An administrative review process providing for review of projects for compliance with the provisions of this Zoning Code and compliance with any site plan or architectural design guidelines adopted by the City (Chapter 10.94 [Site Plan and Design Review]).

6. Temporary Use Permits. An administrative permit authorizing specific limited-term uses in compliance with specified conditions and performance criteria identified in Chapter 10.96 (Temporary Use Permits).

7. Zoning Clearances. An administrative plan check process of nonexempt uses and structures that do not otherwise require review to determine compliance with applicable provisions of this Zoning Code (Chapter 10.100 [Zoning Clearances]).

8. Zoning Code Interpretations/Determinations. An administrative interpretation of certain provisions of this Zoning Code in an effort to resolve perceived ambiguities in the regulations and to ensure their consistent application (Chapter 10.04 [Interpretation of the Zoning Code]).

B. Commission Permits and Approvals. Except as specified in Section 10.82.030 (Multiple Permit Applications), the Commission is the designated review authority for the following permits and approvals. A public hearing is required for the following Commission actions in compliance with Chapter 10.116 (Public Notices and Hearings):

1. Conditional Use Permits. A permit authorizing the operation of a specific use of land or a structure in a particular location in compliance with the provisions of this Zoning Code (Chapter 10.84 [Conditional Use Permits and Minor Use Permits]).

2. Planned Development Permits. A permit authorizing a special plan addressing the development of land that may not conform to the underlying zoning map or district regulations, but which complies with the goals and policies of the General Plan for a particular area (Chapter 10.88 [Planned Development Permits]).

3. Variances. An action granting exception to the development standards of this Zoning Code in cases where strict compliance would result in a unique hardship in compliance with (Chapter 10.98 [Variances and Minor Variances]).

4. Abatement/Extension of Nonconforming Uses/Structures. An action requiring the abatement or authorizing the extension of nonconforming uses or structures in compliance with provisions of Article 5 [Nonconformities]).

C. Legislative Actions. The designated review authority for all legislative actions is the Council. A public hearing is required for the following legislative actions in compliance with Chapter 10.116 (Public Notices and Hearings):

1. Development Agreements and Amendments. An agreement between the City and a party with legal or equitable interest in the real property relating to the development of property in compliance with Chapter 10.118 (Development Agreements).

2. General Plan Text/Map Amendments. An action authorizing either a text amendment to the General Plan or a map amendment changing the General Plan land usedesignation of particular property(s) in compliance with Chapter 10.112

(Amendments).

3. Specific Plans and Amendments. A regulatory document prepared in compliance with Government Code Section 65450 et seq. for the systematic implementation of the General Plan for a particular area (Chapter 10.120 [Specific Plans]).

4. Zoning Code Text/Map Amendments. An action authorizing either a text amendment to this Zoning Code or a map amendment changing the zoning designation of particular property in compliance with the General Plan (Chapter 10.112 [Amendments]).

D. Subdivisions and Other Building Regulations. In addition to the permits listed in this Zoning Code, regulations governing the subdivision of land are established in Municipal Code Title 11 (Division of Land Ordinance). Provisions for construction and building are established in Municipal Code Title 8 (Building Regulations). (Ord. 935 § 3 (part), 2015)

10.80.030 Exemptions from Permit Requirements.

The following activities and uses of land and/or structures are exempt from the land use and development permit requirements of this Zoning Code. However, the activities and uses shall comply with all other applicable provisions of this Zoning Code and may require other permits in compliance with the Municipal Code.

A. Accessory Structures. Accessory structures, as defined in Article 9 (Definitions), that are smaller than 120 square feet in size, not located within the required front setback area, and have no portion of the structure equal to or greater than eight feet in height.

B. Activities/Uses.

1. Yard sales in residential zones and neighborhoods when operated in compliance with Municipal Code Chapter 5.50 (Yard Sales).

2. Emergency public health and safety needs and land use activities including, but not limited to emergency utility and response facilities.

C. Decks and Paths. Decks, platforms, and on-site paths that are less than 30 inches above natural grade, are not over any basement or story below, and are unenclosed except for a safety railing with a maximum height of 42 inches.

D. Fences in Residential Zoning Districts. Certain fences in residential zoning districts are exempt from land use permit requirements in compliance with Chapter 10.28 (Fences, Hedges, and Walls).

E. Interior Remodeling. Interior alterations that do not increase the gross floor area within the structure or change/expand the allowed use of the structure.

F. Portable Spas, Hot Tubs, Fish Ponds. Portable spas, hot tubs, fish ponds, and similar structures that are less than 120 square feet in area (including related equipment), contain less than 2,000 gallons of water, and are less than three feet in total depth.

G. Repairs and Maintenance. Ordinary repairs and maintenance, if:

1. The work does not change the approved land use of the site or the structure or add to, enlarge, or expand the area occupied by the land use, or the floor area of the structure;

2. Within a parking lot, the work does not alter the number or configuration of parking and/or landscape planters in any manner; or

3. All exterior repairs employ the same materials and design as the original construction.

H. Solar Collectors. The addition of solar collection systems to the roofs of existing structures.

I. Utilities. The alteration, construction, erection, or maintenance by a public utility or public agency of underground or overhead utilities intended to service existing or nearby approved developments (e.g., electric, gas, telecommunication, or water supply or disposal systems, including cables, conduits, drains, fire-alarm boxes, hydrants, mains, pipes, police call boxes, sewers, traffic signals, wires, and similar facilities and equipment), but not including new transmission lines and structures. Satellite and cellular telephone antennas are instead subject to Section 10.50.200 (Wireless Communications Facilities). (Ord. 935 § 3 (part), 2015)

10.80.040 Additional Permits May Be Required.

A. Municipal Code Provisions. A land use or activity on property that complies with the permit requirement or exemption provisions of this Zoning Code shall also comply with any applicable permit requirements of the Municipal Code and/or any permit requirements of other agencies before construction or use of the property is commenced.

B. Timing of Permits. All necessary permits shall be obtained before starting work or establishing a new use. (Ord. 935 § 3 (part), 2015)

10.80.050 Burden of Proof and Precedence.

A. Burden of Proof. The burden of proof to establish the evidence in support of the required finding(s) for any permit or approval in compliance with this Chapter is the responsibility of the applicant.

B. Precedence. Each permit shall be evaluated on a case-by-case basis. Consequently, the granting of a prior permit does not create a precedent and is not justification for the granting of a new permit. (Ord. 935 § 3 (part), 2015)

Chapter 10.82

PERMIT APPLICATION FILING AND PROCESSING

Sections:

10.82.010 Purpose.

10.82.020 Authority for Land Use and Zoning Decisions.

10.82.030 Multiple Permit Applications.

10.82.040 Application Preparation and Filing.

10.82.050 Application Fees.

10.82.060 Applicant Indemnification.

10.82.070 Initial Application Review.

10.82.080 Project Evaluation and Staff Reports.

10.82.090 Environmental Review.

10.82.010 Purpose.

This Chapter provides procedures and requirements for the preparation, filing, and initial processing of the land use permit applications required by this Zoning Code. (Ord. 935 § 3 (part), 2015)

10.82.020 Authority for Land Use and Zoning Decisions.

Table 6-1 (Review Authority), below, identifies the review authority responsible for reviewing and making decisions on each type of application required by this Zoning Code. (Ord. 935 § 3 (part), 2015)

10.82.030 Multiple Permit Applications.

A. Concurrent Filing. An applicant for a development project that requires the filing of more than one application (e.g., Zoning Map Amendment and a Conditional Use Permit, etc.), shall file all related applications concurrently, together with all application fees required by Section 10.82.090 (Application Fees), below, unless the concurrent filing requirements are waived by the Director.

B. Concurrent Processing. Multiple applications for the same project shall be processed concurrently, and shall be reviewed, and approved or denied by the highest review authority designated by this Zoning Code for any of the applications (i.e., a project for which applications for Zoning Map Amendment and a Conditional Use Permit are filed shall have both applications decided by the Council,

instead of the Commission acting upon the Conditional Use Permit as otherwise required by Table 6-1). In the example cited, the Commission would still hear each application (the Zoning Map Amendment and the Conditional Use Permit) and forward recommendations to the Council.

TABLE 6-1 REVIEW AUTHORITY	Applicable Code Chapter/Section	Role of Review Authority⁽¹⁾		
Type of Action		Director	Commission	Council
Administrative and Legal Actions				
Development Agreements and Amendments	10.118		Recommend	Decision
General Plan Amendments	10.112		Recommend	Decision
Interpretations/Determinations	10.04	Decision ⁽²⁾	Appeal	Appeal
Specific Plans and Amendments	10.120		Recommend	Decision
Zoning Code Amendments	10.112		Recommend	Decision
Zoning Map Amendments	10.112		Recommend	Decision
Planning Permits and Approvals				
Conditional Use Permits	10.84		Decision	Appeal
Minor Use Permits	10.84	Decision ⁽²⁾	Appeal	Appeal
Minor Variances	10.98	Decision ⁽²⁾	Appeal	Appeal
Planned Development Permits	10.88		Decision	Appeal
Reasonable Accommodations	10.90	Decision ⁽²⁾	Appeal	Appeal
Sign Permits	10.34	Decision ⁽²⁾	Appeal	Appeal
Site Plan and Design Review (See Table 6-2 for specified thresholds.)	10.94	Decision ⁽²⁾	Decision/Appeal	Appeal
Temporary Use Permits	10.96	Decision ⁽²⁾	(3)	Appeal

Variances	10.98		Decision	Appeal
Zoning Clearances	10.100	Decision	Appeal	Appeal
<p>Notes:</p> <p>(1) "Recommend" means that the review authority makes a recommendation to a higher decision making body; "Decision" means that the review authority makes the final decision on the matter; "Appeal" means that the review authority may consider and decide upon appeals to the decision of an earlier decision making body, in compliance with Chapter 10.114 (Appeals).</p> <p>(2) The Director may choose to refer the application to the Commission for review and final decision, as authorized by this Zoning Code.</p> <p>(3) The City Manager shall serve as the first line of appeal for Temporary Use Permits in compliance with Subsection 10.96.080D. (City Manager to Act as Appeal Review Authority).</p>				

(Ord. 935 § 3 (part), 2015)

10.82.040 Application Preparation and Filing.

A. Pre-Application Conference.

1. A prospective applicant is strongly encouraged to request a pre-application conference with the Director before completing and filing a land use permit application.
2. The purpose of this conference is to generally:
 - a. Inform the applicant of City requirements as they apply to the proposed project;
 - b. Review the City's review process, possible project alternatives, or modifications; and
 - c. Identify information and materials the City will require with the application, and any necessary technical studies and information relating to the environmental review of the project.
3. Neither the pre-application review nor the provision of information and/or pertinent policies shall be construed as either a recommendation for approval or denial of the application or project by any City staff.
4. Failure by City staff to identify all required studies or all applicable requirements shall not constitute a waiver of those requirements. Additionally, the provision of incorrect information by City staff does not waive the Zoning Code requirements.

B. Application Contents. Each application for a permit or other approval pertaining to this Zoning Code shall be filed with the Department on a City application form, together with all required fees and/or deposits and all other information and materials specified in the most up-to-date Department handout for the specific type of application and/or as specified by the Director. Applicants are encouraged to contact the Director before submitting an application to verify which materials are necessary for application filing.

C. Eligibility for Filing.

1. An application may only be filed by the owner of the subject property or a lessee or authorized agent of the owner with the written consent of the property owner.

2. The application shall be signed by the owner of record or may be signed by the lessee or by an authorized agent if written authorization from the owner of record is filed concurrently with the application. (Ord. 935 § 3 (part), 2015)

10.82.050 Application Fees.

A. Fee Schedule. The Council shall establish, by resolution, a schedule of fees for the processing of the applications required by this Zoning Code, hereafter referred to as the Planning Fee Schedule. The Planning Fee Schedule is intended to allow recovery of all costs incurred by the City in processing permit applications to the maximum extent allowed by law.

B. Timing of Payment. Applications shall not be deemed complete, and processing shall not commence, on any application until all required fees or deposits have been paid. Failure to timely pay supplemental requests for payment of required fees and/or deposits shall be a basis for denial or revocation of any permit or other requested approval, notwithstanding any other provisions of this Zoning Code.

C. Refunds and Withdrawals. Application fees cover City costs for public hearings, mailings, staff time and the other activities involved in processing applications.

Consequently, no refund due to denial shall be allowed. In the case of a withdrawal, the Director shall have the discretion to authorize a partial refund based upon the pro-rated costs to-date and the status of the application at the time of withdrawal in compliance with the Planning Fee Schedule. (Ord. 935 § 3 (part), 2015)

10.82.060 Applicant Indemnification.

A. Applicant Agreement. As part of this application, applicant agrees to defend, indemnify, release and hold harmless from any and all claims, actions, proceedings or liability of any nature whatsoever arising out of, or in connection with, the City's review or approval of the proposed project, or the acts or omissions of the applicant, its agents, employees or contractors. This obligation shall also extend to any effort to attack, set aside, void, or annul any action or decisions of the City in connection with this application, including any contention the project approval is defective because a City ordinance, resolution, policy, standard, or plan is not in compliance with local, State or Federal law. This indemnification shall include damages, fees and/or costs awarded against the City, if any, and cost of suit, attorney's fees, and other costs, liabilities and expenses incurred in connection with such proceeding whether incurred by applicant, the City, and/or the parties initiating or bringing the proceeding. If a defense right is exercised, the City Attorney shall have the absolute right to approve any and all counsel employed to defend the City. The modification of the proposed project by the applicant or the imposition of conditions by the City shall not alter the effectiveness of this indemnity obligation.

B. City Notification of Applicant. In the event that an action, claim, or proceeding referred to in Subsection A., above is brought, the City shall promptly notify the applicant and land owner of the existence of the action, claim, or proceeding to which this condition is applicable and shall further cooperate fully in the defense of the action, claim, or proceeding.

C. City Participation in Defense. Nothing in this Section shall prohibit the City from participating in the defense of any action, claim, or proceeding if the City elects to bear its own attorneys' fees and costs and defends the action in good faith. (Ord. 935 § 3 (part), 2015)

10.82.070 Initial Application Review.

A. Review for Completeness. The Director shall review each application for completeness and accuracy before it is accepted as being complete and officially filed. The Director's determination of completeness shall be based on the City's list of required application contents and any additional written instructions provided to the applicant in any pre-application conference (see Section 10.82.040 [Application Preparation and Filing]) and/or during the initial application review period.

1. Notification of Applicant. As required by Government Code Section 65943, within 30 calendar days of application filing, the applicant shall be informed in writing, either that the application is complete and has been accepted for processing, or that the application is incomplete and that additional information, specified in the Director's letter, shall be provided.

2. Appeal of Determination. Where the Director has determined that an application is incomplete, and the applicant believes that the application is complete and/or that the information requested by the Director is not required, the applicant may appeal the Director's determination in compliance with Chapter 10.114 (Appeals).

3. Submittal of Additional Information.

- a. When the Director determines that an application is incomplete, the time used by the applicant to submit the required additional information shall not be considered part of the time within which the determination of completeness shall occur.
- b. Upon submittal of additional information, the Director shall have an additional 30 days to review the additional information in order to determine application completeness.

4. Expiration of Application.

a. If an applicant fails to provide the additional information specified in the Director's letter within 45 days following the date of the letter, or shorter time frame as determined by the Director, the application shall expire and be deemed withdrawn without any further action by the City, unless an extension is approved by the Director for good cause shown.

b. After the expiration of an application, future City consideration shall require the submittal of a new, complete application and associated filing fees.

5. Environmental Information. After an application has been accepted as complete, the Director may require the applicant to submit additional information needed for the environmental review of the project in compliance with the CEQA and Section 10.82.090 (Environmental Review), below.

B. Referral of Application. At the discretion of the Director, or where otherwise required by this Zoning Code or State or Federal law, an application may be referred to any public agency that may be affected by or have an interest in the proposed project. (Ord. 935 § 3 (part), 2015)

10.82.080 Project Evaluation and Staff Reports.

A. Staff Evaluation. The Director shall review all discretionary applications filed in compliance with this Chapter to determine whether they comply and are consistent with the provisions of this Zoning Code, other applicable provisions of the Municipal Code, the General Plan, and any applicable specific plan.

B. Staff Report. The Director shall provide a written recommendation to the Commission and/or Council (as applicable) as to whether the application should be approved, approved subject to conditions, or denied.

C. Report Distribution. Each staff report shall be furnished to the applicant at the same time as it is provided to the review authority before action on the application. (Ord. 935 § 3 (part), 2015)

10.82.090 Environmental Review.

A. CEQA Review. After acceptance of a complete application, the project shall be reviewed in compliance with the CEQA to determine whether:

1. The proposed project is exempt from the requirements of CEQA;
2. The proposed project is not a project as defined by CEQA;
3. A Negative Declaration is appropriate and may be prepared;
4. A Mitigated Negative Declaration is appropriate and may be prepared; or
5. An Environmental Impact Report (EIR) shall be required.

B. Compliance with CEQA. These determinations and, where required, the preparation of appropriate environmental documents, shall be in compliance with the CEQA. The applicant shall be responsible for all costs related to the CEQA review, in compliance with Section 10.82.050 (Application Fees).

C. Special Studies Required. A special study, paid for in advance by the applicant, may be required to supplement the City's CEQA compliance review, in compliance with Section 10.82.050 (Application Fees). (Ord. 935 § 3 (part), 2015)

Sections:

- 10.84.010 Purpose.
- 10.84.020 Applicability.
- 10.84.030 Review Authority.
- 10.84.040 Application Requirements.
- 10.84.050 Project Review, Notice, and Hearing.
- 10.84.060 Findings and Decision.
- 10.84.070 Conditions of Approval.
- 10.84.080 Use of Property before Final Action.
- 10.84.090 Modification of Permit.
- 10.84.100 Periodic Review.
- 10.84.110 Permit to Run with the Land.
- 10.84.120 Post Decision Procedures.

10.84.010 Purpose.

A. Purpose. The purpose of a Conditional Use Permit or Minor Use Permit is to provide sufficient flexibility in the use regulations in order to further the objectives of this Zoning Code.

B. Process for Reviewing Uses. A Conditional Use Permit or Minor Use Permit provides a process for reviewing uses that may be appropriate in the applicable zone, but whose effects on a site and surroundings cannot be determined before being proposed for a specific site.

C. Special Consideration. Certain types of land uses require special consideration in a particular zone or in the City as a whole because they possess unique characteristics or present special problems that make automatic inclusion as permitted uses either impractical or undesirable. (Ord. 935 § 3 (part), 2015)

10.84.020 Applicability.

A Conditional Use Permit or Minor Use Permit is required to authorize proposed land uses identified by Article 2 (Zones, Allowable Uses, and Development and Design Standards) as being allowable in the applicable zone subject to the approval of a Conditional Use Permit or Minor Use Permit. (Ord. 935 § 3 (part), 2015)

10.84.030 Review Authority.

A. Conditional Use Permits. Conditional Use Permits shall be approved, denied, or modified by the Commission.

B. Minor Use Permits.

1. Minor Use Permits shall be approved, denied, or modified by the Director.

2. The Director may choose to refer any Minor Use Permit application to the Commission for review and final decision. (Ord. 935 § 3 (part), 2015)

10.84.040 Application Requirements.

An application for a Conditional Use Permit and/or Minor Use Permit shall be filed and processed in compliance with Chapter 10.82 (Permit Application Filing and Processing). The application shall include the information and materials specified in the Department handout for Conditional Use Permit or Minor Use Permit applications, as applicable, together with the required fee in compliance with the Planning Fee Schedule. It is the responsibility of the applicant to provide evidence in support of the findings required by Section 10.84.060 (Findings and Decision), below. (Ord. 935 § 3 (part), 2015)

10.84.050 Project Review, Notice, and Hearing.

Each application shall be reviewed by the Director to ensure that the proposal complies with all applicable requirements of this Zoning Code.

A. Conditional Use Permits.

1. The Commission shall conduct a public hearing on an application for a Conditional Use Permit before a decision on the application.
2. Notice of the hearing shall be provided, and the hearing shall be conducted in compliance with Chapter 10.116 (Public Notices and Hearings).

B. Minor Use Permits.

1. The Director shall conduct a public hearing on an application for a Minor Use Permit before a decision on the application.
2. Notice of the hearing shall be provided, and the hearing shall be conducted in compliance with Chapter 10.116 (Public Notices and Hearings). However, use of a 300-foot radius shall be used for noticing purposes.

C. Appeals. The applicable review authority's decision is appealable in compliance with Chapter 10.114 (Appeals). (Ord. 935 § 3 (part), 2015)

10.84.060 Findings and Decision.

A. Review Authority's Action. An application for a Conditional Use Permit or Minor Use Permit may be approved, approved in modified form, conditionally approved, or denied by the review authority.

B. Required Findings. The review authority may approve a Conditional Use Permit or Minor Use Permit only after first making all of the following findings:

1. The proposed use is consistent with the General Plan and any applicable specific plan;
2. The proposed use is allowed within the applicable zone and complies with all other applicable provisions of this Zoning Code and the Municipal Code;
3. The design, location, size, and operating characteristics of the proposed activity will be compatible with the existing and future land uses in the vicinity;
4. The site is physically suitable in terms of:
 - a. Its design, location, shape, size, and operating characteristics of the proposed use;
 - b. The provision of public and emergency vehicle (e.g., fire and medical) access;
 - c. Public protection services (e.g., fire protection, police protection, etc.); and
 - d. The provision of utilities (e.g., potable water, schools, solid waste collection and disposal, storm drainage, wastewater collection, treatment, and disposal, etc.).
5. The type, density, and intensity of use being proposed will not endanger, jeopardize, or otherwise constitute a hazard to the public convenience, health, interest, safety, or general welfare, or be materially detrimental or injurious to the improvements, persons, property, or uses in the vicinity and zone in which the property is located.

C. Failure to Make Findings. The review authority shall deny the application when it fails to make any one or more of the required

findings. (Ord. 935 § 3 (part), 2015)

10.84.070 Conditions of Approval.

In approving a Conditional Use Permit or Minor Use Permit, the review authority may impose any conditions deemed reasonable and necessary to ensure that the approval will comply with the findings required by Section 10.84.060 (Findings and Decision), above. (Ord. 935 § 3 (part), 2015)

10.84.080 Use of Property before Final Action.

Permits or approvals shall not be issued for any use proposed in an application for a Conditional Use Permit or Minor Use Permit until and unless the same shall have become final, in compliance with Section 10.102.030 (Effective Dates of Permits). (Ord. 935 § 3 (part), 2015)

10.84.090 Modification of Permit.

An approved Conditional Use Permit or Minor Use Permit may be modified in compliance with Section 10.102.090 (Changes to an Approved Project). (Ord. 935 § 3 (part), 2015)

10.84.100 Periodic Review.

The City may conduct a periodic review of the permit to ensure proper compliance with this Zoning Code and any developmental or operational conditions imposed by the review authority. (Ord. 935 § 3 (part), 2015)

10.84.110 Permit to Run with the Land.

A Conditional Use Permit or Minor Use Permit approved in compliance with the provisions of this Chapter shall run with the land and continue to be valid upon a change of ownership of the business, parcel, service, structure, or use that was the subject of the permit application in the same area, configuration, and manner as it was originally approved in compliance with this Chapter. (Ord. 935 § 3 (part), 2015)

10.84.120 Post Decision Procedures.

The procedures and requirements in Chapter 10.102 (Permit Implementation, Time Limits, and Extensions), and those related to appeals and revocation in Article 7 (Zoning Code Administration) shall apply following the decision on a Conditional Use Permit or Minor Use Permit application. (Ord. 935 § 3 (part), 2015)

Chapter 10.88 PLANNED DEVELOPMENT PERMITS

Sections:

- 10.88.010 Purpose.
- 10.88.020 Applicability.
- 10.88.030 Application Filing, Processing, and Review.
- 10.88.040 Review Authority.
- 10.88.050 Project Review, Notice, and Hearing.
- 10.88.060 Findings and Decision.

- 10.88.070 Planned Development Permit Amendments.
- 10.88.080 Specific Development Standards.
- 10.88.090 Development Schedule.
- 10.88.100 Conditions of Approval.
- 10.88.110 Use of Property before Final Action.
- 10.88.120 Post Decision Procedures.

10.88.010 Purpose.

The purpose of this Chapter is to provide a process for approving a Planned Development Permit that is intended to:

- A. Achieve Greater Flexibility. Provide a method to achieve greater flexibility than may be available through compliance with conventional Zoning Code standards and regulations.
- B. Ensure Efficient Use of Land and Better Living Environment. Provide a method whereby land may be designed and developed as a single unit by taking advantage of modern site planning techniques thereby resulting in a more efficient use of land, a better living environment, a better site plan and overall design than is otherwise possible through strict application of the development standards identified in Article 2 (Zones, Allowable Uses, and Development and Design Standards).
- C. Encourage More Creativity. Encourage more creativity than may be available through compliance with conventional Zoning Code standards and regulations.
- D. Encourage Various Types of Development. Encourage the incorporation of various types of development into the project's design that might not be available through conventional development regulations.
- E. Ensure High Standards of Environmental Quality. Ensure development that meets high standards of environmental quality, public health and safety, the efficient use of the City's resources, and the purpose, intent, goals, policies, actions, and land use designations of the General Plan and any applicable specific plan; and
- F. Provide for Enhanced Amenities. Incorporate a program of enhanced amenities (e.g., enhanced landscaping, LEED related standards, additional and enhanced open space, additional public art, improvements to an existing public facility [e.g., park or trail, etc.]) than typically required by this Zoning Code. (Ord. 935 § 3 (part), 2015)

10.88.020 Applicability.

- A. Allowed Development Projects. A Planned Development Permit may only be requested for a residential, industrial, office, retail, mixed-use, or business campus-type development project.
- B. Minimum Site Area. A Planned Development Permit may only be requested for a site(s) with a minimum of 20,000 square feet for residential projects and one acre for all others.
- C. Uses Allowed. A Planned Development Permit may only authorize a land use activity that is allowed in the underlying zone as depicted on the City's Official Zoning Map.
- D. Modification of Standards.
 - 1. The permit may adjust or modify, where necessary and justifiable, all applicable development standards (e.g., building envelope [coverage, FAR, height, and setbacks], fence and wall heights, landscaping, open space, street layout, etc.) identified in this Zoning Code, with the exception of an increase in the applicable density or intensity above the allowable maximums identified in Article 2 (Zones, Allowable Uses, and Development and Design Standards).
 - 2. Residential development projects with density or intensity standards increased above the maximums identified in Article 2 (Zones, Allowable Uses, and Development and Design Standards) may only be approved in compliance with Government Code Section 65915 and Section 10.10.090 (Density Bonus for Affordable Housing). (Ord. 935 § 3 (part), 2015)

10.88.030 Application Filing, Processing, and Review.

An application for a Planned Development Permit shall be filed and processed in compliance with Chapter 10.82 (Permit Application Filing and Processing). The application shall include the information and materials specified in the Department handout for Planned Development Permit applications, together with the required fee in compliance with the Planning Fee Schedule. It is the responsibility of the applicant to provide evidence in support of the findings required by Section 10.88.060 (Findings and Decision), below. (Ord. 935 § 3 (part), 2015)

10.88.040 Review Authority.

The Commission may approve, approve in modified form, conditionally approve, or deny the Planned Development Permit application, based upon the findings contained in Section 10.88.060 (Findings and Decision), below. (Ord. 935 § 3 (part), 2015)

10.88.050 Project Review, Notice, and Hearing.

A. Application Consistent with the Purpose of Chapter.

1. Each Planned Development Permit application shall be analyzed by the Director to ensure that the application is consistent with the purpose and intent of this Chapter.

2. The Director shall submit a staff report and recommendation to the Commission for its consideration.

B. Notice and Hearings.

1. A public hearing shall be required for the Commission's action on a Planned Development Permit application.

2. The public hearing shall be scheduled once the Director has determined the application complete in compliance with Section 10.82.070 (Initial Application Review).

3. Notice of the public hearing shall be given and the hearing shall be conducted in compliance with Chapter 10.116 (Public Notices and Hearings). (Ord. 935 § 3 (part), 2015)

10.88.060 Findings and Decision.

A. Commission's Authority. The Commission may approve, approve in modified form, conditionally approve, or deny an application for a Planned Development Permit based on the findings specified in Subsection B., below.

B. Required Findings. The Commission may approve a Planned Development Permit application, with or without conditions, only after first making all of the following findings:

1. The proposed use and resulting design:

a. Is allowed within the subject base zone;

b. Is consistent with the purpose, intent, goals, policies, actions, and land use designations of the General Plan and any applicable specific plan;

c. Is generally in compliance with all of the applicable provisions of this Zoning Code relating to both on-site and off-site improvements that are necessary to accommodate flexibility in site planning and property development and to carry out the purpose, intent, and requirements of this Chapter and the subject base zone, including prescribed development standards and applicable design guidelines, except for those provisions modified in compliance with this Chapter; and

d. Ensure compatibility of property uses within the zone and general neighborhood of the proposed development.

2. The proposed project will produce a comprehensive development with a better site plan and overall design (e.g., appropriate variety of structure placement and orientation opportunities, appropriate mix of structure sizes, high quality architectural design, significantly increased amounts of landscaping and improved open space, improved solutions to the design and placement of parking and loading facilities, incorporation of a program of highly enhanced amenities [e.g., additional public art], LEED related standards, etc.) than might otherwise occur from more typical development applications;

3. Proper standards and conditions have been imposed to ensure the protection of the public health, safety, and welfare;
4. Proper on-site traffic circulation (e.g., pedestrian and vehicular) and control is designed into the development to ensure protection for fire suppression and police surveillance equal to or better than what would normally be created by compliance with the minimum setback and parcel width standards identified in Article 2 (Zones, Allowable Uses, and Development and Design Standards);
5. The subject parcel is adequate in terms of size, shape, topography, and circumstances to accommodate the proposed development;
6. Adequate public services and facilities exist, or will be provided, in compliance with the conditions of approval, to serve the proposed development and the approval of the proposed development will not result in a reduction of public services to properties in the vicinity to be a detriment to public health, safety, and general welfare;
7. The proposed development, as conditioned, will not have a substantial adverse effect on surrounding property or their allowed use;
8. 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 better landscaping and private open space, private or separated entrances, etc; and
9. 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.

C. Failure to Make Findings. The review authority shall deny the application when it fails to make any one or more of the required findings. (Ord. 935 § 3 (part), 2015)

10.88.070 Planned Development Permit Amendments.

- A. Commission Action on Requested Changes. Requested changes in the Planned Development Permit, other than those allowed by this Section, shall be submitted to the Commission for review and approval.
- B. Minor Changes by Director. Minor changes in the Planned Development Permit that do not involve an increase in the number of dwelling units or an increase in square footage may be approved by the Director in compliance with Section 10.102.090 (Changes to an Approved Project). (Ord. 935 § 3 (part), 2015)

10.88.080 Specific Development Standards.

- A. Landscaping. Landscaping shall be provided in compliance with Chapter 10.32 (Landscaping), unless modified in compliance with this Chapter.
- B. Off-street Parking. Off-street parking provisions shall be provided in compliance with Chapter 10.30 (Off-street Parking and Loading), unless modified in compliance with this Chapter.
- C. Signs. Signs shall be provided in compliance with Chapter 10.34 (Signs), unless modified in compliance with this Chapter. (Ord. 935 § 3 (part), 2015)

10.88.090 Development Schedule.

An application for a Planned Development Permit shall include a development schedule in compliance with the following.

- A. Permit Application shall Include Development Schedule. An application for a Planned Development Permit shall be accompanied by a development schedule clearly identifying the approximate time period, after the Planned Development Permit becomes effective in compliance with Section 10.102.070 (Expiration), when construction of the entire project, including all of the approved amenities, can be expected to begin, the anticipated rate of development, and the anticipated completion date.
- B. Development Schedule for Phased Developments. The development schedule, if it shows the total project is to be developed in phases, shall indicate the open space and amenities proposed for each individual phase. The developer shall construct all amenities

shown and landscape all open spaces within each phase as it is completed, and before occupancy of any structure located within each particular phase of the development.

C. Director to Review Overall Progress. From time to time, the Director shall compare the actual development accomplished in the planned development with the approved development schedule.

D. Commission May Extend Development Schedule. Upon a written request by the developer/property owner, for good cause shown, the Commission may extend the time limits of the development schedule; provided, that a complete application for the extension of time limits shall be filed with the Department no later than 30 days before the date of expiration in compliance with Section 10.102.080 (Time Extensions). (Ord. 935 § 3 (part), 2015)

10.88.100 Conditions of Approval.

In approving a Planned Development Permit, the Commission may impose conditions deemed reasonable and necessary to ensure that the approval would be in compliance with the findings required by Section 10.88.060 (Findings and Decision), above. (Ord. 935 § 3 (part), 2015)

10.88.110 Use of Property before Final Action.

Permits shall not be issued for any use or construction proposed in an application for a Planned Development Permit until and unless the Planned Development Permit shall have become final, in compliance with Section 10.102.030 (Effective Dates of Permits). (Ord. 935 § 3 (part), 2015)

10.88.120 Post Decision Procedures.

The procedures and requirements in Chapter 10.102 (Permit Implementation, Time Limits, and Extensions), and those related to appeals and revocation in Article 7 (Zoning Code Administration) shall apply following the decision on a Planned Development Permit application. (Ord. 935 § 3 (part), 2015)

Chapter 10.90
REASONABLE ACCOMMODATIONS

Sections:

- 10.90.010 Purpose.
- 10.90.020 Applicability.
- 10.90.030 Application Requirements.
- 10.90.040 Review Authority.
- 10.90.050 Review Procedures.
- 10.90.060 Findings and Decision.

10.90.010 Purpose.

This Chapter provides a procedure to request Reasonable Accommodation for persons with disabilities seeking equal access to housing under the California Fair Employment and Housing Act, the Federal Fair Housing Act, and the Americans with Disabilities Act (ADA) (also known as the Acts) in the application of zoning laws and other land use regulations, policies, and procedures. A Reasonable Accommodation is typically an adjustment to physical design standards (e.g., setbacks) to accommodate the placement of wheelchair ramps or other exterior modifications to a dwelling in response to the needs of a disabled resident. (Ord. 935 § 3 (part), 2015)

10.90.020 Applicability.

A. Eligible Applicants.

1. A request for Reasonable Accommodation may be made by any person with a disability, their representative or any entity, when the application of a zoning law or other land use regulation, policy, or practice acts as a barrier to fair housing opportunities.

2. A person with a disability is a person who has a physical or mental impairment that limits or substantially limits one or more major life activities, anyone who is regarded as having this type of impairment, or anyone who has a record of this type of impairment, as those terms are defined by the Acts.

B. Eligible Requests.

1. 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.

2. A request for Reasonable Accommodation shall comply with Section 10.90.030 (Application Requirements), below. (Ord. 935 § 3 (part), 2015)

10.90.030 Application Requirements.

An application for a Reasonable Accommodation shall be filed and processed in compliance with Chapter 10.82 (Permit Application Filing and Processing). The application shall include the information and materials specified in the Department handout for Reasonable Accommodation applications, together with the required fee in compliance with the Planning Fee Schedule. It is the responsibility of the applicant to provide evidence in support of the findings required by Section 10.90.060 (Findings and Decision), below. The contents of the application will be held confidential to the extent permissible under Public Records Act Section 6250 et seq. (Ord. 935 § 3 (part), 2015)

10.90.040 Review Authority.

A. Director. A request for Reasonable Accommodation shall be reviewed, and a decision shall be made, by the Director if no approval is sought other than the request for Reasonable Accommodation.

B. Other Review Authority. A request for Reasonable Accommodation submitted for concurrent review with another discretionary land use application shall be reviewed by the authority reviewing the discretionary land use application. (Ord. 935 § 3 (part), 2015)

10.90.050 Review Procedures.

A. Director's Review. The Director shall make a written decision and either approve, approve with modifications, or deny a request for Reasonable Accommodation in compliance with Section 10.90.060 (Findings and Decision), below.

B. Other Review Authority. The written decision on whether to approve or deny the request for Reasonable Accommodation shall be made by the authority responsible for reviewing the discretionary land use application in compliance with the applicable review procedure for the discretionary review. The decision to approve or deny the request for Reasonable Accommodation shall be made in compliance with Section 10.90.060 (Findings and Decision), below.

C. Request of Further Information. If necessary to reach a determination on the request for Reasonable Accommodation, the review authority may request further information from the applicant consistent with the Acts, specifying in detail the information that is required. (Ord. 935 § 3 (part), 2015)

10.90.060 Findings and Decision.

A. Findings. The applicable review authority may approve a request for Reasonable Accommodation, with or without conditions, only after first making all of the following findings:

1. The requested Reasonable Accommodation would be consistent with the Acts specified in Section 10.90.010 (Purpose), above;
2. The housing, which is the subject of the request, will be used by an individual defined as disabled under the Acts;
3. The request for Reasonable Accommodation is necessary to make specific housing available to an individual with a disability under the Acts;
4. The requested Reasonable Accommodation would not impose an undue financial or administrative burden on the City;
5. The requested Reasonable Accommodation would not require a fundamental alteration in the nature of a City program or law, including but not limited to land use and zoning;
6. There would be no potential impact on surrounding uses;
7. The physical attributes of the subject property and structure(s) would warrant approval of the requested Reasonable Accommodation; and
8. No other Reasonable Accommodations would provide an equivalent level of benefit.

B. Conditions of Approval. In approving a request for Reasonable Accommodation, the review authority may impose conditions of approval deemed reasonable and necessary to ensure that the Reasonable Accommodation will comply with the findings required by Subsection A. (Findings), above.

C. Failure to Make Findings. The review authority shall deny the application when it fails to make any one or more of the required findings. (Ord. 935 § 3 (part), 2015)

Chapter 10.94

SITE PLAN AND DESIGN REVIEW

Sections:

- 10.94.010 Purpose and Intent.
- 10.94.020 Applicability.
- 10.94.030 Review Authority.
- 10.94.040 Application Filing, Processing, and Review.
- 10.94.050 Findings and Decision.
- 10.94.060 Conditions of Approval.
- 10.94.070 Issuance of Other Required Permits and Approvals.
- 10.94.080 Minor Changes by the Director.
- 10.94.090 Post Decision Procedures.

10.94.010 Purpose and Intent.

- A. Purpose. The purpose of this Chapter is to provide a process for the appropriate review of development projects.
- B. Intent. The intent of this Chapter is to ensure that all approved site plans and structures:
 1. Promote the orderly development of the City in compliance with the goals and objectives of the General Plan, any applicable specific plan, and the standards specified in this Zoning Code;
 2. Protect property values and the health, safety, and welfare of the community at large;
 3. Promote the aesthetic quality of development in the City;
 4. Ensure the suitability of development for its intended purpose;

5. Exemplify the best professional high quality design practices;
6. Encourage the maintenance of a distinct neighborhood and/or community identity;
7. Minimize or eliminate negative or undesirable visual impacts; and
8. Ensure safe and convenient access and circulation for pedestrians and vehicles. (Ord. 935, § 3 (part), 2015)

10.94.020 Applicability.

- A. **Site Plan and Design Review Required.** No one shall construct any structure, or move, rebuild, relocate, or enlarge or modify any existing structure or site (including accessory structures, facade improvements, and fences and walls) (as determined by the Director), unless a Site Plan and Design Review application is first reviewed, and approved or conditionally approved by the applicable review authority in compliance with this Chapter.
- B. **Referral to Director.** The Building Official shall refer to the Director all applications for Building or Grading Permits subject to the requirements of this Chapter.
- C. **Compliance with Chapter Required.** Building or Grading Permits, Business Licenses, or Certificates of Occupancy shall not be issued until the requirements of this Chapter have been met. (Ord. 935, § 3 (part), 2015)

10.94.030 Review Authority.

- A. **Required Before Issuance of Other Required Permits.** Site Plan and Design Review approval shall be required before the issuance of a Building or Grading Permit, Business License, or Certificate of Occupancy for any new structure and existing structures to be reconstructed or remodeled (including accessory structures, facade improvements, and fences and walls) (as determined by the Director), or to increase structure height.
- B. **Applicable Review Authority.**
 1. The applicable review authority shall be as specified in Table 6-2 (Review Authority for Site Plan and Design Review), below.
 2. Definition of terms used in Table 6-2.
 - a. Minor is defined as up to and including 25 percent.
 - b. Major is defined as over 25 percent.

TABLE 6-2 REVIEW AUTHORITY FOR SITE PLAN AND DESIGN REVIEW		Role of Review Authority ⁽¹⁾⁽²⁾⁽³⁾	
Type of Construction Activity		Director (Minor Review)	Commission (Major Review)
Residential Construction and Improvements			
Single-family residential construction, including expansion, second story, and accessory structures		Decision	Appeal
Multi-family residential expansion, including accessory structures and second stories up to a			

maximum of 25 percent of the existing gross floor area, but no additional dwelling units	Decision	Appeal
Multi-family residential expansion, including accessory structures and second stories, over 25 percent of the existing gross floor area		Decision
Multi-family residential construction, including second stories, proposing up to a maximum of 2 dwelling units	Decision	Appeal
Multi-family residential construction, including second stories, proposing 3 or more dwelling units		Decision
Non-Residential Construction and Improvements		
Nonresidential expansion, including accessory structures, not visible from the public right-of-way, up to a maximum of 25 percent of the existing gross floor area	Decision	Appeal
Nonresidential expansion, including accessory structures, over 25 percent of the existing gross floor area		Decision
Nonresidential construction - all		Decision
Facade Improvements		
Residential facade improvements	Decision	Appeal
Nonresidential facade improvements		Decision
Fences and Walls		
Fences and walls, except as specified below	Decision	Appeal
Fences and walls for multi-family projects, with up to 2 dwelling units, proposing a fence within the front yard setback over 42 inches in height	Decision	Appeal
Fences and walls for multi-family projects, with 3 or more dwelling units, proposing a fence within the front yard setback over 42 inches in height		Decision
Signs and Master Sign Programs		
Sign Permits in compliance with Chapter		

10.34 (Signs), except for free standing signs over 15 feet in height	Decision	Appeal
Sign Permits in compliance with Chapter 10.34 (Signs) for free standing signs over 15 feet in height		Decision
Master Sign Programs in compliance with Chapter 10.34 (Signs)	Decision	Appeal
Other Types of Construction and Improvements		
Nonconforming Structure Additions/Expansions		
Up to a 20 percent expansion of gross floor area of a nonconforming detached single-family residential dwelling	Decision	Appeal
Up to a 20 percent expansion of gross floor area of a nonconforming structure in a commercial or industrial zone	Decision	Appeal
The extension of a nonconforming setback of an existing structure along the same property line as the existing structure	Decision	Appeal
An increase in building height to allow the roof of the proposed addition to match the roofline of the existing nonconforming structure, provided such increased building height does not create any additional habitable space	Decision	Appeal
Parking lot and/or landscaping modifications	Decision	Appeal
Solar and wind turbine equipment	Decision	Appeal
Wireless telecommunication associated ground mounted equipment	Decision	Appeal
<p>Note:</p> <p>(1) "Decision" means that the Review Authority makes the final decision on the matter; "Appeal" means that the Review Authority may consider and decide upon appeals to the decision of an earlier decision-making body, in compliance with Chapter 10.114 (Appeals).</p>		

(2) The Review Authority may defer action and refer the request to the next higher Review Authority for review and final decision.

(3) Any decision of the Commission is appealable to the Council in compliance with Chapter 10.114 (Appeals).

(Ord. 935 § 3 (part), 2015)

10.94.040 Application Filing, Processing, and Review.

A. **Application Filing.** An application for a Site Plan and Design Review shall be filed and processed in compliance with Chapter 10.82 (Permit Application Filing and Processing). The application shall include the information and materials specified in the Department handout for Site Plan and Design Review applications, together with the required fee in compliance with the Planning Fee Schedule. It is the responsibility of the applicant to provide evidence in support of the findings required by Section 10.94.050 (Findings and Decision), below.

B. **Review with Other Land Use Applications.** If the project for which the request for Site Plan and Design Review is being made also requires some other discretionary approval (e.g., Conditional Use Permit, etc.), the applicant shall file the information required by Subsection A. (Application Filing), above, together for concurrent review with the application for discretionary approval. Only the formal application and associated fee for the other discretionary approval shall be required in order to comply with the Site Plan and Design Review filing requirements. If any other discretionary approval is requested, the entire application package (if a Conditional Use Permit is requested, the package would include the Conditional Use Permit and the Site Plan and Design Review applications) goes to the review authority responsible for action on the discretionary approval. In the example cited, the Commission would be the review authority for the entire package of applications.

C. **Application Review.** Each application for a Site Plan and Design Review shall be reviewed to ensure that the application is consistent with the purpose of this Chapter; applicable development standards and regulations of this Zoning Code; and any adopted design guidelines and policies that may apply.

1. A Site Plan and Design Review is initiated when the Department receives a complete application package including the required information and materials specified in the Department handout and any additional information required by the applicable review authority in order to conduct a thorough review of the proposed project.

2. Upon receipt of a complete application the applicable review authority shall review the location, design, site plan configuration and the effect of the proposed development on adjacent properties, streets, and alleys by comparing the project plans to established development standards, regulations, and applicable design guidelines/policies.

3. Within 30 days after the Site Plan and Design Review application has been deemed complete in compliance with Section 10.82.070 (Initial Application Review), the review authority shall either approve or deny the Site Plan and Design Review application and, if approved, may impose conditions deemed reasonable and necessary to protect the public health, safety and general welfare and ensure compliance with this Chapter and all applicable City regulations and policies.

4. The following criteria shall be considered during the review of a Site Plan and Design Review application:

a. Compliance with this Chapter, this Zoning Code, Municipal Code Title 8 (Building Regulations), and all other applicable City regulations and policies;

b. Efficiency of site layout and design;

c. Compatibility with neighboring properties, streets, alleys, and developments;

d. Efficiency and safety of public pedestrian and vehicular access and parking;

e. The arrangement and relationship of proposed structures and signs to one another and to other developments in the vicinity and whether the relationship is harmonious and based on good standards of design;

f. The compatibility in scale and aesthetic treatment of proposed structures with public areas;

- g. The adequacy of proposed driveways, landscaping, parking spaces, potential on-site and off-site parking, circulation, and traffic impacts, and other potential impacts upon the environment;
- h. Appropriate open space and use of water efficient landscaping;
- i. Consistency with the General Plan and any applicable specific plan; and
- j. Consistency with any adopted design guidelines/policies.

D. On-Site Inspection. An application for a Site Plan and Design Review may require that the Director perform an on-site inspection of the subject parcel before confirming that the request complies with all of the applicable criteria and provisions identified in this Chapter.

E. Public Hearing and Appeal Provisions.

1. Neither a notice nor a public hearing shall be required for the Director's or Commission's decision on a Site Plan and Design Review application, except for second story residential construction identified in Subparagraph 2., below.
2. The Director's and Commission's decision on a Site Plan and Design Review application for second story residential construction shall require notice of a public meeting, with mailings to all property owners located within 300 feet of the exterior boundary of the subject property. The applicant is responsible for all costs related to the mailed notice.
3. Companion applications shall receive notice in compliance with their respective requirements.
4. The review authority's decision may be appealed, in compliance with Chapter 10.114 (Appeals). (Ord. 935 § 3 (part), 2015)

10.94.050 Findings and Decision.

A. Meets Requirements of this Chapter. The review authority shall determine whether or not the application meets the requirements of this Chapter in compliance with Section 10.82.070 (Initial Application Review).

B. Referral to the Commission. The Director may refer the Site Plan and Design Review application to the Commission for review and final decision at the Director's sole discretion.

C. Other Review Authority. The decision to approve or deny the Site Plan and Design Review shall be made by the authority responsible for reviewing the other discretionary land use application (e.g., Conditional Use Permit, etc.) in compliance with the applicable review procedure for the other discretionary review. The decision to approve or deny the Site Plan and Design Review shall be made in compliance with Subsection D. (Required Findings), below.

D. Required Findings. The review authority may approve a Site Plan and Design Review application, only after first making all of the following findings. The proposed development:

1. Is allowed within the subject zone;
2. Is in compliance with all of the applicable criteria identified in Subparagraph 10.94.040 C. 4., above;
3. Is consistent with or an improvement to the character of the neighborhood, in terms of the structure(s) general appearance;
4. Provides adequate consideration of applicable factors (e.g., noise, traffic, vehicular and pedestrian safety, vibration, etc.) including measures which are reasonably efficient and satisfactory in protecting the public health and safety; and
5. Ensures that the:
 - a. Architectural design and functional plan of the structure(s) and related improvements are of reasonable aesthetic quality and consistent with or an improvement to adjacent developments; and
 - b. Structure(s) and related improvements are suitable for the proposed use of the property and provide adequate consideration of the existing and contemplated uses of land and orderly development in the general area of the subject site.

E. Failure to Make Findings. The review authority shall deny the application when it fails to make any one or more of the required findings. (Ord. 935 § 3 (part), 2015)

10.94.060 Conditions of Approval.

In approving a Site Plan and Design Review application, the review authority may impose conditions deemed reasonable and necessary to ensure that the approval would be in compliance with the findings required by Section 10.94.050 (Findings and Decision), above. (Ord. 935 § 3 (part), 2015)

10.94.070 Issuance of Other Required Permits and Approvals.

A. Permits for Building and Grading. Upon approval or conditional approval of a Site Plan and Design Review, or a revised Site Plan and Design Review, the proposed project shall be eligible for filing of all required Building, and Grading Permits.

B. Compliance with Site Plan and Design Review. Grading shall not be commenced and no structure shall be altered, enlarged, erected, moved, or rebuilt subject to the provisions of this Chapter, except in compliance with the approved Site Plan and Design Review and the conditions imposed on the review. (Ord. 935 § 3 (part), 2015)

10.94.080 Minor Changes by the Director.

Minor changes in a Site Plan and Design Review that do not involve an increase in structure area or height, an increase in the number of dwelling units, or an intensity of use may be approved by the Director in compliance with Section 10.102.090 (Changes to an Approved Project). (Ord. 935 § 3 (part), 2015)

10.94.090 Post Decision Procedures.

The procedures and requirements in Chapter 10.102 (Permit Implementation, Time Limits, and Extensions), and those related to appeals and revocation in Article 7 (Zoning Code Administration) shall apply following the decision on a Site Plan and Design Review application. (Ord. 935 § 3 (part), 2015)

Chapter 10.96 TEMPORARY USE PERMITS

Sections:

- 10.96.010 Purpose.
- 10.96.020 Definitions.
- 10.96.030 Applicability.
- 10.96.040 Exempt Temporary Uses.
- 10.96.050 Allowed Temporary Uses.
- 10.96.060 Application Filing, Processing, and Review.
- 10.96.070 Director's Review.
- 10.96.080 Findings and Decision.
- 10.96.090 Conditions of Approval.
- 10.96.100 Extensions for Temporary Use Permits.
- 10.96.110 Condition of Site Following Temporary Use.
- 10.96.120 Post Decision Procedures.

10.96.010 Purpose.

The purpose of this Chapter is to allow for short term activities that would be compatible with adjacent and surrounding uses when conducted in compliance with this Chapter. (Ord. 935 § 3 (part), 2015)

10.96.020 Definition.

For purposes of this Chapter, a temporary land use activity is defined as a land use that is interim, non-permanent, and/or seasonal in nature, and generally not conducted for more than 30 consecutive days in duration. (Ord. 935 § 3 (part), 2015)

10.96.030 Applicability.

A Temporary Use Permit allows short term activities that might not meet the normal development or use standards of the applicable zone, but may otherwise be acceptable because of their temporary nature. (Ord. 935 § 3 (part), 2015)

10.96.040 Exempt Temporary Uses.

The following minor and limited duration temporary uses are exempt from the Temporary Use Permit requirement. Uses that do not fall within the categories defined below shall comply with 10.96.050 (Allowed Temporary Uses), below.

A. Construction yards - On-site.

1. On-site contractors' construction yard(s), in conjunction with an approved construction project on the same parcel.
2. One adult caretaker may be present during non-construction hours.
3. The construction yard shall be removed upon completion of the construction project, or the expiration of the companion Building Permit, authorizing the construction project, whichever first occurs.

B. Emergency Facilities. Emergency public health and safety needs/land use activities, as determined by the Council. (Ord. 935 § 3 (part), 2015)

10.96.050 Allowed Temporary Uses.

The following temporary uses are allowed, subject to the issuance of a Temporary Use Permit, and only when conducted in compliance with Section 10.96.090 (Conditions of Approval), below.

A. Contractors' Construction Yards - Off-site. The permit may be effective for up to 12 months, or upon expiration of the companion Building Permit, authorizing the construction project, whichever first occurs.

B. Events.

1. Amusement rides, arts and crafts exhibits, auctions, carnivals, circuses, concerts, fairs, farmer's markets, festivals, flea markets, food events, outdoor entertainment/sporting events, rodeos, rummage sales, second hand sales, and swap meets for no more than 14 days within a 12-month period.

2. Outdoor display and sale events (i.e., side walk and parking lot sales) conducted by a retail business holding a valid Business License may be allowed a maximum of four outdoor sale events (excluding City sponsored activities) within a 12-month period. Items offered for sale shall be limited to the items covered by the Business License. For purposes of this Subsection an outdoor sale event shall be no longer than a total of 40 aggregate days in duration, with a minimum of 60 days between events.

3. Outdoor meetings and group activities (i.e., neighborhood community gatherings and religious retreats) for seven consecutive days or less, within any 12-month period.

4. Seasonal sales (i.e., Halloween pumpkin sales and Christmas tree sale lots) only by businesses holding a valid Business License; provided, the activity may only be held from October 1st through October 31st, of the same year for the pumpkin sales, and from the day after Thanksgiving through December 28th, of the same year for Christmas tree sales.

C. Temporary Real Estate Sales Office. One temporary real estate office may be located in any new subdivision in any zone in the

City.

1. A temporary real estate office (e.g., trailer) may be used for temporary sales activities (e.g., model home sales, etc.) related only to the subdivision.

2. The temporary real estate office shall be removed within 10 days after the sale of all units in the new subdivision.

D. Temporary Structures. A temporary classroom, office, or similar portable structure, including a manufactured or mobile unit, may be approved as an accessory use for up to 12 months, for the following activities:

1. During construction of a development project in a commercial or industrial zone; or

2. As a temporary replacement structure to be used during reconstruction activities for places of religious assembly or private schools.

E. Temporary Work and/or Storage Site.

1. A trailer, mobile home, or other acceptable temporary structure may be used as a temporary work and/or storage site for employees of a business during construction or remodeling of a permanent commercial, industrial, or mixed-use structure, when a valid Building Permit is in force and upon demonstration by the applicant that the temporary work site is a short-term necessity, while a permanent work site is being obtained.

2. A permit for temporary work and/or storage trailer(s)/structure(s) may be approved for up to 12 months and shall be removed within 30 days following issuance of the Certificate of Occupancy. The Director may extend the approval for up to an additional 12 months, if needed for very large construction projects.

F. Other Similar Temporary Uses. Similar temporary uses that, in the opinion of the Director, are compatible with the subject zone and surrounding land uses. (Ord. 935 § 3 (part), 2015)

10.96.060 Application Filing, Processing, and Review.

A. Filing. An application for a Temporary Use Permit shall be filed with the Department in the following manner:

1. An application for a Temporary Use Permit shall be filed and processed in compliance with Chapter 10.82 (Permit Application Filing and Processing). The application shall include the information and materials specified in the Department handout for Temporary Use Permit applications, together with the required fee in compliance with the Planning Fee Schedule.

2. The application shall be filed with the Department at least:

a. Five business days before the date that the proposed temporary use is scheduled to take place for outdoor sales events; (See Subparagraph 10.96.050 B.2., above)

b. Forty-five days before the date that the proposed temporary use is scheduled to take place for events requiring a background check; and (See Municipal Code Chapter 5.08 (Business and Occupation Permits))

c. Thirty days before the date that the proposed temporary use is scheduled to take place for all other allowed activities specified in this Chapter.

B. Evidence. It is the responsibility of the applicant to establish evidence in support of the findings required by Section 10.96.080 (Findings and Decision), below.

C. Project Review Procedures. Following receipt of a completed application, the Director shall investigate the facts necessary for action consistent with the purpose of this Chapter.

D. Public Hearing Not Required. A public notice and hearing shall not be required for the Director's decision on a Temporary Use Permit application. (Ord. 935 § 3 (part), 2015)

10.96.070 Director's Review.

The Director may approve a Temporary Use Permit for a temporary use that would be operated in compliance with Section 10.96.090 (Conditions of Approval) below, deny the application, or may defer action and refer the application to the Commission for

review and final decision. (Ord. 935 § 3 (part), 2015)

10.96.080 Findings and Decision.

A. Director's Review. The Director shall review the application and shall record the decision in writing with the findings on which the decision is based.

B. Required Findings. The Director (or the Commission on a referral) may approve a Temporary Use Permit application, with or without conditions, only after first making all of the following findings:

1. The operation of the requested temporary use at the location proposed and within the time period specified will not jeopardize or endanger the public convenience, health, safety, or general welfare;

2. The proposed parcel is adequate in size and shape to accommodate the temporary use without material detriment to the use and enjoyment of other properties located adjacent to and in the vicinity of the subject parcel;

3. The proposed parcel is adequately served by streets or highways having sufficient width and improvements to accommodate the kind and quantity of traffic that the temporary use will or could reasonably be expected to generate; and

4. Adequate temporary parking to accommodate vehicular traffic to be generated by the use will be available either on-site or at alternate locations acceptable to the Director.

C. Failure to Make Findings. The Review Authority shall deny the application when it fails to make any one or more of the required findings.

D. City Manager to Act as Appeal Review Authority. Notwithstanding any other provisions of this Zoning Code, due to the short time frame related to Temporary Use Permits, the City Manager shall serve as the appeal review authority for Temporary Use Permits. The decision of the City Manager shall be final. (Ord. 935 § 3 (part), 2015)

10.96.090 Conditions of Approval.

A. May Impose Conditions. In approving a Temporary Use Permit application, the Director (or the Commission on a referral) 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 10.96.080 (Findings and Decision), above.

B. Sample Conditions. These conditions may address any pertinent factors affecting the operation of the temporary event, or use, and may include, but are not limited to, the following:

1. Fixed Period of Time. Unless otherwise stated in the permit, a provision for a fixed period of time not to exceed 30 days for a temporary use not occupying a structure, including promotional activities, or 12 months for all other temporary uses or structures, or for a shorter period of time as determined appropriate by the Director;

2. Operating Hours and Days. Regulation of operating hours and days, including limitation of the duration of the temporary use, as identified in Subsection 1., above;

3. Temporary Pedestrian and Vehicular Circulation. Provision for adequate temporary pedestrian and vehicular circulation, parking facilities (including vehicular ingress and egress), and public transportation, if applicable;

4. 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;

5. 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 other yards;

6. Sanitary and Medical Facilities. Provision for sanitary and medical facilities, as appropriate;

7. Waste Collection, Recycling, and/or Disposal. Provision for solid, hazardous, and toxic waste collection, recycling, and/or disposal;

8. Police/Security and Safety Measures. Provision for police/security and safety measures, as appropriate;

9. Signs. Regulation of signs;

10. Performance Bond or Other Security. Submission of a performance bond or other security measures may be required in order 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;

11. 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

12. Other Conditions. Other conditions that would ensure the operation of the proposed temporary use in an orderly and efficient manner, and in full compliance with the purpose of this Chapter. (Ord. 935 § 3 (part), 2015)

10.96.100 Extensions for Temporary Use Permits.

The Director may extend the time for a Temporary Use Permit to run beyond the original approval. In no event shall the Temporary Use Permit exceed the number of days allowed by Section 10.96.050 (Allowed Temporary Uses), above, or a total of 30 days. (Ord. 935 § 3 (part), 2015)

10.96.110 Condition of Site Following Temporary Use.

Each site occupied by a temporary use shall be cleaned of debris, litter, or any other evidence of the temporary use upon completion or removal of the use, and shall continue to be used in compliance with this Zoning Code. (Ord. 935 § 3 (part), 2015)

10.96.120 Post Decision Procedures.

The procedures and requirements in Chapter 10.102 (Permit Implementation, Time Limits, and Extensions), and those related to appeals and revocation in Article 7 (Zoning Code Administration) shall apply following the decision on a Temporary Use Permit application. (Ord. 935 § 3 (part), 2015)

Chapter 10.98 VARIANCES AND MINOR VARIANCES

Sections:

- 10.98.010 Purpose.
- 10.98.020 Applicability.
- 10.98.030 Review Authority.
- 10.98.040 Application Filing, Processing, and Review.
- 10.98.050 Findings and Decision.
- 10.98.060 Denial of Minor Variance.
- 10.98.070 Precedents.
- 10.98.080 Burden of Proof.
- 10.98.090 Conditions of Approval.
- 10.98.100 Use of Property before Final Action.
- 10.98.110 Post Decision Procedures.

10.98.010 Purpose.

A. Purpose. Variances and Minor Variances are only approved when, because of special circumstances applicable to the property, the strict application of this Zoning Code denies the owner of the property privileges enjoyed by other property located nearby and in an identical zone.

B. Does not extend to Land Uses.

1. The power and authority to approve Variances and Minor Variances does not extend to allowable land uses.

2. Flexibility in allowable land uses is provided in Chapter 10.84 (Conditional Use Permits and Minor Use Permits). (Ord. 935 § 3 (part), 2015)

10.98.020 Applicability.

A. Variances. The Commission may approve a Variance that allows adjustments from any of the development standards required by this Zoning Code.

B. Minor Variances. The Director may approve Minor Variances in compliance with Table 6-3 (Types of Minor Variances Allowed), below.

TABLE 6-3 TYPES OF MINOR VARIANCES ALLOWED	
Types of Minor Variances Allowed	Maximum Variance
1. Allowable height of a fence, hedge, or wall. An increase of the allowed maximum height of a fence, hedge, or wall located within a side or rear setback.	10 percent
2. Distances between structures. A decrease of the minimum required distances between detached accessory structures and main structures on the same site.	15 percent
3. Floor area ratio (FAR). An increase in the allowable floor area ratio.	10 percent
4. Lot coverage. An increase of the maximum allowable lot coverage.	10 percent
5. Parcel dimensions (e.g., area, depth, or width). A decrease in the minimum required parcel area, parcel depth, or parcel width.	10 percent
6. Parking space reduction. A reduction in the number of required parking spaces in nonresidential zones.	15 percent
7. Projections. An increase in the allowed projection of eaves, fireplaces, landings, masonry chimneys, overhangs, stairways, and steps into any required front, side, or rear setbacks.	10 percent

8. Reduction of landscape standards. Reduction of required on-site landscaping standards.	15 percent
9. Setbacks. A decrease of the maximum required setback areas (e.g., front, rear, and side) for structures.	10 percent
10. Signs. Sign regulations (other than prohibited signs).	10 percent
11. Structure heights. An increase in the maximum allowed height of structures.	10 percent

(Ord. 935 § 3 (part), 2015)

10.98.030 Review Authority.

A. Responsibility. The applicable review authority shall approve or deny Variance and Minor Variance applications, and impose conditions deemed reasonable and necessary to preserve the public convenience, health, interest, safety, or welfare; necessary to ensure that the Variance or Minor Variance does not constitute a grant of special privileges inconsistent with the limitations on other properties in the vicinity and zone of the subject property; and necessary to make the findings required by Section 10.98.050 (Findings and Decision) below.

B. Applicable Review Authority. Variances and Minor Variances may be approved in compliance with the following:

1. Variances. Variances shall be approved or denied by the Commission in compliance with this Chapter and State law.
2. Minor Variances. Minor Variances shall be approved or denied by the Director in compliance with this Chapter and State law. The Director may, however, defer action and refer the application to the Commission for review and final decision in compliance with this Chapter and State law. (Ord. 935 § 3 (part), 2015)

10.98.040 Application Filing, Processing, and Review.

A. Filing. An application for a Variance or Minor Variance shall be filed and processed in compliance with Chapter 10.82 (Permit Application Filing and Processing). The application shall include the information and materials specified in the Department handout for Variance or Minor Variance applications, together with the required fee in compliance with the Planning Fee Schedule. It is the responsibility of the applicant to provide evidence in support of the findings required by Section 10.98.050 (Findings and Decision), below.

B. Project Review Procedures. Following receipt of a completed application, the Director shall investigate the facts necessary for action consistent with the purpose of this Chapter.

C. Notice, Hearings, and Appeals.

1. Variances - Public Hearing Required. A public hearing shall be required for the Commission's decision on a Variance application.

a. Notice. Notice of the public hearing shall be given and the hearing shall be conducted in compliance with Chapter 10.116 (Public Notices and Hearings).

b. Appeals. The Commission's decision is appealable to the Council in compliance with Chapter 10.114 (Appeals).

2. Minor Variances - Public Hearing Not Required. Before a decision on a Minor Variance application, the City shall provide notice in compliance with this Section.

a. Notice.

(1) Upon receipt of a complete application for a Minor Variance, the City shall send a notice of application review to the applicant/property owner and all property owners located within a 100-foot radius of the subject site. The notice shall include a description of the project, location, and request, and shall indicate the date a decision will be made. The date shall be no later than 10 days following release of the notice.

(2) Those receiving notice shall be given the opportunity to submit written comments supporting or opposing the request to the Director.

(3) Following the Director's decision on the Minor Variance request, a copy of the decision shall be mailed to those who received the original notice. The notice of decision shall include information regarding the action taken, findings, and conditions for the action as applicable, along with the appeal period and the provisions for filing an appeal to the Commission in compliance with Subparagraph b. (Appeals), below.

b. Appeals. The Director's decision is appealable to the Commission in compliance with Chapter 10.114 (Appeals). (Ord. 935 § 3 (part), 2015)

10.98.050 Findings and Decision.

A. Authorized Actions. The Commission (Variance) or the Director (Minor Variance) shall record the decision in writing and shall recite the findings upon which the decision is based, in compliance with Government Code Section 65906 or as that Section may be amended from time to time. The Director may refer the application for a Minor Variance to the Commission for review and final decision.

B. Required Findings. The applicable review authority may approve, approve in modified form, conditionally approve, or deny a Variance or Minor Variance application, subject to all of the following findings.

1. General Findings. The review authority may approve a Variance or Minor Variance application only after first making all of the following findings:

a. There are special circumstances or conditions applicable to the subject property (e.g., location, shape, size, surroundings, topography, or other physical features, etc.) that do not apply generally to other properties in the same zone and vicinity;

b. Strict compliance with and application of Zoning Code requirements would deprive the subject property of privileges enjoyed by other property in the vicinity and under an identical zoning classification;

c. Approving the Variance or Minor Variance:

(1) Is necessary for the preservation and enjoyment of substantial property rights possessed by other property in the same vicinity and zone but which is denied to the subject property;

(2) Will not constitute a grant of special privilege inconsistent with the limitations on other properties in the same vicinity and zone;

(3) Will not adversely affect the health, safety, and general welfare of persons residing or working in the neighborhood, or be materially detrimental or injurious to property or improvements in the same vicinity and zone; and

(4) Will not be in conflict with the purpose and intent of this Chapter, this Zoning Code, the General Plan, or any applicable specific plan.

d. The requested Variance or Minor Variance does not allow a use or activity that is not otherwise expressly authorized by the regulations governing the subject parcel.

2. Findings for Off-site Parking Variance. The approval of a Variance to allow some or all of the parking spaces required for a nonresidential project to be located off-site, or to allow in-lieu fees or facilities instead of the required on-site parking spaces, shall require that the review authority first make both of the following findings in compliance with Government Code Section 65906.5, instead of those required by Subparagraph B.1. (General findings), above:

a. The Variance will be an incentive to, and a benefit for, the nonresidential development; and

b. The Variance will facilitate access to the nonresidential development by patrons of public transit facilities.

C. Failure to Make Findings. The review authority shall deny the application when it fails to make any one or more of the required

findings. (Ord. 935 § 3 (part), 2015)

10.98.060 Denial of Minor Variance.

The Director's decision to deny a Minor Variance application shall not prohibit or affect the right of the applicant to file an application for a Variance in compliance with Subsection 10.98.020 A. (Variances), above. (Ord. 935 § 3 (part), 2015)

10.98.070 Precedents.

Each application shall be reviewed on an individual case-by-case basis and the approval of a prior Variance or Minor Variance is not admissible evidence for the approval of a new Variance or Minor Variance. (Ord. 935 § 3 (part), 2015)

10.98.080 Burden of Proof.

The burden of proof to establish the evidence in support of the findings, required by Section 10.98.050 (Findings and Decision), above, is upon the applicant. (Ord. 935 § 3 (part), 2015)

10.98.090 Conditions of Approval.

In approving a Variance or Minor Variance application, the applicable review authority may impose conditions deemed reasonable and necessary to ensure that the approval would be in compliance with the findings required by Section 10.98.050 (Findings and Decision), above. (Ord. 935 § 3 (part), 2015)

10.98.100 Use of Property before Final Action.

Permits shall not be issued for any structure proposed in an application for a Variance or Minor Variance until and unless the same shall have become final, in compliance with Section 10.102.030 (Effective Dates of Permits). (Ord. 935 § 3 (part), 2015)

10.98.110 Post Decision Procedures.

The procedures and requirements in Chapter 10.102 (Permit Implementation, Time Limits, and Extensions), and those related to appeals and revocation in Article 7 (Zoning Code Administration) shall apply following the decision on a Variance or Minor Variance application. (Ord. 935 § 3 (part), 2015)

Chapter 10.100 ZONING CLEARANCES

Sections:

10.100.010 Purpose.

10.100.020 Applicability.

10.100.030 Review Procedure.

10.100.040 Post Decision Procedures.

10.100.010 Purpose.

Zoning Clearance is the procedure used by the City to verify that a proposed land use or structure complies with the list of activities allowed in the applicable zone and the development standards applicable to the use or structure. (Ord. 935 § 3 (part), 2015)

10.100.020 Applicability.

Where Article 2 (Zones, Allowable Uses, and Development and Design Standards) or another provision of this Zoning Code requires a Zoning Clearance as a prerequisite to establishing a land use or structure, a Zoning Clearance shall be required at the time of the Director's review of any of the following:

- A. Initiation of a Land Use. A Zoning Clearance shall be obtained before the initiation or commencement of any use of land not requiring the construction of a structure.
- B. Change of Use.
 - 1. Whenever a use is proposed to be changed from a use for which a Zoning Clearance has been issued, whether or not the new use involves a new lessee, operator, or owner, a new Zoning Clearance shall be obtained.
 - 2. A Zoning Clearance shall also be required even if the lessee, operator, or owner of the previous use did not file for or receive a Zoning Clearance.
- C. Change of Tenancy or Ownership. A new Zoning Clearance shall be obtained for a change of lessee, operator, or owner even when the change does not involve a change in the use being conducted on the subject property. The purpose of this provision is to ensure that the new lessee, operator, or owner is made aware of the Zoning Code requirements applicable to the subject use and any conditions of approval imposed on a discretionary permit authorizing the subject use.
- D. Building Permit, Grading Permit, or Other Construction Permit. A Zoning Clearance shall be obtained before the City issues a new or modified Building Permit, Grading Permit, or other construction-related permit required for the alteration, construction, modification, moving, or reconstruction of any structure. (Ord. 935 § 3 (part), 2015)

10.100.030 Review Procedure.

- A. Director's Responsibility. The Director shall issue the Zoning Clearance after first determining that the request complies with all Zoning Code provisions applicable to the proposed use or structure.
- B. Form of Approval. An approval may be in the form of a stamp, signature, or other official notation on approved plans, a letter to the applicant, or other certification, at the discretion of the Director. (Ord. 935 § 3 (part), 2015)

10.100.040 Post Decision Procedures.

The procedures and requirements in Chapter 10.102 (Permit Implementation, Time Limits, and Extensions), and those related to appeals and revocation in Article 7 (Zoning Code Administration) shall apply following the Director's action on a Zoning Clearance. (Ord. 935 § 3 (part), 2015)

Chapter 10.102 PERMIT IMPLEMENTATION, TIME LIMITS, AND EXTENSIONS

Sections:

- 10.102.010 Purpose.
- 10.102.020 Conformance to Approved Plans.
- 10.102.030 Effective Dates of Permits.
- 10.102.040 Acknowledgment and Acceptance of Conditions.
- 10.102.050 Applications Deemed Approved.
- 10.102.060 Permits to Run with the Land.
- 10.102.070 Expiration.
- 10.102.080 Time Extensions.

10.102.090 Changes to an Approved Project.

10.102.100 Resubmittals.

10.102.110 Covenants for Easements.

10.102.010 Purpose.

This Chapter provides requirements for the implementation or exercising of the permits or approvals required by this Zoning Code, including time limits and procedures for approving extensions of time. (Ord. 935 § 3 (part), 2015)

10.102.020 Conformance to Approved Plans.

A. Compliance. All work performed under a Building Permit for which project drawings and plans have been approved by the Department staff, Director, Commission, or Council shall be in compliance with the approved drawings and plans, and any conditions of approval imposed by the review authority.

B. Changes. Changes to an approved project shall be submitted and processed in compliance with Section 10.102.090 (Changes to an Approved Project), below. (Ord. 935 § 3 (part), 2015)

10.102.030 Effective Dates of Permits.

A. Approvals, Permits, and Variances.

1. A Site Plan and Design Review for other than second story construction and/or subject to the approval of the Director, Temporary Use Permit, and Zoning Clearance shall become effective immediately following its issuance.

2. A Conditional Use Permit, Minor Use Permit, Minor Variance, Planned Development Permit, Reasonable Accommodation, Site Plan and Design Review for second story construction and/or subject to the approval of the Commission, or Variance shall become effective 10 days following the date the decision was rendered by the applicable review authority.

B. Plans/Amendments.

1. Council actions to adopt or amend a development agreement, this Zoning Code, a specific plan (adopted by ordinance), or the Zone Map shall become effective on the 31st day following the date the ordinance is adopted by the Council, or at a future date as established by the Council.

2. Council actions to adopt or amend the General Plan or a specific plan (adopted by resolution) shall become effective immediately upon the adoption of a resolution by the Council, or at a future date as established by the Council.

C. Issued on the Effective Date. Permits and/or other approvals shall not be issued until the effective date; provided, that no appeal of the review authority's decision has been filed, in compliance with Chapter 10.114 (Appeals). (Ord. 935 § 3 (part), 2015)

10.102.040 Acknowledgment and Acceptance of Conditions.

A. Full understanding and acceptance of conditions for all permits. The applicant, upon receipt of the City approved copy of any permit with attached conditions, shall execute an Acknowledgment and Acceptance of Conditions agreement with the City, certifying full understanding and acceptance of the final conditions of approval.

B. Signed and Dated.

1. The applicant shall return the Acknowledgment and Acceptance of Conditions agreement to the Department, properly signed and dated, within 30 days following the actual date the decision was rendered by the applicable review authority.

2. The approved permit shall not be effective until the City receives the signed and dated Acknowledgment and Acceptance of Conditions agreement.

C. Appeal. If the applicant wishes to appeal any or all of the final conditions of approval, the applicant shall file an appeal within 10 days following the actual date the decision was rendered by the applicable review authority in compliance with Chapter 10.114 (Appeals). (Ord. 935 § 3 (part), 2015)

10.102.050 Applications Deemed Approved.

A permit application deemed approved by operation of law in compliance with Government Code Section 65956 (b) shall be subject to all applicable provisions of this Zoning Code, which shall be fully satisfied by the applicant before a Building Permit is issued or a land use not requiring a Building Permit is exercised or established. (Ord. 935 § 3 (part), 2015)

10.102.060 Permits to Run with the Land.

A. Run with the Land. A Conditional Use Permit, Minor Use Permit, Minor Variance, Planned Development Permit, Site Plan and Design Review, Temporary Use Permit, or Variance approval that is approved in compliance with Chapter 10.82 (Permit Application Filing and Processing) shall be deemed to run with the land through any change of ownership of the subject site, from the effective date of the permit, except in any case where a permit expires and becomes void in compliance with Section 10.102.070 (Expiration), below.

B. Conditions Shall Apply. All applicable conditions of approval shall continue to apply after a change in property ownership. (Ord. 935 § 3 (part), 2015)

10.102.070 Expiration.

A. Expiration of Permit or Approval, except Conditional Use Permits. Unless otherwise specified in the permit or approval, all permits and approvals, except for Conditional Use Permits and Minor Use Permits, for projects not subject to the Subdivision Map Act shall comply with the following expiration provisions:

1. Exercised.

a. To ensure continued compliance with the provisions of this Zoning Code, the permit or approval shall be exercised within 12 months from the date of approval, or the permit or approval shall expire and be deemed void, unless an extension is approved by the applicable review authority, in compliance with Section 10.102.080 (Time Extensions), below. Additionally, if after construction commencement, work is discontinued for a minimum period of 12 months the permit or approval shall expire and be deemed void.

b. If the application for the permit or approval also involves the approval of a tentative map, construction commencement shall follow the recordation of the companion final map.

2. Phasing.

a. Where the permit or approval provides for development in two or more phases or units in sequence, the permit or approval shall not be approved until the review authority has approved the final phasing plan for the entire project site. The project applicant shall not be allowed to develop one phase in compliance with the pre-existing base zone and then develop the remaining phases in compliance with this Chapter, without prior review authority approval.

b. Pre-approved phases.

(1) If a project is to be built in pre-approved phases, each subsequent phase shall have 12 months from the previous phase's date of construction commencement to the next phase's date of construction commencement to have occurred, unless otherwise specified in the permit or approval, or the permit or approval shall expire and be deemed void.

(2) If the application for the permit or approval also involves the approval of a tentative map, the phasing shall be consistent with the tentative map and the permit or approval shall follow the recordation of the companion final map.

3. Shall Be Exercised before Expiration. A permit or approval shall be exercised before its expiration. The permit or approval shall not be deemed exercised until the applicant has:

a. Obtained a Building Permit and continuous on-site construction activity including pouring of foundations, installation of utilities, or other similar substantial improvements has commenced; or

b. Obtained a Grading Permit and has completed a significant amount of on-site grading, as determined by the Director in preparation for the work described in Subparagraph a., above; and

c. Diligently continued the approved grading and construction activities in a timely manner in compliance with the subject Building Permit; or

d. Actually implemented the allowed land use, in its entirety, on the subject property in compliance with the conditions of approval.

B. Effect of Expiration, except Conditional Use Permits. Where the permit or approval, except for Conditional Use Permits and Minor Use Permits, has expired and/or has been deemed void:

1. No further action is required by the City;

2. No further reliance may be placed on the previously approved permit or approval;\

3. The applicant shall have no rights previously granted under the permit or approval;

4. The applicant shall file a new application(s) and obtain all required approvals before construction can commence or an allowable use may be implemented; and

5. Any security provided by the applicant under the previously approved permit or approval may be utilized by the City to provide suitable protection from any harm that may result from the terminated development. (Ord. 935 § 3 (part), 2015)

10.102.080 Time Extensions.

Requests for a time extension for a permit or approval shall be filed and processed in the following manner:

A. Before Expiration. The applicant's written request for an extension of time shall be on file with the Department at least 30 days before expiration of the permit or approval, together with the filing fee required by the Planning Fee Schedule.

B. Public Hearing Not Required.

1. A public hearing shall not be required for the applicable review authority's decision on an extension of time.

2. However, the applicable review authority may conduct a public hearing in compliance with Chapter 10.116 (Public Notices and Hearings) if deemed appropriate by the review authority.

C. Stay of Expiration.

1. The filing of a written extension request shall stay the actual expiration of the permit or approval until the extension request has been acted upon by the Director, Commission, and/or Council, as applicable.

2. Building or Grading Permits shall not be issued in compliance with the permit or approval during the period of the suspension.

D. Director's Action on Extension.

1. Upon good cause shown, an extension may be approved, approved with modifications, or denied by the Director, subject to the findings identified in Subsection F. (Required findings), below.

2. The Director's decision may be appealed to the Commission, in compliance with Chapter 10.114 (Appeals).

3. The permit or approval may be extended for additional 180-day periods, up to a maximum of 12-months beyond the expiration date of the original approval, unless otherwise allowed by State law.

E. Commission's and Council's Actions on Extension.

1. Upon good cause shown, an extension may be approved, approved with modifications, or denied by recommendation of the Commission and action of the Council, subject to the findings identified in Subsection F. (Required findings), below.

2. The permit or approval may be extended for one additional 12-month period unless otherwise allowed by State law for an aggregate total of 24 months (e.g., 12 months by the Director and an additional 12 months by the Council) from the original date of approval.

F. Required Findings. An extension of the permit or approval may be granted only if the applicable review authority first makes all of the following findings:

1. There have been no changes in circumstances or law that would preclude the review authority from making the findings upon which the original approval was based; and
2. Appropriate evidence has been provided by the applicant to document that the extension is required due to a hardship that was not the result of personal action(s) undertaken by the applicant. (Ord. 935 § 3 (part), 2015)

10.102.090 Changes to an Approved Project.

A. Application.

1. A development or new land use allowed through a Conditional Use Permit, Minor Use Permit, Minor Variance, Planned Development Permit, Reasonable Accommodation, Relocation Permit, Site Plan and Design Review, Temporary Use Permit, or Variance shall be in substantial compliance with the approved drawings and plans, and any conditions of approval imposed by the review authority, except where changes to the project are approved in compliance with this Section.
2. An applicant shall request desired changes in writing, and shall also furnish appropriate supporting materials and an explanation of the reasons for the request.
3. Requested changes may involve changes to one or more conditions imposed by the review authority or actual changes to the project (e.g., hours of operation, expansion of a use, etc.) as originally proposed by the applicant or approved by the review authority.
4. Changes shall be approved before implementation of the changes, and may be requested either before or after construction or establishment and operation of the approved use.

B. Notice and Hearing. If the matter originally required a noticed public hearing, the Review Authority shall hold a public hearing, except for the minor changes outlined below (See Subsection C.), and shall give notice, in compliance with Chapter 10.116 (Public Notices and Hearings).

C. Minor Changes by Director. The Director may authorize minor changes to an approved site plan, architecture, or the nature of the approved use only if the changes:

1. Are consistent with all applicable provisions of this Zoning Code and the spirit and intent of the original approval; and
2. Do not involve a feature of the project that was:
 - a. A basis for findings in a Negative Declaration or Environmental Impact Report for the project;
 - b. A basis for conditions of approval for the project; or
 - c. A specific consideration by the review authority (e.g., the Director, Commission, or Council) in granting the permit or approval.
3. Do not involve any expansion or intensification of the use or structure.

D. Major Changes. Major changes include changes to the project involving features specifically described in Subsection C., above, and shall only be approved by the original review authority through a new application, processed in compliance with this Zoning Code. (Ord. 935 § 3 (part), 2015)

10.102.100 Resubmittals.

A. Resubmittal after Denial with Prejudice.

1. The Review Authority may deny an application for a discretionary permit or approval on the grounds that two or more similar applications by the same applicant and for the same site have been denied in the past two years (also known as denial with prejudice), or that another cause exists for limiting the refiling of the application.
2. For a period of 12 months following the actual date of denial with prejudice by the Director, Commission, or Council, or, if appealed, the actual date of denial by the applicable review authority considering the appeal, of a discretionary permit or approval, no

application for the same or substantially similar permit or approval by the same applicant and for the same site shall be accepted by the City for the same site, or any portion thereof.

B. Exception to Subsection A., Above. The Director may allow exception to Subsection A., above, based on one or more of the following findings:

1. New evidence material to a revised decision will be presented that was:

a. Unavailable or unknown to the applicant at the previous hearing(s) and that could not have been discovered in the exercise of reasonable diligence by the applicant; or

b. Available or known to the applicant at the previous hearing(s), but the applicant was unaware of the significance and applicability of the evidence.

2. There has been a substantial and permanent change of circumstances since the previous hearing(s), which materially affects the applicant's real property.

3. A mistake was made at the previous hearing(s) that was a material factor in the denial(s) of the previous application.

C. Resubmittal after Denial without Prejudice. There shall be no limitation on subsequent applications for a site where a project was denied without prejudice.

D. Director's Determination, Appeal.

1. The Director shall determine whether a new application is for a permit or approval that is the same or substantially similar to a previously approved or denied permit or approval, and shall either process or reject the application in compliance with this Section.

2. The Director's determination may be appealed to the Commission, in compliance with Chapter 10.114 (Appeals). (Ord. 935 § 3 (part), 2015)

10.102.110 Covenants for Easements.

A. Applicability.

1. Covenant for Easement May Be Required. When necessary to achieve the land use goals of the City, the City may require a property owner holding property in common ownership to execute and record a Covenant for Easement in favor of the City, in compliance with Government Code Sections 65870 et seq.

2. Required Provisions. A Covenant for Easement may be required to provide for emergency access, ingress and egress, landscaping, light and air access, open space, parking, reciprocal access, or for solar access.

B. Condition of Approval. The Covenant for Easement may be imposed as a condition of approval by the applicable review authority.

C. Definitions. For purposes of this Section, the following words, terms, and phrases, when used in this Section, shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning:

1. Easement. An easement is usually for the benefit of other than the property owner, and is an interest in land that belongs to someone else and creates an encumbrance on that land. It is created by grant of easement and accompanied by a legal description and plat of the easement which are recorded against the property at the Office of the County Recorder.

2. Irrevocable Offer of Dedication. This is an actual offer of dedication for future right-of-way. The offer is recorded, but does not go into effect until the Council authorizes and accepts the right-of-way. The exhibits used are the same as for any other dedication, a legal description and a plat showing its location.

3. Partial Reconveyance. If a landowner has a loan against the subject property, there is a first deed of trust on the property. The City requires that all property purchased from a property owner be free and clear of all encumbrances. This requires a release (Partial Reconveyance) from the lender for that portion of the property the City is acquiring.

4. Reciprocal Access Easement. This is an agreement between parties owning adjacent properties. This allows all owners of property that have entered into this agreement the right of access over the owner's property. This instrument is used for ingress and egress, parking, sanitary sewer, water and storm drainage across, over, or under each property for the benefit of each party.

5. Right-of-Entry. Gives the City the right to enter across, over, under, or upon the grantor's property and is usually used to allow construction to proceed before right-of-way being acquired.

D. Form of Covenant. The form of the Covenant shall be approved by the City Attorney, and the Covenant for Easement shall:

1. Describe Property. Describe the real property subject to (i.e., burdened by) the easement;
2. Describe Property to be Benefited. Describe the real property to be benefited by the easement;
3. Planning Permit. Identify the City permit or approval that relied on or required the Covenant; and
4. Purpose of Easement. Identify the purpose(s) of the easement.

E. Recordation. The Covenant for Easement shall be recorded in the County Recorder's Office.

F. Effect of Covenant. From and after the time of its recordation, the Covenant for Easement shall:

1. Act as an Easement. Act as an easement in compliance with Chapter 3 (commencing with Section 801) of Title 2 of Part 2 of Division 2 of the Civil Code, except that it shall not merge into any other interest in the real property. Civil Code Section 1104 shall be applicable to the conveyance of the affected real property; and

2. Impart Notice. Impart notice to all persons to the extent afforded by the recording laws of the State. Upon recordation, the burdens of the Covenant shall be binding on, and the Covenant shall benefit, all successors-in-interest to the real property.

G. Enforceability of Covenant. The Covenant for Easement shall be enforceable by the successors-in-interest to the real property benefited by the Covenant and the City. Nothing in this Section creates standing in any person, other than the City, and any owner of the real property burdened or benefited by the Covenant, to enforce or to challenge the Covenant or any requested amendment or release.

H. Release of Covenant. The release of the Covenant for Easement may be affected by the Council, or under an appeal, following a noticed public hearing in compliance with Chapter 10.116 (Public Notices and Hearings).

1. May Be Released by City. The Covenant for Easement may be released by the City, at the request of any person, including the City or an affected property owner, on a finding that the Covenant, on the subject property, is no longer necessary to achieve the land use goals of the City.

2. Recordation of Notice. A notice of the release of the Covenant for Easement shall be recorded with the County Recorder's Office.

I. Fees.

1. The City shall impose fees to recover the City's reasonable cost of processing a request for a release.
2. Fees for the processing shall be established by the Planning Fee Schedule. (Ord. 935 § 3 (part), 2015)

ARTICLE 7: ZONING CODE ADMINISTRATION

Chapter 10.110 ADMINISTRATIVE RESPONSIBILITY

Sections:

10.110.010 Purpose.

10.110.020 Planning Agency.

10.110.030 City Council.

10.110.040 Planning Commission.

10.110.050 City Manager.

10.110.060 Director.

10.110.010 Purpose.

The purpose of this Chapter is to describe the authority and responsibilities of the Council, Commission, City Manager, Director, Department, and Department staff in the administration of this Zoning Code. (Ord. 935 § 3 (part), 2015)

10.110.020 Planning Agency.

As provided by State law, the Commission is designated as the Planning Agency and as the Advisory Agency, when required or authorized. The Director shall perform the functions of an Advisory Agency, as assigned, in compliance with State Law. (Ord. 935 § 3 (part), 2015)

10.110.030 City Council.

The Council shall have the following authority:

A. Review Authority on Specified Planning Matters. Final decisions on development agreements, General Plan amendments, specific plans and amendments, Zoning Code amendments, Zoning Map amendments, related environmental documents, and other applicable policy or Zoning Code regulatory matters related to land use planning.

B. Appeals.

1. The review of appeals of the Commission's actions.

2. Initiate appeals of the Commission's, Director's, or Department Staff's actions by the Council, acting as a full body.

C. Compliance. The above listed functions shall be performed in compliance with Table 6-1 (Threshold of Review) and the CEQA. (Ord. 935 § 3 (part), 2015)

10.110.040 Planning Commission.

The Commission shall have the following authority:

A. Review Authority on Specified Planning Matters. The review of development projects specified in Table 6-1 (Threshold of Review) and Table 6-2 (Review Authority for Site Plan and Design Review), including referrals from the Director.

B. Appeals. The review of appeals of the Director's decisions.

C. Recommendations to Council. Make recommendations to the Council on development agreements, General Plan amendments, specific plans and amendments, Zoning Code amendments, Zoning Map amendments, related environmental documents, and other applicable policy or regulatory matters related to land use planning.

D. Compliance. The above listed functions shall be performed in compliance with Table 6-1 (Threshold of Review), Table 6-2 (Review Authority for Site Plan and Design Review), and the CEQA. (Ord. 935 § 3 (part), 2015)

10.110.050 City Manager.

The City Manager shall perform the duties specified in this Zoning Code. (Ord. 935 § 3 (part), 2015)

10.110.060 Director.

The Director shall have the following authority:

A. Perform all of the functions designated by State law;

B. Perform the duties and functions prescribed in this Zoning Code, including the review of administrative development projects, in compliance with Table 6-1 (Threshold of Review), Table 6-2 (Review Authority for Site Plan and Design Review), and the CEQA;

and

- C. Perform other responsibilities assigned by the Council, Commission, or City Manager. (Ord. 935 § 3 (part), 2015)

Chapter 10.112

AMENDMENTS (GENERAL PLAN, ZONING CODE, AND ZONING MAP)

Sections:

- 10.112.010 Purpose.
- 10.112.020 Initiation of Amendment.
- 10.112.030 Processing, Notice, and Hearings.
- 10.112.040 Commission's Action on Amendment.
- 10.112.050 Council's Action of Amendment.
- 10.112.060 Findings and Decision.
- 10.112.070 Effective Dates.

10.112.010 Purpose.

This Chapter provides procedures for the amendment of the City's General Plan, this Zoning Code, or the City's Zoning Map. (Ord. 935 § 3 (part), 2015)

10.112.020 Initiation of Amendment.

An amendment to the General Plan, Zoning Code, or Zoning Map may be initiated by the Council, the Commission, the Director, or the owner(s) or authorized agent(s) of property for which the amendment is sought. (Ord. 935 § 3 (part), 2015)

10.112.030 Processing, Notice, and Hearings.

A. Application Filing and Processing.

1. If initiated by the filing of an amendment application in compliance with Section 10.112.020., above, the application shall be processed in compliance with Chapter 10.82 (Permit Application Filing and Processing).
2. The application shall include the information and materials specified in the Department handout for amendment applications, together with the payment of the required fee in compliance with the Planning Fee Schedule. Additionally, the applicant shall be responsible for all costs related to the CEQA review, in compliance with Section 10.82.050 (Application Fees).
3. It is the responsibility of the applicant to provide evidence in support of the findings required by Section 10.112.060 (Findings and Decision), below.

B. Review by Director. Following receipt of a completed application, the Director shall investigate the facts necessary for action consistent with the purpose of this Chapter.

1. If the Director finds that the application is complete, the Director shall accept it for filing.
2. If the Director finds that the application is incomplete, the Director shall promptly notify the applicant and identify the inadequacies of the application.

C. Timing of General Plan Amendments. The mandatory elements of the General Plan may be amended up to four times in a single calendar year, as authorized by and subject to the provisions of Government Code Section 65358.

D. Public Hearings Required. The Commission and Council shall each conduct one or more public hearings regarding the

amendment.

E. Notice and Hearing. Notice of the public hearings shall be provided and the hearings shall be conducted in compliance with Chapter 10.116 (Public Notices and Hearings) and as specified in Government Code Sections 65353, 65355, 65854, and 65856. (Ord. 935 § 3 (part), 2015)

10.112.040 Commission's Action on Amendment.

A. Recommendation to Council.

1. All Amendments. Following the public hearing, the Commission shall adopt a resolution containing its written recommendation(s), and reasons for the recommendation(s), and forward the resolution to the Council specifying whether to approve, approve in modified form, or deny the proposed amendment based on the findings identified in Section 10.112.060 (Findings and Decision), below.

2. Recommendation for Approval of Zoning Code Text or Zoning Map Amendments. A recommendation for approval or approval in modified form of a Zoning Code or Zoning Map amendment shall require a majority vote of the total membership.

3. Recommendation for Approval of General Plan Amendments. A recommendation for approval or approval in modified form of a General Plan amendment shall require the affirmative vote of not less than a majority of the total membership of the Commission in compliance with Government Code Section 65354.

B. Denial by Commission. A recommendation against the proposed amendment shall require a majority vote of the total membership of the Commission. (Ord. 935 § 3 (part), 2015)

10.112.050 Council's Action on Amendment.

A. Action to Approve or Deny Amendment.

1. Time limit for Council's action. The Council shall conduct a public hearing on an amendment request within 45 days of receipt of the Commission's recommendation.

2. General Plan Amendments. Upon receipt of the Commission's recommendation on a General Plan amendment, the Council shall conduct a public hearing and either approve, approve in modified form, or deny the proposed amendment based on the findings identified in Section 10.112.060 (Findings and Decision), below.

3. Zoning Code Text Amendments. Upon receipt of the Commission's recommendation on a Zoning Code text amendment, the Council shall conduct a public hearing and either approve, approve in modified form, or deny the proposed amendment based on the findings identified in Section 10.112.060 (Findings and Decision), below.

4. Zoning Map Amendments.

a. Action of Commission to Approve Amendment Upon receipt of the Commission's recommendation to approve a Zoning Map amendment, the Council shall conduct a public hearing and either approve, approve in modified form, or deny the proposed amendment based on the findings identified in Section 10.112.060 (Findings and Decision), below.

b. Action of Commission to Deny Amendment. The action of the Commission to deny a Zoning Map amendment shall be final and conclusive, unless an appeal is filed with the City Clerk in compliance with Chapter 10.114 (Appeals), provided, however, that the appeal shall be filed within five days of the Commission's adoption of the resolution denying a Zoning Map amendment in compliance with Government Code Section 65856.

B. Referral to Commission.

1. If the Council proposes to adopt a substantial modification(s) to the amendment not previously considered by the Commission, the proposed modification shall be first referred to the Commission for its recommendation, in compliance with Government Code Sections 65356 and 65857.

2. Failure of the Commission to report back to the Council within the time limits identified in Government Code Sections 65356 and 65857 following the referral shall be deemed approval by the Commission of the proposed modification(s). (Ord. 935 § 3 (part), 2015)

10.112.060 Findings and Decision.

An amendment to the General Plan, this Zoning Code, or the Zoning Map may be approved only if all of the following findings are first made, as applicable to the type of amendment.

A. Findings for General Plan Amendments.

1. The amendment is internally consistent with all other provisions of the General Plan.
2. The proposed amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the City.
3. For site specific General Plan amendments only, the affected site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle (e.g., fire and medical) access and public services and utilities (e.g., fire protection, police protection, potable water, schools, solid waste collection and disposal, storm drainage, wastewater collection, treatment, and disposal, etc.), to ensure that the proposed or anticipated uses and/or development will not endanger, jeopardize, or otherwise constitute a hazard to the property or improvements in the vicinity in which the property is located.

B. Findings for Zoning Code and Zoning Map Amendments. In addition to the findings specified in Subsection A. (Findings for General Plan Amendments), above, the following additional findings shall be made for all Zoning Code and Zoning Map amendments.

1. The proposed amendment is consistent with the General Plan and any applicable specific plan(s).
2. For Zoning Code Amendments only, the proposed amendment is internally consistent with other applicable provisions of this Zoning Code.
3. For Zoning Map Amendments only, the affected site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle (e.g., fire and medical) access and public services and utilities (e.g., fire protection, police protection, potable water, schools, solid waste collection and disposal, storm drainage, wastewater collection, treatment, and disposal, etc.), to ensure that the requested zoning designation and the proposed or anticipated uses and/or development will not endanger, jeopardize, or otherwise constitute a hazard to the property or improvements in the vicinity in which the property is located.

C. Failure to Make Findings. The review authority shall deny the amendment when it fails to make any one or more of the required findings. (Ord. 935 § 3 (part), 2015)

10.112.070 Effective Dates.

A. General Plan Amendments. A General Plan amendment shall become effective immediately upon the adoption of a resolution by the Council.

B. Zoning Code and Zoning Map Amendments. A Zoning Code or Zoning Map amendment shall become effective on the 31st day following the date the ordinance is adopted by the Council. (Ord. 935 § 3 (part), 2015)

Chapter 10.114 APPEALS

Sections:

- 10.114.010 Purpose.
- 10.114.020 Appeal Subjects and Jurisdiction.
- 10.114.030 Filing and Processing of Appeals.
- 10.114.040 Judicial Review.

10.114.010 Purpose.

Unless otherwise provided for in this Zoning Code, the Municipal Code, or in the law, this Chapter establishes procedures for the appeal of determinations and decisions of the Director or Commission. (Ord. 935 § 3 (part), 2015)

10.114.020 Appeal Subjects and Jurisdiction.

A. Code Administration and Interpretation. The following determinations and actions of the Director and Department staff may be appealed to the Commission and then to the Council:

1. Interpretations. Any determination on the meaning or applicability of the regulations contained in this Zoning Code that are believed to be in error, and cannot be resolved with the Director; and
2. Enforcement Action. Any enforcement action in compliance with Chapter 10.124 (Enforcement).

B. Planning Permit Decisions. The following decisions and actions of the Director and Commission may be appealed in compliance with Table 6-1 (Review Authority) and the following:

1. Director's Decisions. Decisions of the Director on a Minor Use Permit, Minor Variance, Reasonable Accommodation, Sign Permit, Site Plan and Design Review, Temporary Use Permit, or Zoning Clearance may be appealed to the Commission.
2. Commission's Decisions. Any decision of the Commission, including the Commission's decisions on appeals, may be appealed to the Council. (Ord. 935 § 3 (part), 2015)

10.114.030 Filing and Processing of Appeals.

A. Eligibility.

1. An appeal in compliance with this Chapter may be filed by any aggrieved person(s), which includes a Council member acting as a private individual and in compliance with the provisions of this Chapter.
2. For purposes of this Chapter an aggrieved person(s) is a person who informed the City of his or her concerns about an application for a permit or approval at a public hearing, either in person or through a representative, or by other appropriate means (e.g., in writing), or was unable to do so for good cause and pays the applicable fee in compliance with the Planning Fee Schedule; and
 - a. Objects to the action taken on the permit or approval;
 - b. Completes the required City appeal form completely and accurately. The appeal will not be deemed complete and timely filed until all information on the appeal form is verified by the office receiving the appeal form; and
 - c. Wishes to appeal any appealable action to a higher review authority.
3. Any action or decision by the Commission, Director, or Department staff in compliance with this Zoning Code may be appealed by the Council, acting as a full body.

B. Timing and Form of Appeal.

1. Form and Contents of the Appeal. An appeal shall be submitted in writing and shall specifically state the pertinent facts and the basis for the appeal. The written appeal shall include all of the following:
 - a. The name and address of the appellant(s);
 - b. The decision that is being appealed, the date of the decision, and the name of the officer, Commission, or Department staff member rendering the decision;
 - c. The specific reconsideration(s)/change(s) which the appellant seeks;
 - d. A summary of the reason(s) why the appellant claims he or she is entitled to the reconsideration(s)/change(s) sought, including the pertinent facts and the basis for the appeal, which shall include, at a minimum, the specific grounds for the appeal, where there was an error or abuse of discretion by the previous review authority (e.g., Commission, Director, or other City official) in the consideration and action on the matter being appealed, and/or where the decision was not supported by the evidence on the record, except for appeals filed by the Council acting as a full body; and
 - e. Payment of the appeal filing fee, in compliance with the Planning Fee Schedule, except for appeals filed by the Council acting as a full body.
2. Filing of the Appeal. The written appeal shall be filed with the Commission Secretary or City Clerk, as applicable, within 10 calendar days following the actual date the decision was rendered.

a. Appeals addressed to the Commission shall be filed with the Commission Secretary; and

b. Appeals addressed to the Council shall be filed with the City Clerk.

3. Suspension of Project. Once an appeal is filed, any action on the associated project is suspended until the appeal is processed and a final decision on the appeal is rendered.

C. Scope of Planning Permit Appeals. The formal written appeal regarding a decision on a permit or approval shall be limited to issues raised at the public hearing, if one was required, or in writing before the decision, or information that was not known by the applicable review authority at the time of the decision that is being appealed.

D. Report and Scheduling of Hearing.

1. Upon receipt of a completed written appeal, together with the appeal fee, the appeal hearing shall be scheduled as follows:

a. Appeals addressed to the Commission shall be set by the Commission Secretary, within 60 days of the filing of the complete appeal; and

b. Appeals addressed to the Council shall be set by the City Clerk, within 45 days of the filing of the complete appeal.

2. When an appeal has been filed, the Director shall prepare a report on the matter, including all of the application materials in question, and schedule the matter for a public hearing, if required, by the appropriate review authority identified in Table 6-1 (Review Authority) and Section 10.114.020 (Appeal Subjects and Jurisdiction), above.

3. Notice of the hearing, if required, shall be provided, and the hearing shall be conducted, in compliance with Chapter 10.116 (Public Notices and Hearings).

4. Any interested party may appear and be heard regarding the appeal.

E. Decision.

1. During the appeal hearing, the review authority shall not be limited to those issues raised by the appellant in the formal written appeal, and may include any aspect of the subject permit or approval, whether or not originally considered as part of the decision being appealed. The review authority may:

a. Affirm, affirm in part, or reverse the action, determination, or decision that is the subject of the appeal, based upon findings of fact about the particular case. The findings shall identify the reasons for the action on the appeal, and verify the compliance or non compliance of the subject of the appeal with this Zoning Code;

b. Affirm the action and adopt additional, amended, and/or replacement conditions of approval; or

c. Deny the permit or approval approved by the previous review authority, even where the appellant only requested a modification or elimination of one or more conditions of approval.

2. If new or different evidence is presented on appeal, the Commission or Council may refer the matter to the Director or Commission, as applicable, for further consideration.

3. Within 30 days of the appeal hearing, the review authority shall render its written decision on the appeal, unless it is continued for good cause.

4. In the event of a tie vote by the review authority on an appeal, the decision being appealed shall stand.

F. Effective Date of Appeal Decision.

1. Commission's Decision. A decision by the Commission is final and effective after close of business on the 10th day following the actual date the decision is rendered, when no appeal to the decision has been filed with the Council in compliance with Chapter 10.114 (Appeals).

2. Council's Decision. A decision by the Council is final and shall be effective on the date the decision is rendered. (Ord. 935 § 3 (part), 2015)

10.114.040 Judicial Review.

No person shall seek judicial review of a City decision on a permit or approval made in compliance with this Zoning Code until all appeals to the Commission and Council have been first exhausted in compliance with this Chapter. (Ord. 935 § 3 (part), 2015)

Chapter 10.116
PUBLIC NOTICES AND HEARINGS

Sections:

- 10.116.010 Purpose.
- 10.116.020 Notice of Hearing.
- 10.116.030 Schedule of Hearing.
- 10.116.040 Hearing Procedure.
- 10.116.050 Recommendation by Commission.
- 10.116.060 Decision and Notice.
- 10.116.070 Effective Date of Decision.

10.116.010 Purpose.

- A. This Chapter provides procedures for public hearings required by this Zoning Code.
- B. Unless otherwise provided or required by the Zoning Code or applicable State law, when a public hearing is required, advance notice of the hearing shall be given, and the hearing shall be conducted, in compliance with this Chapter. (Ord. 935 § 3 (part), 2015)

10.116.020 Notice of Hearing.

When this Zoning Code requires a public hearing before a decision on a permit or approval application, General Plan amendment, Zoning Code amendment or adoption, Zoning Map amendment, or for any other matter, the public shall be provided notice of the hearing in compliance with the Government Code Sections specified in Table 7-1, below, Public Resources Code 21000 et seq., and as provided by this Chapter.

TABLE 7-1 APPLICABLE GOVERNMENT CODE SECTIONS	
Types of Application	Government Code Section
Adoption or amendment of the General Plan	65090, 65091, 65092, 65355, and 65353,
Amendment to this Zoning Code or the Zoning Map	65090, 65091, 65092, 65854, and 65856
Planning actions that affect allowed uses of real property (e.g., CUP, MUP, Variance, revocation or modification, or the appeal of any of the listed	65090, 65091, and 65092

A. Content of Notice. Notice of a public hearing shall include all of the following information, as applicable.

1. Hearing Information. The date, time, and place of the public hearing; the identity of the review authority, a brief description of the City's general procedure concerning the conduct of hearings and decisions (e.g., the public's right to appear and be heard); and the phone number and street address of the Department, where an interested person may call or visit to obtain additional information.

2. Project Information. The name of the applicant; a general explanation of the matter to be considered; and a general description, in text and/or by diagram, of the location of the property that is the subject of the hearing.

3. Statement on Environmental Document. If a proposed Negative Declaration, Mitigated Negative Declaration, Mitigation Monitoring Program, or final Environmental Impact Report has been prepared for the project in compliance with the CEQA, the hearing notice shall include a statement that the review authority will also consider approval or a recommendation for approval of the proposed Negative Declaration, Mitigated Negative Declaration, Mitigation Monitoring Program, or certification of the final Environmental Impact Report.

B. Method of Notice Distribution. Notice of a public hearing required by this Chapter for a permit, approval, or appeal shall be given as follows, and as specified in Table 7-1 (Applicable Government Code Sections), above.

1. Mailing. Notice shall be mailed or delivered a minimum of 10 days before the scheduled hearing to the following:

a. Project Site Owner(s) and the Applicant. The owner(s) of the property being considered in the application, the owner(s)' duly authorized agent, if any, and the applicant;

b. Local Agencies. Each local agency expected to provide or maintain roads, schools, utilities, or other essential facilities or services to the property which is the subject of the application;

c. Affected Owners. All owners of real property, as shown on the latest equalized assessment roll, located within a radius of 500 feet, unless stated otherwise in this Zoning Code, of the exterior boundaries of the parcel that is the subject of the hearing. In lieu of utilizing the latest assessment roll, the City and/or applicant may utilize records of the County Assessor or Tax Collector which contains more recent information than the assessment roll;

d. Persons Requesting Notice. Any person who has filed a written request for notice and has paid the required fee, if any, for the notice; and

e. Other Person(s). Any other person(s), whose property might, in the judgment of the Director, be affected by the proposed project.

2. Alternative to Mailing. If the number of property owners to whom notice would be mailed or delivered, as required by Subparagraph B.1.c., above, is more than 1,000, the Director, in-lieu of mailed or delivered notice, may provide notice by placing a display advertisement at least 1/8 page in at least one newspaper of general circulation within the City, a minimum of 10 days before the public hearing.

3. Publication or Posting.

a. Publication. Notice shall be published at least once in a newspaper of general circulation in the City a minimum of 10 days before the scheduled public hearing.

b. Posting. Notice shall be posted a minimum of 10 days before the scheduled hearing in a minimum of three public places within the City specified in Municipal Code Section 2.04.140 and on the subject property.

4. Additional Notice. In addition to the notices required by this Section, the Director may provide any additional notice with content or using a distribution method (e.g., posting on the City's web site) as the Director determines is necessary or desirable. (Ord. 935 § 3 (part), 2015)

10.116.030 Scheduling of Hearing.

After the completion of any environmental document required by CEQA, and the Department's staff report, a matter requiring a public hearing shall be scheduled for public hearing in compliance with applicable law, but no sooner than any minimum time period established by State law. (Ord. 935 § 3 (part), 2015)

10.116.040 Hearing Procedure.

A. Time and Place of Hearing. A hearing shall be held at the date, time, and place for which notice was given.

B. Continued Hearing. Any public hearing may be continued from time to time without further notice; provided, however, that the chair of the hearing body announces the date, time, and place to which the public hearing will be continued before the adjournment or recess of the public hearing. (Ord. 935 § 3 (part), 2015)

10.116.050 Recommendation by Commission.

After a public hearing on a proposed amendment to the General Plan, this Zoning Code, the Zoning Map (except in the case of the Commission's action to deny the requested amendment), a development agreement, or a specific plan as specified in Table 6-1 (Review Authorities), the recommendation and findings of the Commission shall be forwarded to the Council within 45 days. A copy of the recommendation shall be mailed to the applicant at the address shown on the application. (Ord. 935 § 3 (part), 2015)

10.116.060 Decision and Notice.

A. Decision.

1. The review authority may announce and record the decision on the matter being considered at the conclusion of a scheduled hearing, or defer action and continue the matter to a later meeting in compliance with Section 10.116.040 (Hearing Procedure), above.

2. At the conclusion of a hearing conducted by the Director, the Director may, instead of rendering a decision, refer the matter to the Commission for review and final decision.

3. The decision of the Council on any matter shall be the final City action.

B. Notice of Decision. Following the decision on an application required by this Zoning Code, the City shall provide a written copy of the review authority's adopted resolution to the applicant and to any person who specifically requested notice of the City's action. (Ord. 935 § 3 (part), 2015)

10.116.070 Effective Date of Decision.

A. Director's or Commission's Decision. The decision of the Director or the Commission is final and effective after close of business on the 10th day following the actual date the decision is rendered, when no appeal to the decision has been filed in compliance with Chapter 10.114 (Appeals).

B. Council's Decision. A decision of the Council is final and shall be effective on the date the decision is rendered. (Ord. 935 § 3 (part), 2015)

Chapter 10.118 DEVELOPMENT AGREEMENTS

Sections:

10.118.010 Purpose.

10.118.020 Application.

10.118.030 Application Filing, Processing, and Review.

10.118.040 Contents of Development Agreement.

10.118.050 Findings Required.

10.118.060 Execution and Recordation.

10.118.070 Amendment and Cancellation of Development Agreements.

10.118.080 Annual Review.

10.118.090 Effect of Development Agreements.

10.118.100 Approved Development Agreements.

10.118.110 Judicial Review - Time Limitation.

10.118.010 Purpose.

This Chapter and regulations are adopted under the authority of State Planning and Zoning Law, Government Code Sections 65864 through 65869.5 and is intended to provide the procedures for the application, approval, modification, or termination of development agreements, as authorized by State law. A development agreement is intended to provide assurance to the applicant that an approved project may proceed subject to the policies, rules, regulations, and conditions of approval applicable to the project at the time of execution of the agreement, regardless of any changes to City policies, rules, and regulations after project approval, unless otherwise provided by the agreement. In return, the City is provided assurance that the project will further important citywide goals and policies that have been officially recognized by the Council, and provide the City with significant, tangible benefits beyond those that may be required by the City through project conditions of approval. (Ord. 935 § 3 (part), 2015)

10.118.020 Application.

A. Qualified Applicant.

1. Only a qualified applicant may file an application to enter into a development agreement.

2. A qualified applicant is a person, including any authorized agent, who has a legal or equitable interest in the real property which is the subject of the development agreement; provided, that in all instances the owner(s) of fee title of the real property shall join in the application or the development agreement shall be conditional upon the close of escrow vesting fee title to the property to the developer.

3. The Director may require an applicant to submit proof of the applicant's interest in the real property and of the authority of any agent to act for the applicant.

4. The qualified applicant and any successor(s)-in-interest shall be referred to as "developer."

B. Fees.

1. The applicant for a development agreement shall pay the processing fee established by the Planning Fee Schedule.

2. Additionally, appropriate fees shall be established and collected for amendments to a development agreement and the annual review identified in Section 10.118.080 (Annual Review), below. (Ord. 935 § 3 (part), 2015)

10.118.030 Application Filing, Processing, and Review.

A. Application Form and Filing.

1. An application for a development agreement shall be filed with the Department in compliance with Chapter 10.82 (Permit Application Filing and Processing).

2. The Director shall prescribe the form for each application, notice and documents provided for or required by this Chapter for the preparation and implementation of development agreements.

3. The Director may require an applicant to submit information and supporting data as the Director considers necessary to process the application and comply with CEQA requirements.

4. The application shall be accompanied by a reimbursement agreement approved by the Director upon advice from the City Attorney.

B. Director's Review and Recommendations.

1. The Director shall be empowered to receive, review, process, and prepare, together with recommendations for Commission's and then Council's consideration, all applications for development agreements.

2. The Director shall endorse on the application the date it is received.

3. Upon receipt of an application for a development agreement, the Director shall review the application and may reject it if it is incomplete or inaccurate for purposes of processing.

a. If the Director finds that the application is complete, the Director shall accept it for filing.

b. If the Director finds that the application is incomplete, the Director shall promptly notify the applicant.

4. The Director shall prepare a staff report and recommendation and shall state whether or not the development agreement proposed or in an amended form is consistent with the General Plan and any applicable specific plans.

C. Review Authority's Action.

1. Upon determination by the Director that the application is complete and in compliance with the provisions of this Chapter, applicable State law, and the CEQA, the Director shall set the application, together with recommendations, for a public hearing before the Commission.

2. Following conclusion of the public hearing, the Commission shall make a written recommendation to the Council that it approve, conditionally approve, or deny the application based on the findings specified in Section 10.118.050 (Findings Required), below.

3. Upon receipt of the Commission's recommendations, the Director shall set the application and written report of the Commission for a public hearing before the Council.

4. Following conclusion of the public hearing, the Council shall approve, conditionally approve, or deny the application, based on the findings specified in Section 10.118.050 (Findings Required), below.

D. Notice and Public Hearings.

1. Public Hearings. A public hearing shall be held on the proposed development agreement by both the Commission and the Council.

2. Notice. Notice of the public hearings specified in this Chapter shall be given in the form of a notice of intention to consider approval of a development agreement in compliance with Government Code Section 65867 and Chapter 10.116 (Public Notices and Hearings).

3. State Law.

a. The notice requirements referred to in Subparagraphs 1 and 2, above, are declaratory of existing law under Government Code Section 65867 and Sections 65090 and 65091.

b. If State law under these sections prescribes a different notice requirement, notice shall be given in that manner.

4. Additional Notice. The Commission or Council, as the case may be, may direct that notice of the public hearing shall be given in a manner that exceeds the notice requirements specified by State law.

5. Failure to Receive Notice. The failure of any person entitled to notice required by law or this Chapter to receive notice does not affect the authority of the City to enter into a development agreement. (Ord. 935 § 3 (part), 2015)

10.118.040 Contents of Development Agreement.

A. As authorized by Government Code Section 65865.2, or as that section may be amended from time to time, a development agreement shall include the following provisions:

1. A development agreement shall provide that the applicant or developer is the legal or equitable owner of the subject property.

2. A development agreement shall specify the location of the subject property, and that the property is located within the City or the City's sphere of influence, if applicable.

3. A development agreement shall specify its duration, the allowed uses of the subject property, the density and/or intensity of use, the maximum height and size of proposed structures, provisions for reservation or dedication of land for public purposes, and requirements for construction and maintenance of on-site and off-site improvements or payment of fees in lieu of dedication or improvements.

4. All development agreements shall contain an indemnity and insurance clause requiring the developer to indemnify and hold the City harmless against claims arising out of the development process, including all legal fees and costs.

B. A development agreement may include the following provisions:

1. A development agreement may include conditions, requirements, restrictions, and terms for subsequent discretionary actions (provided the conditions, requirements, restrictions, and terms do not prevent the development of the land subject to the development agreement for the uses and to the density or intensity of development specified in the agreement) but does not affect the developer's responsibility to obtain all land use approvals required by this Zoning Code or Municipal Code.

2. A development agreement may include conditions and restrictions imposed by the City with respect to the project, including those conditions and restrictions proposed in an Environmental Impact Report applicable to the project prepared and certified under the CEQA, in order to eliminate or mitigate adverse environmental impacts of the project.

3. A development agreement may provide that the project be constructed in specified phases, that construction shall commence within a specified time, and that the project or any phase of the project be completed within a specified time.

4. A development agreement may include a requirement for the developer's payment of ongoing operational costs of public services and for the developer's agreement to be included within a Mello-Roos District or other comparable district for financing ongoing operational costs of public services for the project.

5. If the development agreement requires developer's financing of necessary public facilities, it may include terms relating to subsequent reimbursements over time for the financing.

6. A development agreement may include conditions relating to financial guarantees for performance of obligations specified in the agreement.

7. A development agreement is a contract that is negotiated and voluntarily entered into by City and developer and may contain any additional or modified conditions, provisions, or terms agreed upon by the parties, including sanctions for failure to meet requirements. (Ord. 935 § 3 (part), 2015)

10.118.050 Findings Required.

A. Findings Required for Commission and Council Action on Development Agreements. The Commission may recommend approval and the Council may approve the development agreement only after the Commission and Council first make all of the following findings:

1. The development agreement provides clear and substantial benefit to the residents of the City;

2. The development agreement is consistent with the purpose, intent, goals, policies, programs, and land use designations of the General Plan, any applicable specific plan, and this Zoning Code;

3. The development agreement complies with the requirements of Government Code Sections 65865 through 65869.5, or as these sections may be modified from time to time;

4. The development agreement will promote the public convenience, health, interest, safety, and general welfare of the City and will not be detrimental to or cause adverse effects to adjacent property owners, residents, or the general public;

5. The development agreement is compatible with the uses authorized in, and the regulations prescribed for, the zone in which the real property is located;

6. The development agreement will not adversely affect the orderly development of property or the preservation of property values;

7. The development agreement will further important citywide goals and policies that have been officially recognized by the Council;

8. The development agreement will provide the City with important, tangible benefits beyond those that may be required by the City through project conditions of approval;

9. The development agreement will not be detrimental to the health, safety and general welfare; and

10. If the development agreement includes a subdivision, as defined in Government Code Section 66473.7 that the development agreement provides that any tentative map prepared for the subdivision will comply with the provisions of Government Code Sections 66473.7 through 66474.10.

B. Denial of Development Agreement.

1. The Commission, in its sole discretion, may recommend denial of the development agreement on the grounds that, in its opinion, the proposed agreement is not in the best interest of the public.

2. The Council, in its sole discretion, may deny the development agreement on the grounds that, in its opinion, the proposed agreement is not in the best interest of the public.

C. If Property is Located Outside of the City.

1. If the property is located outside the City limits, the application for a development agreement shall be acted upon by the City only if the property is located within the City's sphere of influence.

2. If the property is located within the City's sphere of influence, the agreement shall be conditional upon the property being annexed to the City and shall specify the time period for completion of annexation.

3. If annexation does not occur within the specified time period, the agreement shall be null and void. (Ord. 935 § 3 (part), 2015)

10.118.060 Execution and Recordation.

A. Adoption of an Ordinance.

1. If the Council approves the development agreement, it shall do so by the adoption of an ordinance.

2. The City shall not execute the development agreement until 30 days after the ordinance approving the development agreement is adopted.

B. Recordation of Agreement.

1. Within 10 days after the City executes the development agreement, the City Clerk shall submit the agreement for recording with the Office of the County Recorder.

2. If the parties to the agreement or their successor(s)-in-interest, amend or cancel the agreement or if the City terminates or modifies the agreement for failure of the developer to comply in good faith with the terms or conditions of the agreement, the City Clerk shall record the notice of the action with the Office of the County Recorder. (Ord. 935 § 3 (part), 2015)

10.118.070 Amendment and Cancellation of Development Agreements.

A. Proposed Amendment or Cancellation. Unless otherwise provided in a development agreement, either party may propose an amendment to or cancellation, in whole or in part, of a development agreement previously entered into.

B. Procedures. The procedure, for proposing and adoption of an amendment to or cancellation, in whole or in part, of a development agreement shall be the same as the procedure for entering into an agreement in the first instance, including but not limited to the notice of and the public hearings as specified in this Chapter.

C. City Initiated Amendment or Cancellation. Where the City initiates the amendment or cancellation, in whole or in part, of the development agreement, it shall first give notice to the developer of the City's intention to initiate the proceedings in the manner specified in Chapter 10.116 (Public Notices and Hearings).

D. In the Event of Cancellation.

1. In the event that a development agreement is canceled or terminated, all rights of the developer under the development

agreement shall terminate.

2. Except as otherwise provided in the development agreement, the City may, at its sole discretion, retain any and all benefits, including reservation or dedications of land, improvements constructed, and payments of fees, received by the City.

E. Effect of Termination on Entitlements. Notwithstanding Subsection D., above, any termination of the development agreement shall not prevent the developer from constructing or completing a structure or other improvements authorized in compliance with other validly issued permits or approvals, but the City may take any action permitted by law to prevent, stop, or correct any violation of law occurring after cancellation of the development agreement. (Ord. 935 § 3 (part), 2015)

10.118.080 Annual Review.

A. Annual Review.

1. Every development agreement approved and executed in compliance with this Chapter, shall be subject to City review, as specified in the development agreement, during the full term of the agreement, but in no case less than every 12 months from the date of execution of the agreement.

2. The time for review may be amended either by agreement between the parties or by initiation of the Council.

B. Purpose of Annual Review.

1. The purpose of the annual reviews shall be for the applicant, developer/contracting party, or its successor(s)-in-interest to demonstrate good faith compliance with the conditions and terms of the development agreement.

2. The burden of proof shall be on the applicant, developer/contracting party, or its successor(s) to demonstrate compliance, to the full satisfaction of, and in a manner prescribed by, the City.

C. Notice of Annual Review.

1. The Director shall initiate the review proceeding by giving a 30-day written notice to the applicant, developer/contracting party, or successor(s)-in-interest that the City intends to undertake an annual review of the development agreement.

2. The Director shall give the notice in compliance with Subsection 10.118.030 D. (Notice and hearings), above.

D. Review by the Council. Review shall be conducted by the Council.

1. The Council shall conduct a hearing at which the applicant, developer/contracting party, or its successor(s)-in-interest shall demonstrate good faith compliance with the conditions and terms of the development agreement.

2. The burden of proof of this issue is on the applicant, developer/contracting party, or its successor(s)-in-interest.

E. Findings upon Hearing. The Council shall determine, upon the basis of substantial evidence, whether or not the applicant, developer/contracting party, or its successor(s)-in-interest has, for the period under review, complied in good faith with the conditions and terms of the development agreement.

F. Procedure upon Findings.

1. Has Complied. If the Council finds and determines, on the basis of substantial evidence, that the applicant, developer/contracting party or its successor(s)-in-interest has complied in good faith with the conditions and terms of the development agreement during the period under review, the review for that period is concluded, and a notice of that determination shall be sent to the applicant, developer/contracting party, or its successor(s)-in-interest.

2. Has not Complied. If the Council finds and determines, on the basis of substantial evidence, that the applicant, developer/contracting party, or its successor(s)-in-interest has not complied in good faith with the conditions and terms of the development agreement during the period under review, the Council may initiate modification or termination of the development agreement in compliance with Subsection G., below.

G. Modification or Termination of Development Agreement.

1. Proceedings upon Modification or Termination

If, upon a finding under Subsection F. (Procedure Upon Findings), above, the Council determines to proceed with modification or

termination of the development agreement, the City shall provide public notice in compliance with Chapter 10.116 (Public Notices and Hearings) of its intention to do so. The notice shall contain all of the following:

- a. The date, time, and place of the hearing, which shall be conducted by the Council;
 - b. A statement as to whether or not the City proposes to modify or terminate the development agreement; and
 - c. Other information that the City considers necessary to inform the applicant, developer/contracting party, its successor(s)-in-interest, and the general public of the nature of the proceedings.
2. Hearing on Modification or Termination of Development Agreement.
- a. At the date, time, and place set for the hearing on modification or termination, the applicant, developer/contracting party, its successor(s)-in-interest, and the general public shall be given an opportunity to be heard.
 - b. At the hearing, the Council may modify or terminate the development agreement, may continue the hearing for further consideration, and may impose conditions to the action it takes as it considers reasonable and necessary to protect the interests of the City.
 - c. The decision of the Council on the modification or termination shall be final. (Ord. 935 § 3 (part), 2015)

10.118.090 Effect of Development Agreements.

A. Rules in Force at the Time of Execution. Unless otherwise provided by the development agreement, the City's official policies, regulations, and rules governing allowed uses of the land or property, density, design, improvement, and construction standards and specifications, applicable to development of the property subject to a development agreement shall be those City official policies, regulations, and rules in force at the time of execution of the agreement.

B. Application of New Rules.

1. In compliance with Government Code Section 65866, a development agreement shall not prevent the City, in subsequent actions applicable to the property, from applying new policies, regulations, and rules that do not conflict with those policies, regulations, and rules applicable to the property as specified in the agreement.
2. Additionally, a development agreement shall not prevent the City from conditionally approving or denying any subsequent permit or approval, development project application, or authorization for the project on the basis of existing or new policies, regulations, and rules. (Ord. 935 § 3 (part), 2015)

10.118.100 Approved Development Agreements.

Development agreements approved by the Council shall be on file with the City Clerk. (Ord. 935 § 3 (part), 2015)

10.118.110 Judicial Review - Time Limitation.

A. Judicial Review. Any judicial review of an ordinance approving a development agreement shall be by writ of mandate in compliance with Code of Civil Procedure Section 1085; and judicial review of any City action taken by the City in compliance with this Chapter, other than the initial approval of a development agreement, shall be by writ of mandate in compliance with Code of Civil Procedure Section 1094.5.

B. Time Limitation. Any action or proceeding to annual, attack, review, set aside, or void any decision of the City made in compliance with this Chapter shall not be maintained by any person unless the action or proceeding is commenced within 90 days after the date of the decision. (Ord. 935 § 3 (part), 2015)

Chapter 10.120 SPECIFIC PLANS

Sections:

- 10.120.010 Purpose.
- 10.120.020 Method of Adoption.
- 10.120.030 Applicability.
- 10.120.040 Minimum Project Area.
- 10.120.050 Initiation of Specific Plans.
- 10.120.060 Pre-Application Conference, Application Filing, and Initial Review.
- 10.120.070 Preparation and Content.
- 10.120.080 Application Processing.
- 10.120.090 Adoption of Specific Plan.
- 10.120.100 Amendment of Specific Plan.

10.120.010 Purpose.

The purpose of this Chapter is to provide a process for preparing, processing, reviewing, adopting, and amending specific plans in compliance with Government Code Section 65450 et seq. or as that section may be amended or replaced from time to time. (Ord. 935 § 3 (part), 2015)

10.120.020 Method of Adoption.

The specific plan shall be adopted by ordinance or by resolution of the Council, in compliance with Government Code Section 65453. (Ord. 935 § 3 (part), 2015)

10.120.030 Applicability.

A. Specific Plan. A specific plan may be initiated in compliance with Section 10.120.050 (Initiation of Specific Plans), below, and shall be prepared, processed, approved and implemented, or denied in compliance with this Chapter.

B. Flexibility and Innovation. 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. (Ord. 935 § 3 (part), 2015)

10.120.040 Minimum Project Area.

A specific plan may only be requested for a site(s) with a minimum of two acres. (Ord. 935 § 3 (part), 2015)

10.120.050 Initiation of Specific Plans.

A specific plan may be initiated in the following manner:

A. Council. By the Council;

B. Commission. By the Commission; or

C. Property Owner(s). By an application filed by the owner(s) of one or more parcels that would be the subject of the specific plan. (Ord. 935 § 3 (part), 2015)

10.120.060 Pre-Application Conference, Application Filing, and Initial Review.

If initiated by a property owner(s), the following shall first occur.

A. Pre-Application Conference and Meeting Required.

1. Pre-Application Conference Required. A pre-application conference shall be conducted with the Director before the filing of a specific plan application.

2. Public Meeting(s) Required.

a. Before the preparation of the specific plan, the applicant shall host at least one public/neighborhood meeting which shall be held to inform the neighboring public about the proposal and to identify potential community impacts and concerns relating to the proposed plan.

b. Notice of the meeting shall be provided to all owners of real property, as shown on the latest equalized assessment roll, located within the boundaries of the proposed specific plan and within a radius of 500 feet of the exterior boundaries of the proposed specific plan. In lieu of utilizing the latest assessment roll, the applicant may utilize records of the County Assessor or Tax Collector which contains more recent information than the assessment roll.

B. Application Filing.

1. An application for a specific plan shall be filed and processed in compliance with Chapter 10.82 (Permit Application Filing and Processing).

2. The application shall include the information and materials specified in the Department handout for specific plan applications, together with the required fee in compliance with the Planning Fee Schedule.

3. It is the responsibility of the applicant to provide evidence in support of the findings required by Section 10.120.090 (Adoption of Specific Plan), below.

C. Project Review Procedures. Following receipt of a completed application, the Director shall investigate the facts necessary for action consistent with the purpose of this Chapter.

1. If the Director finds that the application is complete, the Director shall accept it for filing.

2. If the Director finds that the application is incomplete, the Director shall promptly notify the applicant and identify the inadequacies of the application.

D. Notice and Hearings.

1. Public hearings shall be required for the Commission's recommendation and the Council's action on a specific plan or an amendment.

2. The public hearings shall be scheduled once the Director finds the application complete.

3. Notice of the public hearings shall be given and the hearings shall be conducted in compliance with Chapter 10.116 (Public Notices and Hearings). (Ord. 935 § 3 (part), 2015)

10.120.070 Preparation and Content.

If initiated by the City, the specific plan shall comply with all of the requirements specified in Government Code Section 65451. If initiated by a property owner(s), the specific plan application shall comply with all of the following.

A. Organization of Specific Plan. The applicant shall prepare a draft specific plan for review by the City that includes detailed information in the form of text and diagram(s), organized in compliance with Government Code Section 65451.

B. Required Information. All of the following information shall be provided:

1. The distribution, location, and extent of land uses proposed within the area covered by the specific plan, including open space areas;

2. The proposed distribution, extent, intensity, and location of major components of public and private circulation/transportation,

drainage, energy, sewers, solid waste disposal, water, and other essential facilities proposed to be located within the specific plan area and needed to support the proposed land uses;

3. Standards, criteria, and guidelines by which development would proceed, and standards for the conservation, development, and utilization of natural resources, where applicable;

4. A program of implementation measures, including financing, regulations, programs, and public works projects, necessary to carry out the proposed land uses, infrastructure, and development and conservation standards and criteria;

5. Proposed design guidelines;

6. Analysis and description of past approvals of development entitlements, agreements, and property interests that may limit or constrain the scope or content of the specific plan;

7. A discussion of the relationship of the specific plan to the goals, policies, and actions of the General Plan; and

8. Additional information and/or contents deemed to be necessary by the Director based on the characteristics of the area to be covered by the specific plan; applicable goals, policies, and actions of the General Plan; or any other issue(s) determined by the Director to be significant.

C. Required Fees. The applicant shall submit the appropriate fee(s) and/or deposit(s) in compliance with Government Code Section 65456 and the Planning Fee Schedule. (Ord. 935 § 3 (part), 2015)

10.120.080 Application Processing.

If initiated by a property owner(s), the draft specific plan shall be processed in the same manner as required for General Plans by State law, and as follows.

A. Director's Evaluation.

1. After the filing of a draft specific plan, the Director shall review the draft specific plan to determine whether it is in compliance with the provisions of this Chapter.

2. If the draft specific plan is not in compliance, it shall be returned to the applicant with written specification(s) as to why it does not comply, and with suggested revisions to ensure compliance.

B. Environmental Review Required. The draft specific plan shall be subject to environmental review as identified in Section 10.82.090 (Environmental Review).

C. Staff Report. A written staff report shall be prepared for the draft specific plan that shall include detailed recommendations and, if appropriate, suggested changes to the text and/or diagrams of the specific plan, as determined to be necessary to make it acceptable for adoption. (Ord. 935 § 3 (part), 2015)

10.120.090 Adoption of Specific Plan.

A. Commission and Council Review. An application for a specific plan shall be considered by the Commission and Council.

1. Commission. Following a public hearing, the Commission shall forward a resolution to the Council recommending that the Council approve, approve in modified form, or deny the proposed specific plan based on the findings identified in Subsection B. (Findings for Adoption), below.

2. Council. Upon receipt of the Commission's recommendation, the Council shall conduct a public hearing and either approve, approve in modified form, or deny the proposed specific plan based on the findings identified in Subsection B. (Findings for Adoption), below.

B. Findings for Adoption. A specific plan may be adopted only if all of the following findings are first made:

1. The proposed plan is consistent with the General Plan in compliance with Government Code Section 65454;

2. The subject property is physically suitable for the requested land use designation(s) and the anticipated land use development(s);

3. The proposed plan shall ensure development of desirable character which will be compatible with existing and proposed development in the surrounding neighborhood; and

4. The proposed plan will contribute to a balance of land uses so that local residents may work and shop in the community in which they live.

C. Method of Adoption. The specific plan shall be adopted by ordinance or by resolution of the Council, in compliance with Government Code Section 65453. (Ord. 935 § 3 (part), 2015)

10.120.100 Amendment of Specific Plan.

A. Process for Amendment. A specific plan may be amended through the same procedure specified by this Chapter for the adoption of a specific plan.

B. Mandatory Finding for Amendment. A specific plan may only be amended if first found consistent with the General Plan in compliance with Government Code Section 65454.

C. Frequency of Amendments. The specific plan may be amended as often as deemed necessary by the Council, in compliance with Government Code Section 65453. (Ord. 935 § 3 (part), 2015)

Chapter 10.122

PERMIT REVOCATIONS AND MODIFICATIONS

Sections:

10.122.010 Purpose.

10.122.020 Revocations.

10.122.030 Modifications.

10.122.040 Authority to Revoke or Modify.

10.122.010 Purpose.

This Chapter provides procedures for securing revocation or modification of previously approved permits or approvals. (Ord. 935 § 3 (part), 2015)

10.122.020 Revocations.

The City's action to revoke a permit or approval shall have the effect of terminating the permit and denying the privileges granted by the original approval. (Ord. 935 § 3 (part), 2015)

10.122.030 Modifications.

The City's action to modify a permit or approval, may include any operational aspect of the project, including buffering for sight and sound control, duration of the permit or approval, hours of operation, landscaping and maintenance, lighting, parking, performance guarantees, property maintenance, signs, surface materials, traffic circulation, or any other aspect or condition determined to be reasonable and necessary to ensure that the permit is operated in a manner consistent with the original findings for the approval. (Ord. 935 § 3 (part), 2015)

10.122.040 Authority to Revoke or Modify.

A. Permits. A Conditional Use Permit, Minor Use Permit, Planned Development Permit, Reasonable Accommodation, Site Plan and Design Review, Temporary Use Permit or other City permit or approval (except a Variance or Minor Variance, see Subsection

B., below) may be revoked or modified by the Review Authority (e.g., Director, Commission, or Council) that originally approved the permit, if the Review Authority first makes any one of the following findings:

1. Circumstances under which the permit or approval was granted have been changed by the applicant to an extent that one or more of the findings that justified the original approval can no longer be made, and the public health, safety, and welfare require the revocation or modification;
2. The permit or approval was granted, in whole or in part, on the basis of a fraud, misrepresentation, or omission of a material statement in the application, or in the applicant's testimony presented during the public hearing, for the permit or approval;
3. One or more of the conditions of approval of the original permit or approval have not been fulfilled or have been violated;
4. The use for which the approval was granted is not being exercised;
5. The use for which the approval was granted has ceased to exist or has been suspended for at least 180 days;
6. The permit or approval granted is being, or recently has been exercised contrary to the terms of the conditions of the approval, or in violation of any State or Federal statutes or law, City ordinances, laws and regulations; or
7. The use for which the approval was granted was so exercised as to be detrimental to the public health, safety, or welfare, or so as to constitute a public nuisance.

B. Variances. A Variance or Minor Variance may be revoked or modified by the Review Authority which originally approved the Variance or Minor Variance, if the review authority first makes any one of the following findings, in addition to any one of the findings specified in Subsection A., above:

1. Circumstances under which the original approval was granted have been changed by the applicant to a degree that one or more findings necessary for the approval can no longer be made, and the grantee has not substantially exercised the rights granted by the Variance or Minor Variance; or
2. One or more of the conditions of the Variance or Minor Variance have not been met, or have been violated, and the grantee has not substantially exercised the rights granted by the Variance or Minor Variance.

C. Hearings and Notice.

1. The appropriate Review Authority shall hold a public hearing to revoke or modify a permit or approval granted in compliance with the provisions of this Zoning Code. The hearing shall be conducted in compliance with Chapter 10.116 (Public Notices and Hearings).
2. Ten days before the public hearing, notice shall be delivered in writing to the applicant for the permit or approval being considered for revocation or modification, and/or owner of the property for which the permit was granted. The only exception to the 10-day notice provision shall be for Temporary Use Permits which, because of their short term nature, shall only require a 24-hour notice. (Ord. 935 § 3 (part), 2015)

ARTICLE 8: RESERVED

ARTICLE 9: DEFINITIONS

Chapter 10.132
DEFINITIONS

Sections:

- 10.132.010 General.
- 10.132.020 "A" Definitions.
- 10.132.030 "B" Definitions.
- 10.132.040 "C" Definitions.
- 10.132.050 "D" Definitions.
- 10.132.060 "E" Definitions.

10.132.070 "F" Definitions.
10.132.080 "G" Definitions.
10.132.090 "H" Definitions.
10.132.100 "I" Definitions.
10.132.110 "J" Definitions.
10.132.120 "K" Definitions.
10.132.130 "L" Definitions.
10.132.140 "M" Definitions.
10.132.150 "N" Definitions.
10.132.160 "O" Definitions.
10.132.170 "P" Definitions.
10.132.180 "Q" Definitions.
10.132.190 "R" Definitions.
10.132.200 "S" Definitions.
10.132.210 "T" Definitions.
10.132.220 "U" Definitions.
10.132.230 "V" Definitions.
10.132.240 "W" Definitions.
10.132.250 "X" Definitions.
10.132.260 "Y" Definitions.
10.132.270 "Z" Definitions.

10.132.010 General.

A. This Chapter provides definitions of the technical and other terms and phrases used in this Title 10 as a means of providing consistency in the interpretation of the Zoning Ordinance. Where any definition in this Chapter may conflict with definitions in other titles of the La Puente Municipal Code, these definitions shall prevail for the purposes of this Title. If a word is not defined in this Chapter, or in other provisions of the Municipal Code, the most common dictionary definition is presumed to be correct.

B. In addition to the definitions provided in this Chapter, definitions for signs are found in Chapter 10.34 (Signs). (Ord. 935 § 3 (part), 2015)

10.132.020 "A" Definitions.

Accessory Donation Box. A temporary enclosed mobile container that is specifically intended for the purpose of the deposit and collection of used clothing and goods or similar items, and that is generally designed for use out of doors.

Accessory Use. A use incidental and subordinate to the principal use on the premises which does not alter the characteristics of the use considered as a whole and as related to other uses permitted in the same district. Accessory uses are permanent or long term in nature.

Accessory Structure. A detached structure which is subordinate to, and the use of which is customarily incidental to, that of the primary structure or use on the same lot. Detached structures that contain dwelling units shall not be considered accessory structures.

Acupressure, Acupuncture. A form of medical treatment involving the use of pressure, needles, or similar applications.

Adult-Oriented Businesses. See Chapter 5.12 (Adult Entertainment Businesses).

Alcohol Sales, Off-Sale. 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 a Department of Alcoholic Beverage Control (ABC) License Type 20 (off-sale beer and wine-package store) or License Type 21 (off-sale general-package store). References to the establishment shall include any immediately adjacent area that is owned, leased, or rented, or controlled by the licensee.

Alcohol Sales, On-Sale. 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 Department of Alcoholic Beverage Control Licenses for on-site consumption. References to the establishment shall include any immediately adjacent area that is owned, leased, or rented, or controlled by the licensee. Alcohol Sales, On-Sale, Accessory Only. Any establishment that has all of the following characteristics:

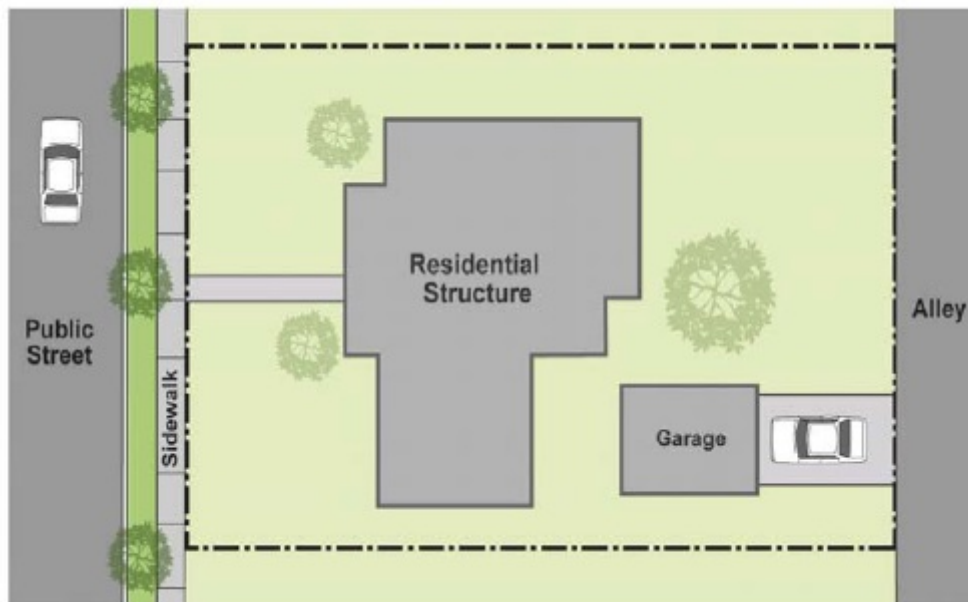
A. Alcoholic beverages are sold, served, or given away for consumption on site.

B. The establishment is applying for or has obtained a restricted license, seasonal license, or similar special purpose license (e.g., Department of Alcoholic Beverage Control [ABC] License Type 51 [Club], ABC License Type 57 [Special On-Sale General], ABC License Type 60 [On-Sale Beer - Seasonal], etc.).

C. The establishment will sell or sells alcoholic beverages only as an accessory use to a commercial recreation use. Illustrative examples include snack bars and concession stands at facilities with outdoor tennis courts, boating and/or swimming facilities, and other field-type sport venues (e.g., baseball, football, rugby, soccer, etc.). For the purposes of this definition, a snack bar or concession stand is an establishment that sells confections, snacks, or other light meals for consumption on-site and that provides no inside seating or drive-through service for customers.

Alley. A public thoroughfare or way which affords only a secondary means of access to abutting property (see Figure 9-1).

Figure 9-1
Alley



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

Ambulance Services. A base facility where ambulances and similar vehicles are stored, and from which they are dispatched, and/or where ambulance vehicles and crews not based at a hospital or fire department stand by for emergency calls.

Amendment. A change in the wording, context, or substance of this Development Code, or a change in the zone boundaries upon the zoning map which is a part of this Title, in the manner prescribed by the Development Code.

Animal Sales and Services.

Animal Boarding/Kennels. The commercial provision of shelter and care for dogs, cats, and other household animals permitted by this Title, including activities associated with such shelter and care (e.g., feeding, exercising, grooming, and incidental medical care).

Animal Grooming. The commercial provision of bathing and trimming services for dogs, cats, and other household animals permitted by this Development Code.

Animal Retail Sales. The retail sales and boarding of household animals within an entirely enclosed building. These uses include grooming, if incidental to the retail use.

Veterinary Services. Establishments where household animals receive medical and surgical treatment and may be temporarily boarded in association with such medical or surgical treatment.

Animal, Small. Any domesticated animal ordinarily kept as a household pet and generally weighing less than 10 pounds, such as but not limited to fish, rabbits, hamsters, parrots, parakeets, lizards, and snakes.

Antenna Tower. See "Wireless Telecommunications Facilities."

Artist Studios. Work space for artists and artisans, including individuals practicing one of the fine arts or performing arts, or skilled in an applied art or craft, and producing custom-made works. Does not include handicraft industries (see "Handicraft Industries").

Assembly, Public or Private. A facility for public or private assembly and meetings. Illustrative examples of these uses include:

Banquet rooms;

Civic and private auditoriums;

Community centers;

Conference/convention facilities;

Meeting halls for clubs and other membership organizations.

Also includes functionally related internal facilities (i.e., kitchens, multi-purpose rooms, storage, etc.) Does not include conference and meeting rooms that are accessory and incidental to another principal use and typically used only by on-site employees and clients, and that occupy less floor area on the site than the offices they support (see "Offices").

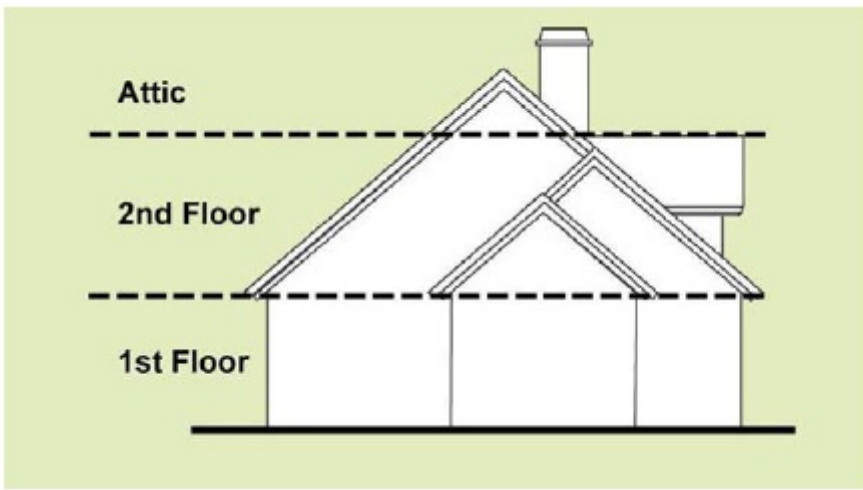
Assembly, Religious. Any facility specifically designed and used to accommodate the gathering of persons for the purposes of fellowship, worship, or similar conduct of religious practices and activities. This definition includes functionally related internal facilities (i.e., kitchens, multi-purpose rooms, storage, etc.) and residences for clergy. Associated uses (i.e., day care centers, full-time or part-time schools, or emergency housing) may be allowed but require separate discretionary approvals pursuant to the requirements of this Zoning Code.

ATM (Automated Teller Machine). An automated device used by the public to conduct banking and financial transactions electronically (i.e., withdrawing cash from, or depositing cash or checks into, a bank, savings, credit union, credit card or similar account). Does not apply to retail point-of-sale transactions within a fully enclosed location. As used in this Development Code, refers to machines located on properties separate from financial institutions.

Attic. The area located between the top plate and the roof or ridge of a building, as further defined in the Building Code (see Figure 9-2).

Figure 9-2

Attic



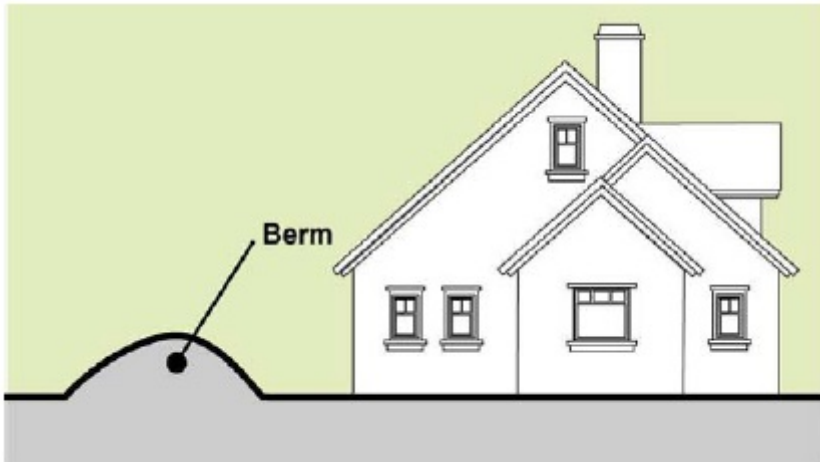
Automatic Controller . A mechanical or solid-state irrigation system timer capable of operating irrigation valve stations to set the days and length of time of a water application. (Ord. 935 § 3 (part), 2015)

10.132.030 "B" Definitions.

Bar. See "Eating and Drinking Establishments."

Berm. A raised earthen area (see Figure 9-3).

Figure 9-3
Berm



Billiards Establishment. See Chapter 5.20 (Billiard Rooms). See also "Commercial Recreation and Entertainment."

Boarding and Rooming Houses. A residential structure containing five or fewer guest rooms in which the owner or operator provides, for compensation, lodging and meals for not more than 10 persons. This definition does not include a community care facility.

Body piercing. The creation of an opening in the body of a human being for the purpose of inserting jewelry or other decoration. This includes, but is not to, piercing of an ear, lip, tongue, nose, or eyebrow. "Body piercing" does not include piercing an ear with a does not include piercing an ear with a disposable, single-use stud or solid needle that is applied using a mechanical device to force the needle or stud through the ear.

Body piercing establishment or "parlor". Any establishment where body piercing is conducted.

Branding. Any method, including but not limited to, the use of heat, cold, chemical compound, or cauterizing to apply a scar to the body for the purpose of creating a permanent mark or design on the skin. (Ord. 935 § 3 (part), 2015)

10.132.040 "C" Definitions.

Canopy or Canopy Structure. A sheet of flexible material, fabric or membrane such as nylon, plastic, or other similar material that is supported by or attached to a frame having a location on the ground and made of fiberglass, metal, wood, or plastic or any other similar material, and generally used for the shielding or protection of vehicles or other equipment stored outside. Canopy structures include but are not limited to prefabricated canopies ready-made for simple assembly and canopies which are built, constructed, or composed of parts joined together in some definite manner. This definition excludes awnings attached to structures.

Caretaker Residence. A dwelling unit on the site of a commercial, industrial, public or semi-public, or public assembly use occupied by a guard or caretaker and which is limited a single housekeeping unit.

Carpool. A vehicle carrying two to six persons commuting together to and from work on a regular basis. See also "Buspool" and "Vanpool."

Catering Services. The business of providing food service at a remote site. The California Environmental Quality Act (CEQA). See "Environmental."

City. The City of La Puente, State of California. **City Facilities.** See "Government Facilities."

City Council. See "Council."

City Manager. The City Manager for the City of La Puente, or designee.

City-owned property. Any property in which the City of La Puente is the owner of the majority of the fee title interest, and any property in which the City has a leasehold, easement, license, or other possessory interest.

Commercial Recreation and Entertainment. Establishments providing participant or spectator recreation or entertainment, either indoors or outdoors, for a fee, admission charge, or other remuneration. Illustrative examples of these uses include, but are not limited to:

Arcades or electronic games centers having 10 or more coin-operated game machines;

Amusement parks;

Bowling alleys;

Billiard parlors;

Cinemas;

Golf courses;

Hookah lounge (See "Bars, Lounges, and Nightclubs");

Ice/roller skating rinks;

Miniature golf course;

Pool rooms;

Scale-model courses;

Sports stadiums and arenas;

Tennis/racquetball courts;

Theaters.

See also Chapter 5.24 (Entertainment) and Eating and Drinking Establishments.

Community Care Facilities.

Community Treatment Facility. Any residential facility that provides mental health treatment services to more than six children or adults in a group setting and that has the capacity to provide secure containment, with program components limited to those program standards developed and enforced by the State Department of Mental Health pursuant to Section 4094 of the Welfare and Institutions Code.

Foster Family Home. Any residential facility licensed or operating pursuant to the California Health and Safety Code Section 1502

et seq. that provides 24-hour care for six or fewer foster children that is owned, leased, or rented and is the residence of the foster parent or parents, including their family, in whose care the foster children have been placed. The placement may be by a public or private child placement agency or by a court order, or by voluntary placement by a parent, parents, or guardian.

Residential Care Facility for the Elderly. Any State-licensed facility that provides care, supervision, and assistance with activities of daily living, such as bathing and grooming, to persons 60 years of age and over and persons under 60 with compatible needs. Such facilities may also provide incidental medical services under special care plans. Also may be referred to as assisted living facilities, retirement homes, and convalescent homes.

Social Rehabilitation Facility. Any residential facility that provides social rehabilitation services for no longer than 18 months in a group setting to adults recovering from mental illness who temporarily need assistance, guidance, or counseling, with program components limited to those program standards pursuant to Article 1 (commencing with Section 5670) of Chapter 2.5 of Part 2 of Division 5 of the Welfare and Institutions Code.

Communication Facilities. Commercial and public communications facilities including radio and television broadcasting and receiving stations and studios, with facilities contained entirely within structures. Does not include transmission and receiving apparatus, including antennas and towers (see "Wireless Telecommunications Facilities").

Contractor's Storage Yard. A facility for the storage and maintenance of contractor's supplies and operational equipment.

Council. The City of La Puente City Council, referred to in this Zoning Code as the "Council."

Crematorium. A mortuary building or facility that holds the equipment necessary for cremation.

Cultural Institutions. Any facility such as a museum or library that displays or preserves objects of community or cultural interest relating to one or more of the arts or sciences. This use includes libraries, museums, and art galleries.

Cyber or Internet Café. A commercial business or private club which provides internet access to the public or its members generally for a fee, and which may also provide food and drinks. (Ord. 935 § 3 (part), 2015)

10.132.050 "D" Definitions.

Dances. See Chapter 5.22 (Dances) and Chapter 5.24 (Entertainment).

Day Care, Limited. Nonresidential, nonmedical care and supervision of 14 or fewer persons on a less than 24-hour basis.

A. Child day care.

Child Day Care, Small (8 or fewer children). Day care facilities located in single-unit dwellings where an occupant of the dwelling provides care and supervision for eight or fewer children. Children under the age of 10 years who reside in the dwelling count as children served by the day care facility.

Child Day Care, Large (9 to 14 children). Day care facilities located in single-unit dwellings where an occupant of the dwelling provides care and supervision for nine to 14 children. Children under the age of 10 years who reside in the dwelling count as children served by the day care facility.

Fifteen or more children. See "Day Care, General" for facilities serving 15 or more children.

B. Adult day care.

Adult Day Care, Small (6 or fewer). Day care facilities located in single-unit dwellings where an occupant of the dwelling provides care and supervision for six or fewer adults.

Adult Day Care, Large (7 to 14). Day care facilities located in single-unit dwellings where an occupant of the dwelling provides care and supervision for seven to 14 adults.

Fifteen or more adults. See "Day Care, General" for facilities serving 15 or more adults.

Day Care, General. Establishments that provide nonmedical care for 15 or more persons on a less than a 24-hour basis, including nursery schools, preschools, and day care centers for children or adults. General day care establishments may be accessory to an industrial, commercial or institutional use.

Developer. Any association, corporation, firm, joint venture, partnership, person, or any entity or combination of entities, which seeks

City approvals for all or part of a development project.

Development. The construction or addition of new building square footage. All calculations shall be based on gross square footage.

Development Agreement. An agreement entered into between the City and a developer in compliance with Government Code Section 65864 et seq. and this Zoning Code.

Drive-through Facilities. A type of facility that allows customers to purchase products or provide services (e.g., banking services) without leaving their automobile. Also known as drive-up facilities.

Driveway. A paved surface that leads to a legal parking space.

Drug Store/Pharmacy (Medical Supplies). A place where prescription drugs are dispensed. Excludes "Medical Marijuana Dispensaries."

Dwelling. A structure or portion thereof designed exclusively for residential purposes, but not including hotels or motels.

Accessory Dwelling Unit. A residential dwelling unit - either attached to the primary unit or a detached structure -hat provides complete independent living facilities for one or more persons on the same parcel as a legal detached single unit. An accessory dwelling unit shall include permanent provisions that include, but are not limited to, living, sleeping, eating, cooking, and sanitation.

Detached Single Unit. A residential structure containing one dwelling unit. Duplex. A residential structure containing two dwelling units.

Dwelling unit. One or more rooms in a dwelling designed for occupancy by one or more persons for living or sleeping purposes, and having kitchen facilities.

Manufactured Housing. A dwelling unit which is either wholly or mainly manufactured at an off-site location and is assembled on site. The definition does not include a mobile home, mobile accessory structure, or an automobile trailer or recreational vehicle.

Multi-Family. A residential structure, or portion thereof, containing two or more dwelling units, designed for occupancy by two or more housekeeping units living independently of each other. (Ord. 935 § 3 (part), 2015)

10.132.060 "E" Definitions.

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 principal 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 the Department of Alcoholic Beverage Control (ABC), such as ABC License Type 42 (On Sale Beer and Wine-Public Premises), ABC License Type 48 (On Sale General-Public Premises), and ABC License Type 61 (On Sale Beer-Public Premises), and in which persons under 21 years of age are restricted from the premises. References to the establishment shall include any immediately adjacent area that is owned, leased, or rented, or controlled by the licensee.

Fast Food. A type of food service establishment whose design or principal method of operation includes four or more of the following characteristics:

1. 45 percent or more of the floor area is devoted to food preparation, employee work space, and customer service area;
2. A permanent menu board is provided from which to select and order food;
3. If a chain or franchised restaurant, standardized floor plans are used over several locations;
4. Customers pay for food before consuming it;
5. A self-service condiment bar is provided;
6. Trash receptacles are provided for self-service bussing;
7. Furnishing plan indicates hard-finished, stationary seating arrangements; and

8. Most main course food items are prepackaged rather than made to order.

Outdoor Dining. A dining area with seats and/or tables located outdoors of a sit-down restaurant, fast food, or other food service establishment and that is:

1. Located entirely outside the walls of the contiguous structure; or
2. Enclosed on one or two sides by the walls of the structure with or without a solid roof cover; or
3. Enclosed on three sides by the walls of the structure without a solid roof cover.

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 and having all of the following characteristics:

1. Food and beverages are served to the customer at a fixed location (i.e., booth, counter, or table);
2. Food and beverages are ordered from individual menus; and
3. 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, shall not constitute a sit-down restaurant.

Take-Out Service. An establishment that offers a limited variety of food or beverages and that has all of the following characteristics:

1. Transactions are sales principally for off-site consumption;
2. Customers are served either at a counter or service window; and
3. Incidental seating 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.

Emergency Health Facility. Establishments that provide emergency medical service (i.e., outside normal physician office hours or before a physician appointment is available) with no provision for overnight or continuing care on an inpatient basis. Also includes "urgent care" facilities and walk-in clinics. Does not include hospitals (see "Hospitals").

Emergency Shelter. As defined in Health and Safety Code Section 50801(e), housing with minimal supportive services for homeless persons (e.g., food, counseling, access to other social programs, etc.) that is limited to occupancy of 6 months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay.

Employee Parking Area. Means the portion of total required parking at a development used by onsite employees.

Entertainment Establishments. See Chapter 5.24 (Entertainment).

Environmental. The following terms are used in conjunction with environmental evaluation in compliance with the City of La Puente.

California Environmental Quality Act (CEQA). The California Environmental Quality Act (CEQA) is the State law contained in the California Public Resources Code, Section 2100 et seq.

Environmental Impact Report (EIR). A detailed statement prepared under CEQA describing and analyzing the significant environmental effects of a project and discussing ways to mitigate or avoid the effects.

Exemption. An action that is not subject to CEQA is determined to be an exemption. This exempt status may be documented with a Notice of Exemption.

Initial Study. A preliminary analysis of the environmental effects of a proposed action used to determine whether an EIR, Subsequent EIR, Supplemental EIR, Addendum to an EIR, or a Negative Declaration must be prepared and used to identify the significant environmental effects to be analyzed. The Initial Study may also be used to streamline environmental review by determining that a previous EIR adequately analyzes the current proposed project or whether the project is part of a larger project, and a master, tiered, program, or focused EIR would be appropriate.

Mitigation. The term, as used in this Zoning Code and shall include the following:

Avoiding the impact altogether by not taking a certain action or parts of an action.

Minimizing impacts by limiting the degree or magnitude of the action and its implementation.

Rectifying the impact by repairing, rehabilitating, or restoring the impacted environment.

Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action.

Compensating for the impact by replacing or providing substitute resources or environments.

Negative Declaration. A written statement briefly describing the reasons why a proposed project will not have a significant effect on the environment and why it does not require the preparation of an EIR. The accompanying Initial Study shall support the reasons.

Project. Under CEQA a project is the whole of an action that has the potential to result in either a direct physical change or a reasonably foreseeable indirect physical change in the environment.

Extreme body modification. The practice of modifying the physical body using the techniques of branding and scarification. (Ord. 935 § 3 (part), 2015)

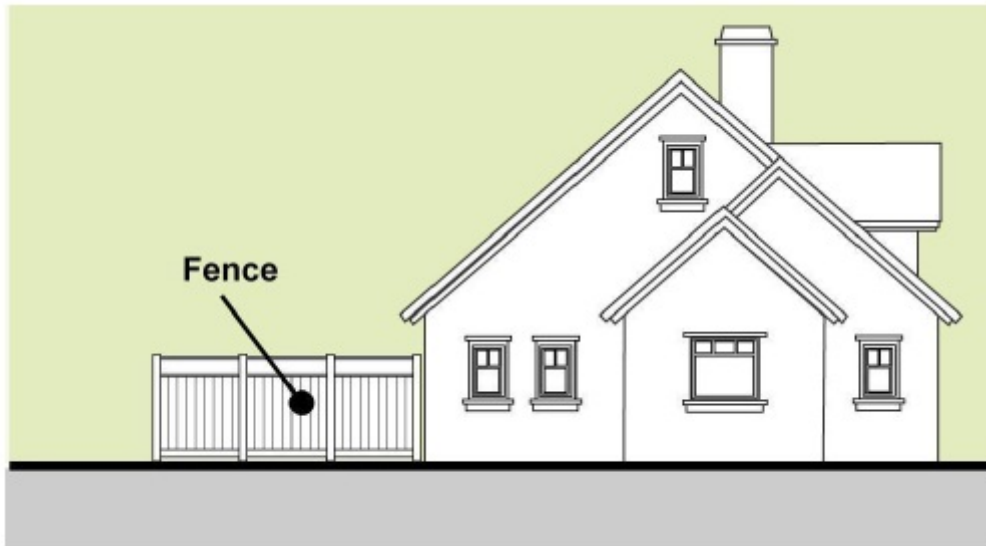
10.132.070 "F" Definitions.

Family. One or more persons, related or unrelated, living together as a single housekeeping unit with common access to, and common use of, all living and eating areas and all areas and facilities for the preparation and storage of food within the dwelling unit.

Fee Schedule. A complete listing of fees for the City of La Puente, as established by resolution by the Council.

Fence. An artificially constructed barrier of any material (including shrubbery) or combination of materials erected to enclose or screen areas of land (see Figure 9-4). See also "Wall."

**Figure 9-4
Fence**



Financial Institutions and Related Services. A bank, savings and loan, credit union, or other financial institution that provides retail banking services to individuals and businesses. These uses include only those institutions engaged in the on-site circulation of cash money.

Fire Station. Structure or other area set aside for storage of firefighting apparatus (i.e., fire engines and related vehicles), personal protective equipment, fire hose, fire extinguishers, and other fire extinguishing equipment. See also "Government Facilities".

Floor Area, Gross. The gross floor area of a structure shall consist of the total enclosed square footage of all floors measured to the outside face of the exterior walls, and including halls, stairways, service and mechanical equipment rooms, internal shafts, and attic areas having a height of more than six feet six inches. Gross floor area does not include garages and basements.

Floor Area, Net. The area included within the surrounding walls of a structure, exclusive of vent shafts, elevator shafts, stairways, exterior corridors or balconies, rooms containing only mechanical and electrical equipment used for service of the structure, utility

shafts and parking.

Food Processing. Establishments engaged in the manufacturing or processing of food or beverages for wholesale distribution.

Fortunetelling. See Chapter 5.28 (Fortunetelling).

Funeral Homes and Mortuaries. 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 and/or mortuaries. No internment is provided on site. May include areas for assembly services and living quarters for funeral home/mortuary manager (see "Caretaker Residence").

(Ord. 935 § 3 (part), 2015; Ord. 939 § 5, 2016)

10.132.080 "G" Definitions.

Game Arcade. A commercial establishment with coin-operated entertainment machines, including but not limited to video games, pinball machines, electro-mechanical games, redemption games, and merchandisers (such as claw cranes). Not the same as Cyber/Internet Café.

Accessory. A commercial establishment with nine or fewer entertainment machines.

Primary. A commercial establishment with 10 or more entertainment machines.

Garage and Yard Sales. As defined in Chapter 5.50 (Yard Sales) of the Municipal Code.

Golf Course. A commercial recreation facility that consists of a series of holes, each consisting of a teeing ground, fairway, rough and other hazards, and a green with a flagstick (pin) and cup, all designed for the game of golf. See also "Commercial Recreation and Entertainment."

Government Facilities. A building or structure owned, operated or occupied by governmental agency (e.g., city, county, state, or federal government agencies) to provide a governmental service to the public.

Grocery Store. A foodstore that sells a general line of food products, such as canned and frozen foods; fresh fruits and vegetables; fresh and prepared meats, fish, and poultry; and nonfood grocery products. Included are supermarkets, superettes and small grocery stores, and convenience stores.

Small-scale. Grocery store that is 20,000 square feet or less.

Large-scale. Grocery store that is more than 20,000 square feet.

Group Home. Any residential care facility licensed by the State of California occupied by six or fewer persons.

Guidelines. As used in Chapter 10.42 (Prohibition of Medical Marijuana Cooperatives or Collectives), the term shall refer to the "Guidelines For The Security and Non-Diversion of Marijuana Grown for Medical Use" issued by the California Attorney General in August 2008, or as such guidelines may be amended from time to time.

Gun Dealers. See Chapter 5.32 (Gun Dealers). (Ord. 935 § 3 (part), 2015)

10.132.090 "H" Definitions.

Health/Fitness Facilities.

Small. An indoor facility of 2,000 square feet or less in size where passive or active exercises and related activities are performed using minimal muscle-building equipment or apparatus for the purpose of physical fitness, improved circulation or flexibility, and/or weight control. Examples of uses include Pilates, personal training, and yoga and studios.

Large. A full-service fitness center, gymnasium, or health and athletic club which is over 2,000 square feet in size and may include any of the following: sauna, spa or hot tub facilities; weight rooms; indoor tennis, handball, or racquetball courts; aerobic classes and other indoor sports activities; locker rooms and showers. Height. See Section 10.24.040 (Height Measurement and Exceptions).

Home Occupation. The conduct of a business within a dwelling unit or residential site, with the business activity being incidental and clearly accessory to the principal residential use of the property. See Section 10.50.110 (Home Occupations).

Hospitals. 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.

Hotel or Motel. A commercial establishment offering overnight visitor accommodations, but not providing room rentals on an hourly basis. A hotel or motel may include, as permitted, ancillary facilities such as common meeting rooms, dining facilities, and guest amenities. (Ord. 935 § 3 (part), 2015)

10.132.100 "I" Definitions.

Industry. Establishments engaged in the manufacturing of finished parts or products, either from raw materials or previously prepared materials, within an enclosed structure. Includes processing, fabrication, assembly, treatment, testing (e.g., laboratories), packaging, incidental office storage, sales, and distribution of the parts or products; and laundry and dry cleaning plants. Excludes vehicle/equipment rentals ("Vehicle/Equipment Rentals"), vehicle repair and service ("Vehicle Repair and Service"), vehicle sales ("Vehicle Sales").

Light. The manufacture and/or processing of consumer-oriented goods in a manner that does not produce noticeable odors, air emissions, or other environmental effects, and that has limited associated trucking activity. Light industries generally require limited amounts of raw materials to produce goods. Examples of light industries include, but are not limited to, the manufacture of clothes, shoes, furniture, consumer electronics, and household items.

Heavy. The manufacture and/or processing of materials and goods utilizing large quantities of raw materials, and generally requiring high capitalization and production of large quantities of output. Heavy industry often sells output to other business users rather than consumers. Characteristics of heavy industry include, but are not limited to, heavy trucking activity, noise, emissions requiring federal or state environmental permits, use of large quantities of hazardous materials as defined the U.S. Environmental Protection Agency, and requirement for specialized permits from federal and state occupational health and safety agencies.

Intensification of Use, Non-Residential. Any change or expansion of a non-residential use which will result in both an increase in parking need based on the requirements of Chapter 10.30 (Off-Street Parking and Loading) and which is determined by the Director likely to result in a significant new or increased impact due to potential traffic generation, noise, smoke, glare, odors, hazardous materials, water use, and/or sewage generation.

Internet Cafe. See Cyber Cafe. (Ord. 935 § 3 (part), 2015)

10.132.110 "J" Definitions.

Junk or Salvage Yard. Any area, lot, parcel, building, or part thereof used for the storage, collection, processing, purchase, sale, or abandonment or wastepaper, rags, scrap metal, vehicles, or other scrap or discarded materials, machinery, or other types of junk. Such uses include baling of cardboard and other paper materials. This definition shall also include any tow or impound yard for vehicles, whether or not vehicles are stored on the premises. (Ord. 935 § 3 (part), 2015)

10.132.120 "K" Definitions.

Reserved.

10.132.130 "L" Definitions.

Laboratories. See Research and Development.

Landscaping. Any combination native or exotic plants, lawn, groundcover, trees, shrubs, and other plant materials, plus decorative outdoor and complementary elements such pools, fountains, water features, paved or decorated walkways or surfaces of rock, stone, brick, block, or similar material (excluding driveways, parking, loading, or storage areas), and sculptural elements. Plants on rooftops or porches or in boxes attached to structures are not considered landscaping.

Landscaping Terms for Chapter 10.32 (Landscaping).

Annual reference evapotranspiration rate or ETo means a standard measurement of environmental parameters which affect the water use of plants. ETo is given expressed in inches per day, month, or year, and is an estimate of the evapotranspiration of a large field of four-to seven-inch tall, cool-season grass that is well watered. Calculation of the ETo shall be from the nearest monitoring site to the City as determined by the California Department of Water Resources.

Applied water means the portion of water supplied by the irrigation system to the landscape.

Budget-based tiered-rate structure means 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.

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

Estimated Applied Water Use means the average annual total amount of water estimated to be necessary to keep plants in a healthy state. 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.

ET adjustment factor or ETAF is equal to the plant factor divided by the irrigation efficiency factor for a landscape project. The ETAF is calculated in the context of local reference evapotranspiration, using site-specific plant factors and irrigation efficiency factors that influence the amount of water that needs to be applied to the specific landscaped area. A combined plant mix with a site-wide average plant factor of 0.5 (indicating a moderate water need) and average irrigation efficiency of 0.71 produces an ET adjustment factor of $(0.7) = (0.5/0.71)$, which is the standard of water use efficiency generally required by Chapter 10.32 (Landscaping), except that the ETAF for a special landscape area shall not exceed 1.0.

Hardscape means 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 hardscape for purposes of Chapter 10.32 (Landscaping).

Homeowner installed landscape means any landscaping either installed by a private individual for a single family residence or installed by a licensed contractor hired by a homeowner. A homeowner, for purposes of this ordinance, is a person who occupies the dwelling he or she owns. This definition excludes speculative homes, which are not owner-occupied dwellings and which are subject to the requirements applicable to developer-installed residential landscape projects.

Irrigation efficiency means 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 minimum average irrigation efficiency for purposes of Chapter 10.32 is 0.71. Greater irrigation efficiency can be expected from well designed and maintained systems.

Landscaped area means 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 non-development (e.g., open spaces and existing native vegetation).

Landscape Documentation Package means the documents required to be provided to the City for review and approval of landscape design projects.

Landscape professional means a licensed landscaped architect, licensed landscape contractor or any other person authorized to design a landscape pursuant to Section 5500.1, 5615, 5641, 5641.1, 5641.2, 5641.3, 5641.4, 5641.5, 5641.6, 6701, 7027.5 of the California Business and Professions Code, Section 832.27 of Title 16 of the California Code of Regulations, and Section 6721 of the California Food and Agriculture Code.

Landscape project means total area of landscape in a project, as provided in the definition of landscaped area, meeting the requirements under Chapter 10.32 (Landscaping).

Local water purveyor means any entity, including a public agency, city, county, or private water company that provides retail water service.

Mined-land reclamation projects means any surface mining operation with a reclamation plan approved in accordance with the Surface Mining and Reclamation Act of 1975.

Maximum Applied Water Allowance or MAWA means the upper limit of annual applied water for the established landscaped area. 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 shall not exceed the Maximum Applied Water Allowance.

New construction means, for the purposes of Chapter 10.32 (Landscaping), a new building with a landscape or other new landscape such as a park, playground, or greenbelt without an associated building.

Non-pervious means any surface or natural material that does not allow for the passage of water through the material and into the underlying soil.

Pervious means 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 is a factor, when multiplied by ETo, that estimates the amount of water needed by plants. For purposes of this Water Efficient Landscape Ordinance, the plant factor range for low water use plants is 0 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 Chapter 10.32 are derived from the Department of Water Resources 2000 publication "Water Use Classification of Landscape Species."

Recycled water or reclaimed water means treated or recycled waste water of a quality suitable for non-potable uses such as landscape irrigation and water features.

Rehabilitated landscape means any re-landscaping project that meets the applicability criteria of Chapter 10.32 where the modified landscape area is greater than 2,500 square feet, is 50 percent of the total landscape area, and the modifications are planned to be completed within one year.

Smart automatic irrigation controller means an automatic timing device used to remotely control valves that operate an irrigation system and which schedules irrigation events using either evapotranspiration (weather-based) or soil moisture data.

Special landscape area or SLA means 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 areas dedicated to active play such as parks, sports fields, golf courses, and where turf provides a playing surface.

Turf means 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 means a device used to control the flow of water in an irrigation system.

Water feature means 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 on-site wastewater treatment, habitat protection or storm water best management practices that are not irrigated and used solely for water treatment or storm water retention are not water features and, therefore, are not subject to the water budget calculation.

Laundry and Dry Cleaning - Nonretail. A facility that specializes in the process of cleaning clothes and other fabrics; cleans the fabrics with equipment on the premises to which they are dropped off or delivered; and whose customers consist primarily of large commercial or institutional users such as restaurants, janitorial services, food service businesses, hotels/motels, hospitals, and medical and dental clinics.

Laundry and Dry Cleaning - Retail. A facility that specializes in the process of cleaning clothes and other fabrics that are dropped off by customers at the facility; cleans the fabrics either on site or at an off-site facility; and whose customer base generally consists of individuals and small local businesses.

Library. See "Cultural Institution."

Liquor Store. A retail establishment primarily engaged in the sale of beer, wine, and spirits, and regulated by the Department of Alcoholic Beverage Control.

Live Entertainment. Entertainment provided by one or more live performers, including musical, theatrical, dance, cabaret, or comedy acts. For purposes of this definition, a disc jockey is considered a performer, as is any other person whose performance is comprised of selecting or manipulating prerecorded music. Does not include the term "Adult Oriented Businesses." Does not include live musical accompaniment to dining, in a restaurant by no more than two performers, including patrons, without any dancing, singing, or spoken words. See also "Eating and Drinking Establishments" and Chapter 5.24 (Entertainment).

Amplified. The increase in the degree of sound level of voices, instruments, or recorded music through electronic devices and equipment (e.g., speakers, loudspeakers, etc.).

Unamplified. Voices or instruments without sound boosting electronic devices and equipment.

Lot. (1) A parcel of real property delineated with a number or other designation on a plat recorded in the office of the County Recorder of Los Angeles County; or (2) a parcel of land, the dimensions or boundaries of which are defined by a record of survey recorded pursuant to law when recorded in the office of the County Recorder of Los Angeles County; or (3) a parcel of real property not delineated as in (1) or (2) above and containing not less than the prescribed minimum area for the zone in which it is located and which abuts at least one public street, which parcel has been divided pursuant to the provisions of Article 5 (Subdivisions) of the Municipal Code.

Lot, Corner. A lot situated at the intersection of two or more streets (see Figure 9-5).

Lot, Flag. A lot which is located to the rear of another lot and which has access to a public or private street via an extension of that lot consisting of a strip not less than 26 feet in width (see Figure 9-5).

Lot, Interior. A lot other than a corner lot or reversed corner lot (see Figure 9-5).

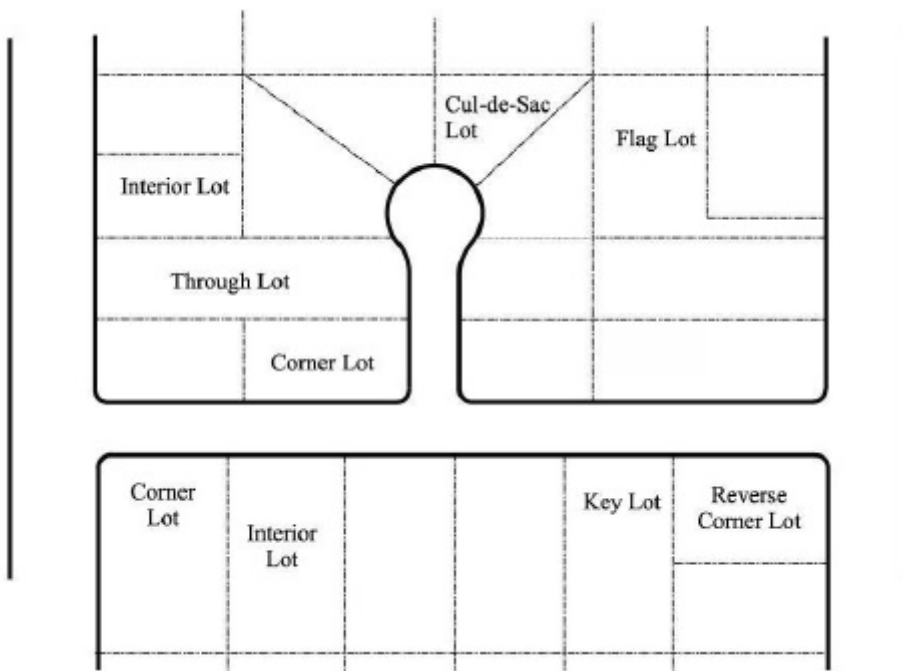
Lot, Key. The first lot to the rear or side of a corner lot, the front line of which is a continuation of the side line of the corner lot, exclusive of the width of any alley, and fronting on the street which intersects or intercepts the street on which the corner lot fronts (see Figure 9-5).

Lot, Reversed Corner. A corner lot having its side street lot line substantially a continuation of the front lot line of the first lot to its rear (see Figure 9-5).

Lot, Through. A lot having frontage on two parallel or approximately parallel streets (see Figure 9-5). For the purposes of defining the front and rear lot lines on a through lot, the front lot line shall be established based upon the predominate orientation of properties within the same block as the lot in question. Where no predominate orientation exists, predominate shall mean 51 percent of the lots on the same block.

Lot Size or Area. The total horizontal area within the boundary lines of a lot, inclusive of any easements. On a flag lot, the access portion of the lot is not included in the calculation of the lot area.

Figure 9-5
Lot Types

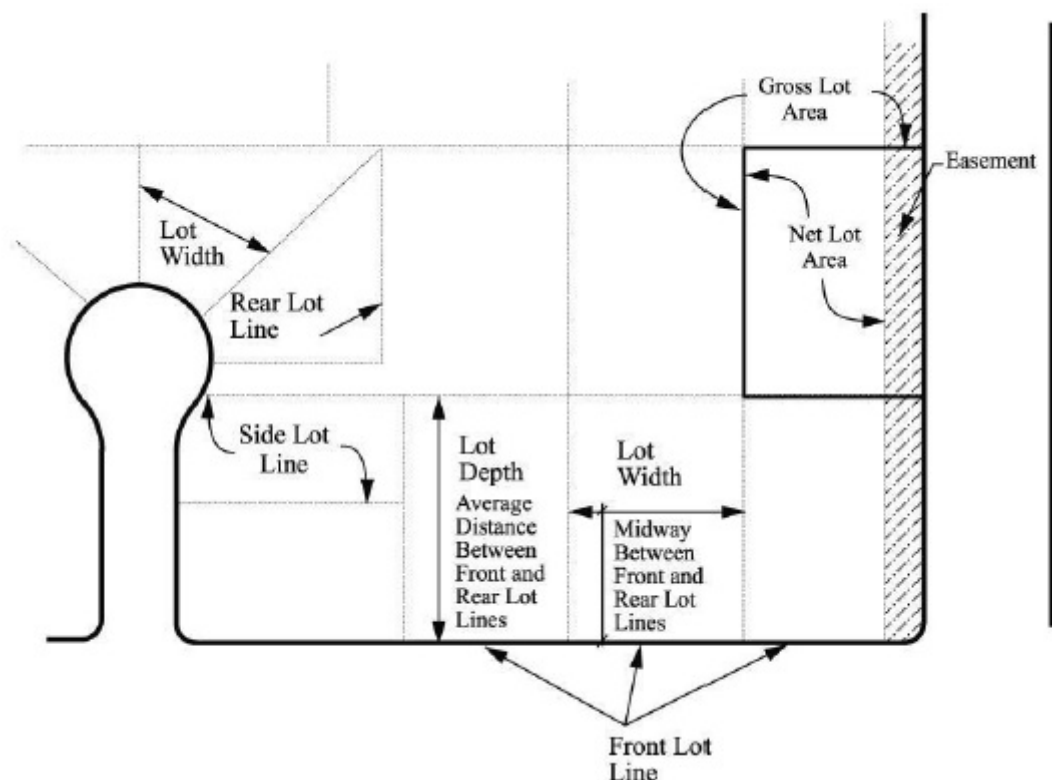


Lot Width. The horizontal distance between side lot lines, measured at the required front setback line streets (see Figure 9-6).

Lot Depth. The horizontal distance between the front and rear property lines, measured along a line midway between the side property lines. In the case of a lot having a curved front lot line, the lot front line (for purposes of measuring lot depth) shall be the line tangent to the curve and parallel to a straight line connecting the points of intersection of the side lot lines with the lot front line (see Figure 9-6).

Figure 9-6

Lot Measurements



Lot Coverage. The percentage of lot area covered by the primary and all accessory structures, including any enclosed patios. (Ord. 935 § 3 (part), 2015)

10.132.140 "M" Definitions.

Maintenance and Repair Services. Establishments that provide home appliance and/or electronic or office equipment repair and maintenance, or building maintenance services. Does not include maintenance and repair of vehicles (see "Vehicle/Equipment Repair").

Manufactured Housing. A dwelling unit built entirely in a factory under a federal building code administered by the U.S. Department of Housing and Urban Development (HUD).

Manufacturing and Assembly of Parts and/or Finished Goods. Establishments engaged in the manufacturing of finished parts or products, either from raw materials or previously prepared materials, within an enclosed structure. Includes processing, fabrication, assembly, treatment, testing (e.g., laboratories), packaging, incidental office storage, sales, and distribution of the parts or products; and laundry and dry cleaning plants. Excludes vehicle/equipment rentals ("Vehicle/Equipment Rentals"), vehicle/equipment repair ("Vehicle/Equipment Repair"), vehicle/equipment sales ("Vehicle/Equipment Sales"), and vehicle/equipment services ("Vehicle/Equipment Services").

Small. Establishments located in facilities that are 20,000 square feet or less in size.

Large. Establishments located in facilities that are over 20,000 square feet in size.

Massage. See Personal Services, General.

Medical Marijuana Cooperative or Collective. A collective, cooperative, association, or similar entity that cultivates, distributes, dispenses, stores, exchanges, processes, delivers, makes available, transmits, or gives away marijuana in the City for medicinal purposes to qualified patients, persons with an identification card, or primary caregivers pursuant to Health and Safety Code §§ 11362.5, 11362.7 -11362.83 and/or the Guidelines (as defined in this Chapter), or as these laws may be amended from time to time.

Medical Marijuana Dispensary. The use of any property or structure to distribute, transmit, give, dispense, or otherwise provide marijuana in any manner.

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.

Mobile Home. A transportable structure that is built on a permanent chassis and designed to function as a dwelling when connected to the required utilities, including plumbing, heating, air conditioning, and electrical systems (pursuant California Health and Safety Code Sections 18007 and 18008). Consistent with the California Health and Safety Code definitions, a mobile home is included in the definition of manufactured home.

Modeling Studios. See Chapter 5.38 (Modeling Studios).

Multifamily Housing. A type of housing where multiple separate housing units for residential inhabitants are contained within one building or several buildings within one complex.

Municipal Code. The Municipal Code of the City of La Puente.

Museum. See "Cultural Institution." (Ord. 935 § 3 (part), 2015)

10.132.150 "N" Definitions.

Newsrack or Newsstand. See Chapter 5.54 (Newsracks).

Nightclub. See "Eating and Drinking Establishments" and Chapter 5.24 (Entertainment).

Nonconforming Parcel. Any property created by a legal subdivision of land that was created in compliance with all applicable ordinances and laws at the time the property was subdivided but which, due to subsequently enacted ordinances or laws, no longer complies with the applicable regulations and standards for the zone in which the property is located.

Nonconforming Structure. Any structure, building, or improvement that was lawfully established and in compliance with all applicable ordinances and laws at the time it was erected but which, due to subsequently enacted ordinances or laws, no longer complies with the applicable regulations and standards for the zone in which the structure is located.

Nonconforming Use. Any use of land or activity that was lawfully established and in compliance with all applicable ordinances and laws at the time such use was initiated but which, due to subsequently enacted ordinances or laws, no longer complies with the applicable regulations and standards for the zone in which the use is located.

Nursery School. See "Child Day Care Facility." (Ord. 935 § 3 (part), 2015)

10.132.160 "O" Definitions.

Office.

Accessory. An office facility that is incidental and accessory to another business or sales activity that is the primary use of the structure or site.

Business Professional, Corporate. An establishment providing direct, "over-the-counter" services to consumers (e.g., insurance agencies, real estate offices, travel agencies, utility company offices, etc.) and office-type facilities occupied by businesses providing professional services and/or engaged in the production of intellectual property. This use does not include "Banks and Financial Services," which are separately defined.

Government. An administrative, clerical, or public contact office of a government agency, including postal facilities, together with the incidental storage and maintenance of vehicles.

Medical and Dental. An office or health facility providing health services including, without limitation, preventative and rehabilitation treatment, diagnostic services, testing and analysis. This use includes offices providing medical, dental, surgical, rehabilitation, podiatral, optometric, chiropractic and psychiatric services, and medical or dental laboratories incidental to these offices, but exclude inpatient services and overnight accommodation.

Off-Street Loading Facilities. A site or portion of a site devoted to the loading or unloading of motor vehicles or trailers, including loading berths, aisles, access drives, and landscaped areas.

Off-Street Parking Facilities (Vehicle Parking Area). A site or portion of a site, not including any public right-of-way, devoted to the parking of motor vehicles, including parking spaces, aisles, access drives, and landscaped areas. Does not include "Parking Storage".

Open Space, Common. The total land area within a residential development that is not individually owned nor dedicated for public

use, and that is designed, intended, and reserved exclusively for the shared use of all the residents of the development and their guests. Examples include barbecue and picnicking areas, play areas, swimming pools, tennis courts, turf areas, and other recreational or leisure features and facilities. Common Open Space does not include enclosed spaces/facilities such as a community center, meeting rooms, etc.

Open Space, Private. A usable open space adjoining and directly accessible to a dwelling unit, reserved for the exclusive use of residents of the dwelling unit and their guests.

Open Space, Usable. Outdoor space that serves a recreational function or provides visual relief from the building mass, the minimum dimension of which in any direction is 10 feet, excluding required front yards not used for balconies or patios.

Outdoor Storage and Display. The storage of any materials outside of a structure other than fencing, either as an accessory or primary use.

Outpatient Surgery Facility. Outpatient surgery facility, also referred to as ambulatory surgery facility, is a medical facility where surgery is performed that does not require an overnight hospital stay. Patients may go home after being released following surgery and time spent in the recovery room. (Ord. 935 § 3 (part), 2015)

10.132.170 "P" Definitions.

Parking Space. An unobstructed space or area other than a street or alley that is permanently reserved, maintained, and accessible for the parking of one motor vehicle.

Parks and Recreation Facilities. Public parks, play lots, playgrounds, and athletic fields for noncommercial neighborhood or community use, including sports courts. May include passive outdoor recreation areas that also may be located in conservation areas. Does not include the same facilities that are privately-owned or commercial facilities ("Commercial Recreation and Entertainment" or "Parks and Recreation Facilities - Private").

Parks and Recreation Facilities.

Private. Facilities for various outdoor participant sports and types of recreation where a fee is charged for use, including but not limited to golf driving ranges independent from golf courses, go-cart and miniature auto race tracks, health and athletic clubs with predominately outdoor facilities, tennis courts, and swim and tennis clubs.

Public. Public parks, play lots, playgrounds, and athletic fields for non-commercial neighborhood or community use, including sports courts. May include passive outdoor recreation areas that also may be located in conservation areas. Does not include the same facilities that are privately-owned or commercial facilities ("Commercial Recreation and Entertainment" or "Parks and Recreation Facilities - Private").

Patio. A paved outdoor area that is used for lounging, dining, etc.

Patio Cover. A solid or open roof structure and covering a patio, platform, or deck area, and that is either detached from or attached to another structure.

Pawn Shop. A commercial establishment that sells secondhand personal property and in which the operator provides loans secured by such personal property.

Permanent cosmetics. the application of pigments to or under the skin of a human being for the purpose of permanently changing the color of appearance of the skin. This includes, but is not limited to, permanent eyeliner, eye shadow, or lip color.

Personal Services.

Personal Services, General. Establishments that provide general services of a personal nature. Examples of these uses include:

Barber and beauty shops;

Clothing rental shops;

Dry cleaning drop-off/pick-up stores with limited on-site cleaning equipment;

Laundromats (self-service laundries);

Locksmiths;

Massage (State-licensed only);

Nail salons;

Shoe repair shops;

Tailors and seamstresses;

Tanning salons;

Tattoo establishments.

Personal Services, Restricted. Establishments that provide specialized services of a personal nature, generally involving direct physical contact between the patron and service provider. Examples of these uses include:

Acupuncture and acupressure services;

Body piercing establishments;

Day spas;

Fortunetelling.

Specifically excluded from these two definitions are any bona fide medical and dental offices, including chiropractic and podiatric offices.

Personal Storage (Mini Storage). A structure or collection of structures containing separate storage space that is designed to be leased or rented individually in an enclosed building. This use does not include outdoor storage or recreational vehicles, boats, personal watercraft, motorcycles, or trailers.

Planning Commissioner. The City of La Puente Planning Commission, referred to in this Zoning Code as the "Commission."

Planning Division. The Planning Division of the City of La Puente.

Planning Director. The Planning Director of the City of La Puente, referred to in this Zoning Code as the "Director."

Plant Nursery. A place where plants are propagated and grown to usable size. They include retail nurseries which sell to the general public, wholesale nurseries which sell only to businesses such as other nurseries and to commercial gardeners, and private nurseries which supply the needs of institutions or private estates.

Parks and Playground. See "Parks and Recreation Facilities".

Police Station. A building which serves to accommodate police officers and other members of staff. These buildings often contain offices and accommodation for personnel and vehicles, along with locker rooms, temporary holding cells, and interview/interrogation rooms. See also "Government Facilities".

Postal Services. Establishments that provide commercial postal services directly to the customer, including letter and parcel mailing, post office box rental, and related services.

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

Printing and Duplicating Services. An establishment providing printing, blueprinting, photocopying, engraving, binding, or related services.

Property Owner. The legal owner of a development who serves as the lessor to a tenant. The property owner shall be responsible for complying with the provisions of the ordinance either directly or by delegating such responsibility as appropriate to a tenant and/or his agent.

Public Assembly. See "Assembly, Private or Public."

Public Dances. See Chapter 5.22 (Dances) and Chapter 5.24 (Entertainment).

Public Utility Facility. A facility or support facility for the essential distribution, transmission, storage, supply and treatment of public services, such as electric, gas, telephone, water, and sewer.

Public Transmission Utility Facility and Support Facilities. See "Public Utility Facility." (Ord. 935 § 3 (part), 2015)

10.132.180 "Q" Definitions.

Queuing Space. A temporary waiting area for motor vehicles or persons obtaining a service or other activity. (Ord. 935 § 3 (part), 2015)

10.132.190 "R" Definitions.

Recreation and Entertainment. See "Commercial Recreation."

Recreational Vehicle (RV). A motor home, travel trailer, truck camper, camping trailer, or boat or other water sport vehicle with motive power designed for recreational purposes at a location other than a personal residence.

Recycling Facilities. This land use type includes a variety of facilities involved with the collection of recyclable materials. A "certified" recycling or processing facility is certified by the California Department of Conservation as meeting the requirements of the California Beverage Container Recycling and Litter Reduction Act of 1986. Recyclable material includes reusable domestic containers and other materials that can be reconstituted, remanufactured, or reused in an altered form, including glass, metals, paper, and plastic. Recyclable material does not include refuse or hazardous materials. This land use does not include storage containers located on a residentially, commercially, or industrially designated site used solely for the recycling of material generated on the site.

Collection facility (large). A facility that occupies an area of more than 350 square feet and/or includes permanent structures where the public may donate, redeem, or sell recyclable materials.

Collection facility (small). A facility that occupies an area of 350 square feet or less where the public may donate, redeem, or sell recyclable materials and may include:

1. A mobile unit.
2. Bulk reverse vending machines or a grouping of reverse vending machines occupying more than 50 square feet. A bulk reverse vending machine is a reverse vending machine that is larger than 50 square feet, is designed to accept more than one container at a time, and issues a cash refund based on total weight instead of by container.
3. Kiosk-type units that may include permanent structures.

Reverse vending machine. An automated mechanical device which accepts at least one or more types of empty beverage containers and issues a cash refund or a redeemable credit slip with a value not less than the container's redemption value, as determined by State law. These vending machines may accept aluminum cans, glass and plastic bottles, and other containers. The vending machines typically occupy an area of less than 50 square feet.

Processing Facility. A structure or enclosed space used for the collection and processing of recyclable materials. Processing means the preparation of material for efficient shipment, or to an end-user's specifications, by such means as bailing, briquetting, compacting, flattening, grinding, crushing, mechanical sorting, shredding, cleaning and remanufacturing.

Religious Assembly. See "Assembly, Religious."

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.

Restaurants. See "Eating and Drinking Establishments."

Retail Sales. Commercial enterprises or establishments, completely enclosed within structures, engaged in selling goods or merchandise to the general public for profit. Examples of these establishments and lines of merchandise include:

Antiques;

Appliances;

Artists' supplies;

Automotive parts and accessories;

Bakeries (retail only);

Bicycle sales and rentals;

Books;

Cameras and photographic supplies;

Carpeting and floor covering;

Clothing and accessories;

Convenience market;

Drug and discount stores;

Electronic equipment;

Fabrics and sewing supplies;

Florists and houseplant stores (indoor sales only);

Gift shops;

Grocery store;

Handcrafted items;

Hardware;

Hobby materials;

Jewelry;

Kitchen utensils;

Locksmiths;

Luggage and leather goods;

Medical supplies and equipment;

Musical instruments, parts and accessories;

Newsstands;

Office supplies;

Orthopedic supplies;

Paint and wallpaper;

Pharmacies;

Religious goods;

Secondhand clothing sales;

Shoe stores;

Small wares;

Specialty food and beverage;

Specialty shops;

Sporting goods and equipment;

Stationery;

Supermarket;

Toys and games;

Travel services.

Reverse Vending Machine. See "Recycling Facilities."

Review Authority. The person or decision-making body with administrative responsibility for the consideration and action upon any permit or approval pursuant to the requirements of this Zoning Code. (Ord. 935 § 3 (part), 2015)

10.132.200 "S" Definitions.

Scarification. Any method used to alter skin texture by cutting the skin and controlling the body's healing process in order to produce wounds which result in permanently raised welts or bumps, or any other technique that changes the contour or level plane of the skin and/or results in a scar on the skin.

Schools, Public and Private. A public or private academic educational institution, including boarding schools; colleges and universities; elementary, middle/junior, and high schools; military academies; and businesses providing instruction in arts and languages. This definition does not include trade schools or non-tuition part-time instruction at places of religious assembly.

Secondhand Store. A business involved in the retail sale of used goods and merchandise, whereby the sale of such used goods and merchandise comprise 25 percent or more of total monthly sales volume. This definition does not include pawn shops.

Security Screens and Shutters. Screens and shutters, generally made of metal, including but not limited to roll-up shutters, sliding scissor gates, bars, fences, or similar devices attached to or covering a window or door, and which are intended to provide protection against vandalism and burglaries. Security screens and shutters shall not include roll-up doors and shutters typically used on commercial and industrial buildings that provide openings for such features as vehicle repair garage bays and loading docks.

Senior Citizen. Generally, any person 62 years of age or older. However, for purposes of any State or federal housing programs, the age may be 55 years or older.

Senior Citizen Housing, Congregate Care. A senior citizen housing development having a common dining facility and limited kitchen facilities in the individual living units.

Senior Citizen Housing, Independent Living. A senior citizen housing development comprised of self-contained dwelling units having one or more rooms with private bath and kitchen facilities.

Sensitive Use. Any kindergarten, elementary school, middle school, high school, public library, public park, or youth-oriented establishment characterized by either or both of the following: (1) the establishment advertises in a manner that identifies the establishment as catering to or providing services primarily intended for minors; or (2) the individuals who regularly patronize, congregate or assemble at the establishment are predominantly minors. Shall also include any place of religious assembly.

Service Station. See "Vehicle Equipment/Service."

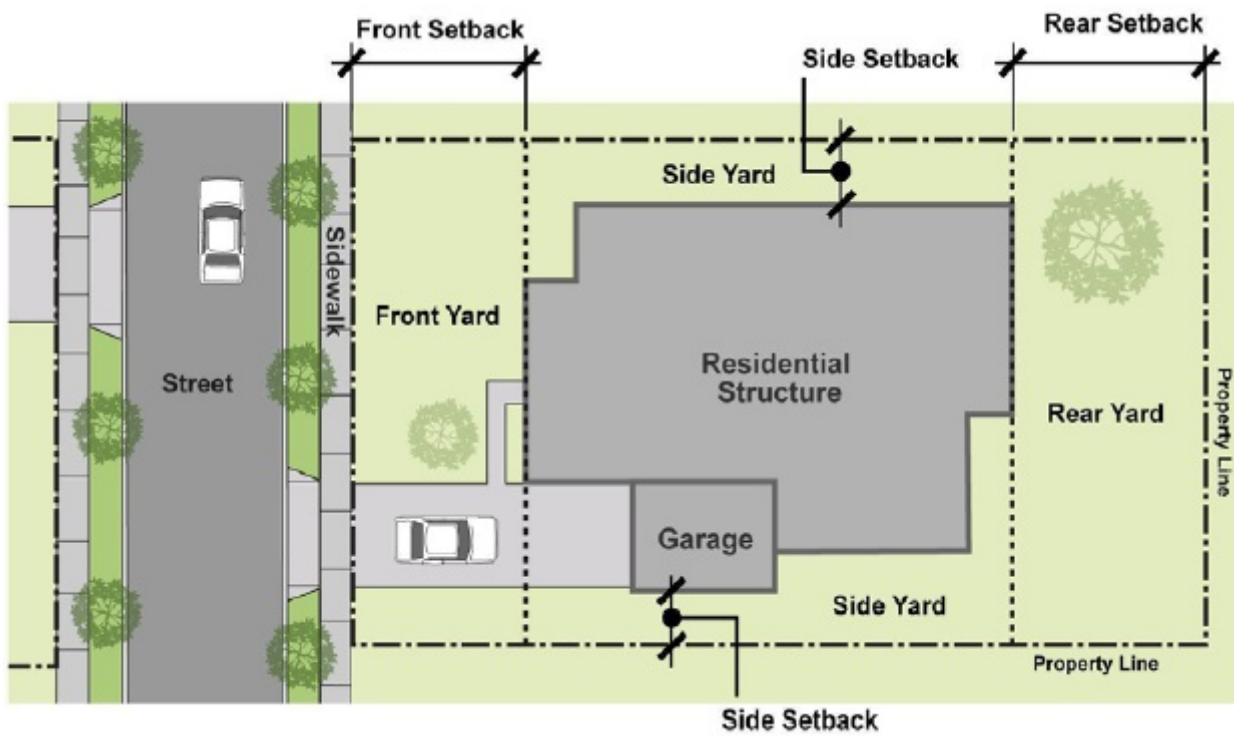
Setback. The distance from which a structure, parking area, or other development feature must be separated from a prescribed lot line, easement, or other structure or development feature (see Figure 9-7).

Front Setback. The minimum distance required between a structure and the front property line.

Side Setback. The minimum distance required between a structure and a side property line.

Rear Setback. The minimum distance required between a structure and the rear property line.

Figure 9-7 Setbacks



Sign. See Chapter 10.34 (Signs).

Smoke Lounge. An establishment that is dedicated, in whole or part, to providing tobacco or other substances for smoking by patrons on the premises for a fee, including but not limited to establishments known as cigar lounges, hookah lounges, tobacco clubs, tobacco bars, and vape lounges. Does not include a "smoke shop," which sells tobacco products, smoking accessories, and electronic or other smoking devices, but does not provide for on premises use of tobacco products.

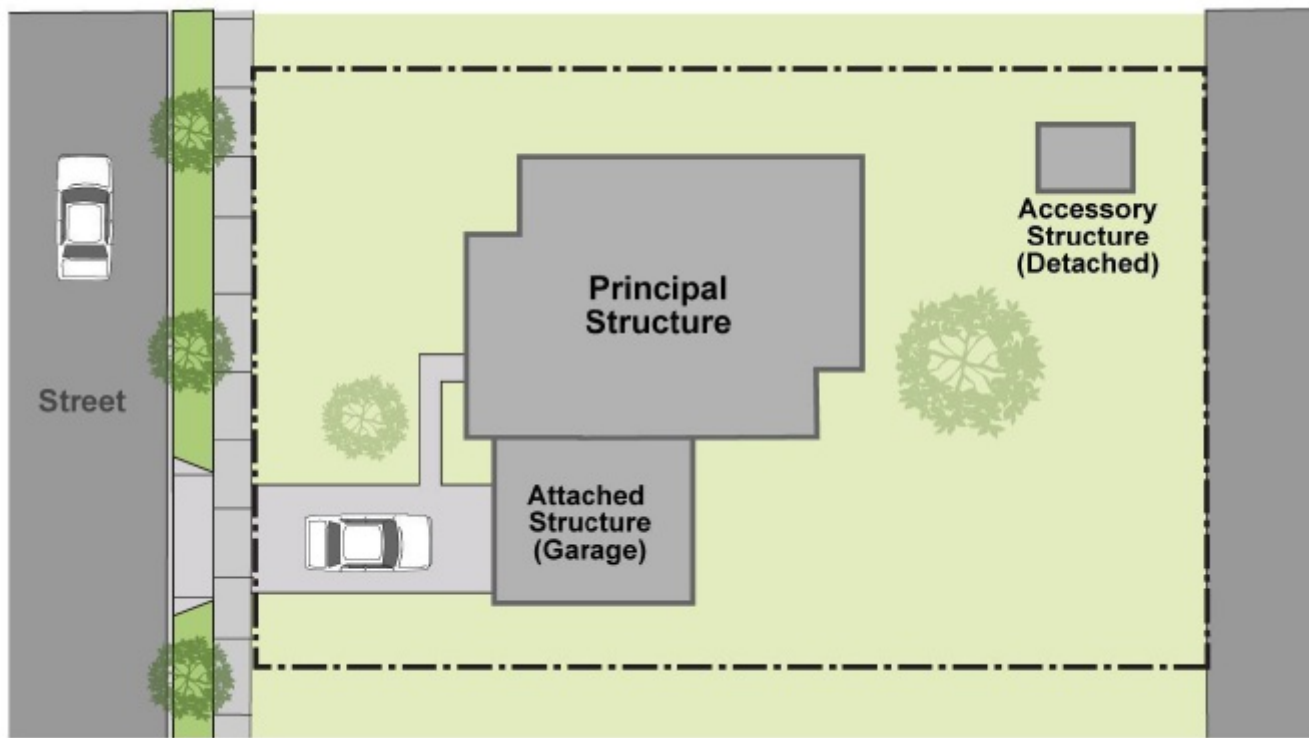
Smoke Shop. A retail store or an establishment that either: (a) devotes more than 15 percent of its total floor space to cigarettes, cigars, tobacco products, electronic cigarettes and/or vaporizers (electronic devices containing a heating element, battery and electronic circuit, and a mouthpiece, which is intended to provide a vapor of liquid nicotine and/or other substances to enable inhalation by the user), and/or smoking accessories, or (b) devotes more than a two-foot by four-foot (two feet in depth maximum) section of shelf space for display for sale and sale of cigarettes, cigars, tobacco products, electronic cigarettes and/or vaporizers, and/or smoking accessories.

South Coast Air Quality Management District (SCAQMD). The regional authority appointed by the California State Legislature to meet federal standards and otherwise improve air quality in the South Coast Air Basin (the non-desert portions of Los Angeles, Orange, Riverside, and San Bernardino Counties).

Structure. Anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground.

1. Structure, Accessory. See "Accessory Structure."
2. Structure, Attached. Any structure that does has a wall or roof in common with another structure.
3. Structure, Detached. Any structure that does not have a wall or roof in common with another structure.
4. Structure, Principal. A structure in which is conducted the principal use of the lot and/or building site (see Figure 9-8).

Figure 9-8
Structure Types



Studio - Dance, Martial Arts, or Similar Instruction. Small-scale instructional facilities, typically accommodating one group of students at a time, in no more than one instructional space. Examples include: individual and group instruction and training in the arts, production rehearsal, photography and the processing of photographs produced only by users of the studio facilities, martial arts training studios, and gymnastics instruction. 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 "Modeling Studio", see Chapter 5.38 (Modeling Studios).

Supportive Housing. Housing with no limit on length of stay, that is occupied by the target population, and that is linked to an onsite or offsite service that assists the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community. *Target Population* means persons with low incomes who have one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health condition, or individuals eligible for services provided pursuant to the Lanterman Developmental Disabilities Services Act [Division 4.5 (commencing with Section 4500) of the Welfare and Institutions Code] and may include, among other populations, adults, emancipated minors, families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, and homeless people. Supportive housing is a residential use of property subject only to those restrictions that apply to other residential dwellings of the same type in the same zone.

(Ord. 935 § 3 (part), 2015; Ord. 939 § 6, 2016)

10.132.210 "T" Definitions.

Tattoo, Body Piercing, and Similar Establishments or Parlors. Place where people receive permanent decorative tattoos from a tattoo artist and/or body piercings, but does not include severe body mutilation.

Tattooing. To insert pigment under the surface of the skin of a human being, by pricking with a needle or otherwise, to produce an indelible mark or figure visible through the skin.

Taxicab Operators. See Chapter 5.48 (Taxicab Operators).

Temporary Uses. See Chapter 10.96 (Temporary Use Permits).

Tenant. The lessee of facility space at an applicable development project.

Trade School. A vocational school (or career school), providing vocational education, is a school in which students are taught the specific skills needed to perform a particular job.

Trailer. An unpowered vehicle pulled by a powered vehicle.

Transitional Housing. Buildings configured as rental housing developments, but operated under program requirements that require the termination of assistance and recirculating of the assisted unit to another eligible program recipient at a predetermined future point in time that shall be no less than six months from the beginning of the assistance. Transitional housing is a residential use of property subject only to those restrictions that apply to other residential dwellings of the same type in the same zone.

Transportation Demand Management (TDM). The alteration of travel behavior, usually on the part of commuters, through programs of incentives, services, and policies. TDM addresses alternatives to single occupant vehicles such as carpooling and vanpooling, and changes in work schedules that move trips out of the peak period or eliminate them altogether (as is the case in telecommuting or compressed work weeks).

Tree, Mature. Any self-supporting woody perennial plant which has a diameter four inches or greater measured six feet above the tree's base.

Trip Reduction. Reduction in the number of work-related trips made by single occupant vehicles.

Turf. Single-bladed grass or sod.

(Ord. 935 § 3 (part), 2015; Ord. 939 § 7, 2016)

10.132.220 "U" Definitions.

Unit. See "Dwelling."

Urgent Care Facility. A public or private hospital-based or free-standing facility, that includes x-ray and laboratory equipment and a life support system, licensed or legally operating as an urgent care facility, primarily providing minor emergency and episodic medical care with one or more physicians, nurses, and x-ray technicians in attendance at all times when the facility is open.

Use (Land Use). The purpose for which land or a structure is, arranged, designed, intended, maintained, or occupied.

Use, Accessory. See "Accessory Use."

Use, Allowed. A use of land identified by Article 2 (Zones, Allowable Uses, and Development and Design Standards) as an allowed or conditional use that may be established with land use permit, subject to compliance with all applicable provisions of Article 2.

Use, Principal. The principal or predominant use of any lot, building, or structure.

Use, Nonconforming. See "Nonconforming Use."

Utilities. All lines and facilities related to the provision, distribution, collection, transmission, or disposal of water, storm and sanitary sewage, oil, gas, power, information, telecommunication and telephone cable services by public utilities, and includes facilities for the generation of electricity. Does not include "Communications Facilities" or "Wireless Telecommunications Facilities." (Ord. 935 § 3 (part), 2015)

10.132.230 "V" Definitions.

Vanpool. A vehicle carrying seven or more persons commuting together to and from work on a regular basis, usually in a vehicle with a seating arrangement designed to carry seven to fifteen adult passengers, and on a prepay subscription basis. See also "Buspool" and "Carpool."

Variance. A modification of the specific regulations of this Development Code granted by the City Council in accordance with the terms of this Code for the purpose of assuring that no property, because of special circumstances applicable to it, shall be deprived of privileges commonly enjoyed by other properties in the same vicinity and zone.

Vehicle. Any motorized form of transportation, including but not limited to automobiles, vans, buses, and motorcycles.

Vehicle/Equipment Rentals.

General. Rental of automobiles, construction equipment, motorcycles, recreational vehicles, trucks, and similar vehicles and equipment, including on-site storage and incidental maintenance that does not require pneumatic lifts.

Limited. Limited to the rental of bicycles, tricycles, quadricycles, or similar pedal-propelled or battery-propelled equipment. May

also include the maintenance, minor repair, and on-site storage of the equipment offered for rent.

Office Only. Rental of automobiles, motorcycles, recreational vehicles, trucks, and other types of transportation vehicles. Does not include the on-site storage of or incidental maintenance of vehicles.

Vehicle/Equipment Repair.

General. A business involved in the major repair of automobiles, motorcycles, recreational vehicles, or trucks, including light-duty trucks (gross vehicle weights of less than 10,000 pounds) and heavy-duty trucks (gross vehicle weights of 10,000 pounds or more), with such repair including full-service motor vehicle repair, machine shops, towing services; and transmission repair and replacement. The definition also includes any use or activity included in Limited Vehicle/Equipment Repair below. The definition does not include vehicle dismantling or salvage, body repair, painting, or tire retreading or recapping.

Limited. A business involved in the minor repair of automobiles, motorcycles, recreational vehicles, or light trucks, vans or similar size vehicles (i.e., vehicles that have gross vehicle weights less than 10,000 pounds), including installation of electronic equipment (e.g., alarms, stereos, etc.); servicing of cooling, electrical, fuel and exhaust systems; brake adjustments, relining and repairs; oil and lube shops; wheel alignment and balancing, and tire sales and installation.

Vehicle/Equipment Sales (New and Used).

Vehicle/Equipment Sales. Sale of automobiles, construction equipment, 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.

Vehicles Sales, Office Only. Limited to an office for the sale of automobiles. Does not include on-site inventory, display, storage, maintenance, or repair of automobiles. May be subject to parking requirements of the Department of Motor Vehicles.

Vehicle/Equipment Service.

Automobile Washing/Detailing. Establishments engaged in the washing, waxing, or cleaning of automobiles or similar light vehicles.

Full Service. A car wash establishment where operating functions are performed entirely by an operator owner with the use of washing, waxing, and drying equipment supplemented with manual detailing by the operator owner.

Self Service or Accessory. An establishment where washing, drying, polishing, or vacuuming of an automobile is done by the car driver or occupant.

Service Stations - No Retail Sales of Non-Automotive Goods. Establishments engaged in the retail sale of gasoline, diesel, and alternative fuel, lubricants, parts, and accessories, including incidental "minor" maintenance and repair of automobiles and light trucks, vans, or similar size vehicles (i.e., vehicles that have gross vehicle weights less than 10,000 pounds). Does not include body and fender work or "heavy" repair of trucks or other motor vehicles (see "Vehicle/Equipment Repair, General").

Service Stations - With Limited Retail Sales of Non-Automotive Goods. 500 square feet or less of floor area for retail sales.

Service Stations - With Retail Sales of Non-Automotive Goods. More than 500 square feet of floor area for retail sales.

Vehicle Storage. The storage of operative or inoperative vehicles. These uses include storage of towed vehicles, impound yards, and storage lots for buses and recreational vehicles, but do not include vehicle dismantling.

Vending Machine. An automated machine that provides snacks, beverages, lottery tickets, movie rentals and other products to consumers without a cashier.

Veterinary Hospital/Clinic. See "Animal Sales and Services."

Visitor Accommodations. See "Hotel or Motel." (Ord. 935 § 3 (part), 2015)

10.132.240 "W" Definitions.

Warehousing. Establishments 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 (mini storage) facilities offered for rent or lease to the general public ("Personal Storage-Mini-Storage"); or warehouse facilities in which the primary purpose of storage is for wholesaling ("Wholesaling").

Small - Establishments located in facilities that are 5,000 square feet or less in size.

Large - Establishments located in facilities that are over 5,000 square feet in size.

Water-efficient Landscaping. 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.

Water-efficient Irrigation System. A system which is scheduled and managed to supply moisture to a landscape without excess or waste.

Water Facilities. Facilities for the supply and distribution of water, including water wells, reservoirs, tanks, treatment plants, gauging stations and pumping stations. See also "Public Utility Facilities".

Wholesaling. The sale of commercial goods at or near production cost.

Wireless Communication Facilities.

1. Accessory equipment. Any equipment installed, mounted, operated, or maintained in close proximity to a personal Wireless Communication Facility to provide power to the personal Wireless Communication Facility or to receive, transmit, or store signals or information received by or sent from a personal Wireless Communication Facility.

2. Amateur Radio Antenna. An antenna at a height and dimension sufficient to accommodate amateur radio service communications in compliance with Part 97 of Title 47 of the Code of Federal Regulations (or successor regulations).

3. Antenna. Any system of dishes, panels, poles, reflecting disks, rods, and wire or similar devices used for the transmission or reception of electromagnetic signals.

4. Antenna Structure. Any structure designed specifically to support an antenna and/or any appurtenances mounted on a structure or antenna.

5. Cell Site. A parcel of land that contains a wireless communication facility/ies.

6. Co-Location. The placement of two or more wireless communication facility on the same site, building, or structure where each facility is operated by a different carrier, operator, or owner.

7. Communications tower. A freestanding mast, pole, monopole, guyed tower, lattice tower, free standing tower or other structure designed and primarily used to support wireless communication facility antennas.

8. In-kind call testing. Testing designed to measure the gap in coverage asserted by an applicant. If a claimed gap is for in-building coverage, then in-building call testing shall be performed to establish the existence or absence of such a gap unless the applicant provides a sworn affidavit demonstrating good faith but unsuccessful attempts to secure access to buildings to conduct the testing and the circumstances that prevented the applicant from conducting the testing. Claimed gaps in service for "in-vehicle" or "open-air" service may be demonstrated by call testing performed in vehicles or in the open.

9. Least intrusive means. The location or design of a personal wireless communication facility addresses a significant gap in an applicant's personal communication service while doing the least disservice to the policy objectives of Section 10.50.200. Analysis of whether a proposal constitutes the least intrusive means shall include consideration of means to close an asserted significant gap by co-locating a new personal wireless communication facility on the site, pole, tower, or other structure of an existing personal wireless communication facility.

10. Monopole. A structure composed of a single spire, pole, or tower used to support antennas or related equipment. A monopole also includes a monopin, monopal, and similar monopoles camouflaged to resemble faux objects attached on a monopole.

11. Mount. A mount is the structure or surface upon which antennas are mounted. There are two types of mounts:

(1) Ground mounted - mounted on the ground, including but not limited to, monopoles, and (2) structure mounted - mounted to the facade or roof of an existing structure.

12. MPE. Maximum permissible exposure.

13. OET or FCC OET. The FCC's Office of Engineering & Technology.

14. Personal communication service. Commercial mobile services provided under a license issued by the FCC.

15. Personal Wireless Communication Facility, Wireless Communication Facility, or Wireless Facility. A structure, antenna, pole, tower, equipment, accessory equipment and related improvements used, or designed to be used, to provide wireless transmission of voice, data, images or other information, including but not limited to cellular phone service, personal communication service and paging service.

16. Significant gap. As applied to an applicant's personal communication service or the coverage of its personal wireless communication facilities is intended to be defined in this Section consistently with the use of that term in the Telecommunications Act of 1996 and case law construing that statute. Provided that neither the Act nor case law construing it requires otherwise, the following guidelines shall be used to identify such a significant gap:

a. A significant gap may be demonstrated by in-kind call testing.

b. The applicable review authority shall accept evidence of call testing by the applicant and any other interested person and shall not give greater weight to such evidence based on the identity of the person who provides it but shall consider (i) the number of calls conducted in the call test, (ii) whether the calls were taken on multiple days, at various times, and under differing weather and vehicular traffic conditions, and (iii) whether calls could be successfully initiated, received and maintained in the area within which a significant gap is claimed.

c. A significant gap may be measured by:

i. The number of people affected by the asserted gap in service; and

ii. Whether a Wireless Communication Facility is needed to merely improve weak signals or to fill a complete void in coverage.

17. Stealth and Stealthing. Any personal wireless communication facility which is designed to substantially blend into the surrounding environment by, among other things, architecturally integrating into a structure or otherwise using design elements to conceal antennas, antenna supports, poles, equipment, cabinets, equipment housing and enclosure; and related above-ground accessory equipment.

18. Wireless Communication Facility/ies. Wireless community facility/ties are any co-located, ground-mounted, roof-mounted, or stealth device or system used for transmitting and/or receiving electromagnetic signals, including, but not limited to, microwaves and radio waves for cellular technology, data transmission, e-mail, mobile services, paging systems, personal communications services, and related technologies. A wireless community facility includes antennas, antenna structures, microwave dishes, parabolic structures; wireless community facility support facilities that house support equipment; and other accessory development, equipment, improvements, and structures used to support the operation of the wireless community facility.

19. WCF Support Facilities. Wireless community facility support facilities are any enclosed box, cabinet, shed, or structure located on the cell site which houses, among other things, batteries, electrical, or other equipment necessary for the operation of the wireless community facility. This shall apply to any associated structures deemed necessary for the operation of the wireless community facility. (Ord. 935 § 3 (part), 2015)

10.132.250 "X" Definitions.

Xeriscape. Landscape methods which conserve water through the use of drought-tolerant plants, mulching, irrigation, maintenance, limited turf, soil improvements, and design. (Ord. 935 § 3 (part), 2015)

10.132.260 "Y" Definitions.

Yard. An open space other than a court on a lot, unoccupied and unobstructed from the ground upward, except as otherwise provided in this Title.

Yard Area. The horizontal area between a property line and a parallel line along the nearest structure located outside of the required setback area.

Yard Area, Required. The open space between a lot line and the building area within which no structure is permitted to be located.

Yard, Front. A yard extending across the full width of a lot abutting the front lot line, having at all points the minimum required depth, which shall be measured at right angles to the front lot line or by the radial line in the case of a curved front lot line. (Ord. 935 § 3

(part), 2015)

10.132.270 "Z" Definitions.

Zone. Any of the residential, commercial, industrial, special-purpose, or overlay districts established by Article 3 of this Zoning Code, within which certain land uses are allowed or prohibited, and certain site planning and development standards are established (e.g., setbacks, height limits, site coverage requirements, etc.).

Zoning Administrator. The Zoning Administrator of the City of La Puente, or designee designated to perform the duties prescribed by this Zoning Code relating to zoning functions. (Ord. 935 § 3 (part), 2015)

Appendix Official Zoning Map

{To view the Zoning Map in PDF, click [HERE](#)}



(Ord. 935 § 3 (part), 2015)

Title 11 DIVISION OF LAND ORDINANCE

Chapters:

11.04 General Provisions

11.08 Definitions

- 11.10 Condominium Projects
- 11.11 Planned Development Projects
- 11.12 Tentative Maps
- 11.16 Tentative Tract Map Processing
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Chapter 11.04

GENERAL PROVISIONS

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- 11.04.020 Purpose.
- 11.04.030 Authority.
- 11.04.040 References to other laws.
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- 11.04.060 Exemptions.
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- 11.04.100 Other remedies.
- 11.04.110 Falsifications.
- 11.04.120 Division of land review committee.
- 11.04.130 Advisory agency.
- 11.04.140 Modifications.
- 11.04.150 Certificate of compliance.
- 11.04.160 Notice of violation.

11.04.010 Short title.

This title may be cited as the "Division of Land Ordinance."

(Ord. 537 § 2 (part), 1985)

11.04.020 Purpose.

This title is intended to promote the conservation, stabilization, and protection of property values through orderly growth and development, the provision of necessary public and private facilities, and generally, the public health, safety, and general welfare within the incorporated territory.

(Ord. 537 § 2 (part), 1985)

11.04.030 Authority.

The provisions of this title derive their authority from the California State Subdivision Map Act, and from Article XI, Section 11 of the Constitution of the state of California. This title shall regulate the design and improvement of divisions of land within the corporate boundary of the city and shall augment the provisions of the Subdivision Map Act.

(Ord. 537 § 2 (part), 1985)

11.04.040 References to other laws.

Whenever reference is made to an ordinance of the city or to a statute of the state of California, such reference applies to the requirements of the ordinance or statute applicable on the date of final action on a tentative map and to the provisions of variances and permits granted pursuant to such ordinances or statutes.

(Ord. 537 § 2 (part), 1985)

11.04.050 Compliance required.

A person shall not sell, lease, finance, or transfer title to a portion of a division of land or real property for which a final map or parcel map is required by the Subdivision Map Act or this title, or offer to do so, by contract to do so, until a final map or parcel map thereof, in full compliance with the provisions of this title and of the Subdivision Map Act, has been filed in the office of the recorder of the county except as specifically exempted by the Map Act.

(Ord. 537 § 2 (part), 1985)

11.04.060 Exemptions.

The provisions of this title do not apply to any portion of a division of land in full compliance with or exempt from any law which was in effect at the time the division was established.

(Ord. 537 § 2 (part), 1985)

11.04.070 Building permits.

No building shall be constructed, nor shall a permit for the construction of a building be issued, nor shall a portion of any parcel be used when not conforming to the provisions of this title.

(Ord. 537 § 2 (part), 1985)

11.04.080 Penalty for noncompliance.

Violation of this title which is not also prohibited by the Subdivision Map Act or by any other state statute, is a misdemeanor, punishable by a fine of not more than five hundred dollars, or by imprisonment in the county jail for not more than six months, or by both such fine and imprisonment.

(Ord. 537 § 2 (part), 1985)

11.04.090 Transaction voidable.

The determination and abatement of a violation of the Subdivision Map Act shall be in accordance with Sections 66499.30, 66499.31, 66499.32, 66499.33, 66499.34, 66499.35, 66499.36, and 66499.37 of the State Government Code.

(Ord. 537 § 2 (part), 1985)

11.04.100 Other remedies.

The provisions of this title are not intended to prohibit any legal, equitable, or summary remedy to which the city or other political subdivision, or any person may otherwise be entitled, and the city or other political subdivision or person may file suit in a court of competent jurisdiction, to restrain or enjoin any attempted or proposed division of land in violation of the Subdivision Map Act or of this title.

(Ord. 537 § 2 (part), 1985)

11.04.110 Falsifications.

Inaccurate or missing pertinent information shall be sufficient reason to invalidate in whole or in part any approval obtained pursuant to this title.

(Ord. 537 § 2 (part), 1985)

11.04.120 Division of land review committee.

There is created a division of land review committee consisting of the following officers or their duly authorized representatives:

- (a) The director of planning;
- (b) The city engineer;
- (c) The fire chief;
- (d) The superintendent of streets;
- (e) The chief engineer of the Los Angeles County flood control district;
- (f) Such other city officers or representatives of other agencies which in the opinion of the director of planning have an interest in a proposed division of land.

The director of planning shall be the chairman of the division of land review committee.

(Ord. 537 § 2 (part), 1985)

11.04.130 Advisory agency.

(a) The city planning commission is designated as the "advisory agency" as that term is used in the Subdivision Map Act, except for minor lot line adjustments not resulting in the creation of any new parcel, certificates of compliance, and notices of violation for which the director of planning is so designated and for which he is authorized to report directly to the subdivider or applicant.

(b) The advisory agency shall have all of the powers and duties granted or imposed by said Subdivision Map Act except as assigned to the city council by this title.

(Ord. 537 § 2 (part), 1985)

11.04.140 Modifications.

(a) Whenever, in the opinion of the city council, the land involved in a subdivision is of such size or shape, or is subject to such title limitations of record or is affected by such topographical location or conditions, or is to be devoted to such usage, that it is impossible or impractical for the subdivider to conform fully to a regulation contained in this title, the city council may, at the time of action on the tentative map of the subdivision, modify the regulation; provided, that in the case of each modification the city council shall first find that a special, individual reason makes the strict letter of the regulation impossible or impractical of observance and that the modification is in conformity with the spirit and purpose of the Subdivision Map Act and of this title; and provided, further, that the city council shall make a report in writing setting forth each modification and the facts relied upon for making the modification.

(b) The advisory agency, or the city council shall waive the provisions of this title and of Section 66473 of the Subdivision Map Act requiring disapproval of maps for failure to meet or perform state or local requirements or conditions, when the failure of a map submitted for approval is the result of a technical and inadvertent error which, in the determination of the advisory agency or the city council, does not materially affect the validity of the map. Such waivers shall not result in the invalidation or negation of any substantive requirement of this title, the Subdivision Map Act or any other ordinance, statute or regulation.

(Ord. 537 § 2 (part), 1985)

11.04.150 Certificate of compliance.

The advisory agency is authorized to make all required determinations on certificates of compliance pursuant to the provisions of Sections 66499.34 and 66499.35 of the Subdivision Map Act. A property owner dissatisfied with an action of the advisory agency on a certificate of compliance may appeal to the city council. A vendee of real property pursuant to a contract of sale may also appeal to the city council. All appeals shall be submitted and acted upon in the manner prescribed in Section 66452.5 of the Government Code.

(Ord. 537 § 2 (part), 1985)

11.04.160 Notice of violation.

The advisory agency is authorized to make all required determinations on notices of violation pursuant to the provisions of Section 66499.36 of the Subdivision Map Act. A property owner dissatisfied with an action of the advisory agency on a notice of violation may appeal to the city council. All appeals shall be submitted and acted upon in the manner prescribed in Section 66452.5 of the Government Code. Any city official having knowledge of a possible violation of the provisions of the Subdivision Map Act or this title, shall direct such information to the advisory agency. If the advisory agency, either on its own initiative or upon investigation of information received from another city official or any other interested person, determines that real property has been divided in violation of the Subdivision Map Act or of this title, it shall initiate the procedures set forth in Section 66499.36 of the Subdivision Map Act.

(Ord. 537 § 2 (part), 1985)

Chapter 11.08 DEFINITIONS

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- 11.08.002 Condominium project.
- 11.08.003 Condominium unit.
- 11.08.004 Common areas.
- 11.08.005 Community apartment project.
- 11.08.010 Dedication.
- 11.08.020 Design.
- 11.08.030 Design unit.
- 11.08.040 Division of land.

11.08.050 Drainage facility.
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11.08.135 Interested person.
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11.08.185 Planned development project.
11.08.190 Record of survey.
11.08.195 Stock cooperative.
11.08.200 Subdivider.
11.08.210 Tentative map.

11.08.001 Condominium.

(a) A condominium is an estate in real property consisting of an undivided interest in common in a portion of a parcel of real property, together with a separate interest in a space in a building on such property.

(b) Such estate may, with respect to the duration of its enjoyment, be either:

- (1) An estate of inheritance or perpetual estate;
- (2) An estate for life; or
- (3) An estate for years, such as a leasehold or a subleasehold.

(Ord. 537 § 2 (part), 1985)

11.08.002 Condominium project.

"Condominium project" means the entire parcel of real property divided, or to be divided, into condominiums including all structures thereon. A condominium project may be approved for residential, commercial, or industrial use.

(Ord. 537 § 2 (part), 1985)

11.08.003 Condominium unit.

"Condominium unit" means the element of a condominium project whether residential, commercial, or industrial, which is not owned in common with other owners of the condominium project.

(Ord. 537 § 2 (part), 1985)

11.08.004 Common areas.

"Common areas" means the entire condominium project excepting all units therein granted or reserved.

(Ord. 537 § 2 (part), 1985)

11.08.005 Community apartment project.

A community apartment project is created when an undivided interest in the land is coupled with the right of exclusive occupancy of any apartment located thereon.

Such a project shall be subject to the same restrictions, conditions and requirements as for condominium projects.

(Ord. 537 § 2 (part), 1985)

11.08.010 Dedication.

"Dedication" means the grant of real property for public use whether by fee or easement.

(Ord. 537 § 2 (part), 1985)

11.08.020 Design.

"Design" shall have the same meaning defined by the Map Act.

(Ord. 537 § 2 (part), 1985)

11.08.030 Design unit.

"Design unit" means a parcel of land shown on a tentative map for which the subdivider requests approval of design.

(Ord. 537 § 2 (part), 1985)

11.08.040 Division of land.

(a) For the purpose of this title, "division of land" refers to any parcel or contiguous parcels of land, or any portion thereof, improved or unimproved, which are divided for the purpose of transfer of title, sale, lease or financing, whether immediate or future, into one or more parcels, except that the term "division of land" shall not refer to:

(1) Land dedicated for cemetery purposes under the Health and Safety Code of the state of California;

(2) The leasing or financing of apartments, offices, stores or similar space within an apartment building, industrial building, commercial building, mobile home park, or trailer park;

(3) Division of mineral, oil, or gas leases;

(4) The leasing of agricultural land for agricultural purposes;

(5) A minor lot line adjustment between two or more existing adjacent parcels, where the land taken from one parcel is added to an adjacent parcel, and where a greater number of parcels than originally existed is not thereby created, provided the lot line adjustment is approved by the approving body;

(6) Any separate assessment under Section 2188.7 of the Revenue and Taxation Code;

(7) The financing or leasing of any parcel of land, or any portion thereof, in conjunction with the construction of commercial or industrial buildings on a single parcel, unless the financing or leasing is not subject to review under other city ordinances regulating design and improvement;

(8) The financing or leasing of existing separate commercial or industrial buildings on a single parcel.

(b) "Division of land" also refers to a condominium project, as defined in Civil Code Section 1350, a community apartment project, as defined in Business and Professions Code Section 11004, and a stock cooperative, as defined in Business and Professions Code Section 11003.2.

(Ord. 537 § 2 (part), 1985)

11.08.050 Drainage facility.

"Drainage facility" means any drainage device or structure which may be used to control or direct the flow of water and/or alleviate flood hazards, including but not limited to berms, channels, culverts, curbs, ditches, gutters, pavement, and pipes.

(Ord. 537 § 2 (part), 1985)

11.08.060 Final map.

"Final map" means a tract map or parcel map of a proposed division of land prepared in accordance with the provisions of this title and the Subdivision Map Act to be filed with the county recorder.

(Ord. 537 § 2 (part), 1985)

11.08.070 Flood hazard.

"Flood hazard" means a potential danger to life, land, or improvements due to inundation or stormwater runoff having sufficient velocity to transport or deposit debris, scour the surface soil, dislodge or damage buildings, or erode the banks of watercourses.

(Ord. 537 § 2 (part), 1985)

11.08.080 Frontage.

For design purposes only, the narrowest portion of a lot or parcel which abuts a public or private street or highway to which the lot or parcel has the right of access shall be considered the lot front.

(Ord. 537 § 2 (part), 1985)

11.08.090 Future street or alley.

"Future street or alley" means a street or alley which is necessary for the future division of lots within a division of land or for the development of adjacent properties and which is offered for public use at any indeterminate future time when the city council determines that the acceptance and construction of such street or alley is warranted.

(Ord. 537 § 2 (part), 1985)

11.08.100 Geological hazard.

"Geological hazard" means a hazard inherent in the earth or artificially created, which is dangerous or potentially dangerous to life, property, or improvements due to the movement, failure, or shifting of earth.

(Ord. 537 § 2 (part), 1985)

11.08.110 General plan.

"General plan" means a comprehensive long-term plan, including the elements thereof, adopted by the city pursuant to the provisions of Chapter 3, Title 7, of the state of California, Government Code.

(Ord. 537 § 2 (part), 1985)

11.08.120 Highway.

"Highway" means a thoroughfare of primary importance in the city or state highway system other than a freeway, which is shown on the circulation element of the general plan.

(Ord. 537 § 2 (part), 1985)

11.08.130 Improvements.

"Improvements" shall have the meaning defined in the Map Act.

(Ord. 537 § 2 (part), 1985)

11.08.135 Interested person.

"Interested person" means any person whose rights of person or property are actually or potentially interfered with by reason of a decision of the advisory agency relative to its assigned duties.

(Ord. 537 § 2 (part), 1985)

11.08.150 Lot or parcel.

"Lot or parcel" means a unit of land identified on a final map or parcel map, filed in the office of the county recorder, with a separate or distinct number.

(Ord. 537 § 2 (part), 1985)

11.08.151 Map Act.

"Map Act" means the state of California Subdivision Map Act.

(Ord. 537 § 2 (part), 1985)

11.08.152 Minor lot line adjustment.

For the purposes of this title, "minor lot line adjustment" refers to the minor alteration of an existing division of land which does not result in the creation of a new lot or parcel.

(Ord. 537 § 2 (part), 1985)

11.08.155 Mobilehome park project.

"Mobilehome park project" means and refers to any area or tract of land designed to accommodate mobile- homes used for human habitation on fee parcels approved as a division of land for mobilehome purposes and for which a final map or parcel map has been recorded pursuant to the provisions of this title. For the purpose of this title, this type of land division shall be considered a residential subdivision and shall be subject to the same restrictions, conditions and requirements as for condominium projects.

(Ord. 537 § 2 (part), 1985)

11.08.160 Ornamental street lighting.

"Ornamental street lighting" means a system of street lighting composed of individual freestanding light standards.

(Ord. 537 § 2 (part), 1985)

11.08.170 Parcel map.

"Parcel map" means a map showing each parcel of land prepared in accordance with the provisions of this title and the Subdivision Map Act in a manner to be filed in the office of the county recorder.

(Ord. 537 § 2 (part), 1985)

11.08.180 Person.

"Person" means any individual, corporation, company, firm, association, partnership, copartnership, joint venture, joint stock company, receiver, syndicate, club, estate, business trust, organization or any other entity, or the authorized agent thereof.

(Ord. 537 § 2 (part), 1985)

11.08.185 Planned development project.

"Planned development project" is a subdivision of individually owned lots with one or more other parcels owned in common or with reciprocal rights in one or more other parcels. The lots are usually small, being the exact size, or slightly larger, of the improvements.

(Ord. 537 § 2 (part), 1985)

11.08.190 Record of survey.

"Record of survey" means a map prepared in compliance with Section 8762 of the Business and Professions Code. A record of survey map cannot be used to divide real property or air space.

(Ord. 537 § 2 (part), 1985)

11.08.195 Stock cooperative.

"Stock cooperative" means a corporation which is formed primarily for the purpose of holding title to an estate in real property consisting of an undivided interest in common in a parcel of real property, together with the right of all the shareholders of such

corporation of exclusive occupancy of a portion of a building located thereon. A stock cooperative shall be subject to the same restrictions, conditions and requirements as for condominium projects.

(Ord. 537 § 2 (part), 1985)

11.08.200 Subdivider.

"Subdivider" means and refers to a person who causes a division of land for himself or for others.

(Ord. 537 § 2 (part), 1985)

11.08.210 Tentative map.

"Tentative map" means a preliminary plan of a proposed design unit prepared in accordance with provisions of this title and the Subdivision Map Act. "Tentative map" includes tentative tract maps and tentative parcel maps.

(Ord. 537 § 2 (part), 1985)

Chapter 11.10 CONDOMINIUM PROJECTS

Sections:

11.10.010 Purpose.

11.10.020 Division of land required.

11.10.030 Criteria for conversion to a condominium project or new residential condominium project.

11.10.040 Development plan approval.

11.10.010 Purpose.

The city council finds and determines that condominiums and community apartments and stock cooperatives differ from apartments in numerous respects, and for the benefit of public health, safety and welfare, such projects should be treated differently from apartments. The city council therefore states its express intent to treat such projects differently from apartments and like structures. Thus it is the purpose of this chapter to provide reasonable standards for the location, design and development of condominium, community apartment projects and stock cooperatives, of residential, commercial and/or industrial uses.

(Ord. 537 § 2 (part), 1985)

11.10.020 Division of land required.

A tentative map of a condominium project or a community apartment project or a stock cooperative shall be prepared in accordance with Chapter 11.12 of this code and processed in accordance with Chapter 11.16 or Chapter 11.10, as applicable.

(Ord. 537 § 2 (part), 1985)

11.10.030 Criteria for conversion to a condominium project or new residential condominium project.

Notwithstanding any other provision of this code to the contrary, no tentative tract or parcel map, which would have the effect of creating a condominium or a community apartment project or stock cooperative, shall be approved, nor shall a final map be recorded, unless the following requirements are met or guaranteed in a manner approved by the city council:

(1) All existing buildings and structures shall be made to comply with all applicable building regulations of the city in effect at the

time of filing the tentative map.

(2) Not less than two off-street parking spaces shall be provided for each dwelling unit. In addition, one guest parking space shall be provided for every four dwelling units or fraction thereof. Said off-street parking facilities shall be constructed in accordance with the provisions of Section 10.65.090 of this code.

(3) Each dwelling unit shall contain a minimum of one thousand square feet of enclosed floor area, exclusive of a garage or carport.

(4) The subdivider shall submit a report to the city setting forth all repairs and replacements necessary to immediately place the buildings in substantial compliance with current building and safety codes and the probable cost of such work. Said report shall include a report prepared by a licensed mechanical engineer verifying the condition of the mechanical elements in the project, including but not limited to furnaces, air conditioners, pumps, water heaters and plumbing fixtures.

(5) Copies of the required covenants, conditions and restrictions, articles of incorporation and bylaws, or other documents of the owner's association or other identity which controls the common facilities shall be submitted to the city for approval.

(6) All open areas with the exception of vehicular access ways and parking areas, pedestrian walkways and paved or covered recreational facilities, shall be landscaped and irrigated with a fully automatic system. Such landscaping and irrigation shall be permanently maintained.

(7) Utility systems shall exist or shall be constructed to adequately provide for individual metered utility services to all condominium, community apartment, or stock cooperative units.

(Ord. 537 § 2 (part), 1985)

11.10.040 Development plan approval.

Prior to the recordation of a final tract or parcel map creating a condominium or community apartment project or stock cooperative as to an existing structure or structures, the subdivider shall submit to the city's development review board, for approval, development plans containing the following information:

(1) Location, height, the gross floor area and proposed uses of each existing structure to remain and for each proposed structure;

(2) Location, use and type of surfacing of all open storage areas;

(3) Location and type of surfacing of all driveways, pedestrian ways, vehicle parking areas and curb cuts;

(4) Location, height and type of material for walls or fences;

(5) Location of all landscaped areas, type of landscaping and a statement specifying the method by which the landscaping areas shall be maintained;

(6) Location of all recreational facilities and a statement specifying the method of maintenance thereof;

(7) Location of parking facilities to be used in conjunction with each condominium, community apartment, or stock cooperative unit.

(8) Architectural elevations of all structures, showing types and materials of construction, including details of method used to provide sound insulation in all common walls.

(Ord. 537 § 2 (part), 1985)

Chapter 11.11 PLANNED DEVELOPMENT PROJECTS

Sections:

11.11.010 Purpose.

11.11.020 Division of land required.

11.11.030 Criteria for planned development project.

11.11.040 Design and property development regulations.

11.11.010 Purpose.

The city council finds that in some land divisions, a planned development provides better for the preservation of the access of light and air, for safety, convenience, property values and general welfare of the community than would be provided by strict compliance with Chapter 11.24 (Design Standards) of this code. Thus, it is the purpose of this chapter to provide reasonable standards for the location, design and development of planned development projects.

(Ord. 537 § 2 (part), 1985)

11.11.020 Division of land required.

A tentative map of a planned development project shall be prepared in accordance with Chapter 11.12 of this code, and processed in accordance with Chapter 11.16.

(Ord. 537 § 2 (part), 1985)

11.11.030 Criteria for planned development project.

Notwithstanding any other provision of this title to the contrary, no tentative tract map, which would have the effect of creating a planned development project, shall be approved, nor shall a final map be filed, unless the following requirements are met or guaranteed in a manner approved by the city council:

- (a) A complete system of pedestrian walks in front of the lots, separate from the streets, completely serving all lots in the subdivision in such a direct manner, particularly in relation to schools servicing the subdivision, that there will be little inducement or necessity for pedestrians to walk in the streets;
- (b) A system of short dead-end streets at the rear of the majority of lots, to discourage intrusion of through traffic which can be confined to the relatively few through streets from which these dead-end streets branch, and which bound the superblocks thus formed;
- (c) A system of continuous park, of such size, shape and arrangement as to be useful in part for recreation, and adjacent to all lots or the walks immediately in front of such lots and not separated from the lots by any street for vehicular use;
- (d) Effective restrictions binding on and for the benefit of the project as a whole and enforceable by the property owners as a whole, providing that the lots served only by such dead- end streets may be used for single-family residence only, and providing that all such houses will be so located that the garage is accessible directly from the street, and the principal entrance of the house is accessible directly from the walk, and that adequate space between buildings will be maintained;
- (e) Where economically proper and feasible, business properties and multiple-dwelling properties located only upon the through streets bounding the superblocks and served by adequate automobile parking space either off the street or by special design of the street, and in case of business properties, such parking shall be easily accessible from all parts of the project by the system of walks above-mentioned;

Provided, that in no case shall any lot proposed to be subdivided into a planned development project shall have a area of less than six thousand square feet; that every through street shall have a width of not less than sixty feet; that every such dead-end street shall be entered directly from a through street, shall have an adequate turning area at the dead end, and shall have a width of not less than thirty-four feet; that vision clearance and curb construction at block corners be maintained as provided for in Section 11.24.120; that in all cases of property fronting on such streets of reduced width or on walks, the distance between houses across such streets or walks shall be not less than fifty feet, and that where lots front upon such walks rather than upon streets, the side lines shall be, so far as practical, at a right angle to said walks instead of the streets;

(f) Copies of the required covenants, conditions and restrictions, articles of incorporation, and bylaws or other documents of the owner's association or other identity which controls the common facilities shall be submitted to the city for approval;

(g) All open areas with the exception of vehicular access ways and parking areas, pedestrian walkways and paved or covered recreational facilities, shall be landscaped and irrigated with a fully automatic system. Such landscaping and irrigation shall be permanently maintained.

(Ord. 537 § 2 (part), 1985)

11.11.040 Design and property development regulations.

In a planned development project, the following design and property development regulations shall apply:

- (a) Dwelling Unit Density. A proposed planned development project shall not be developed with more than the maximum density permitted in the underlying zone of the property, exclusive of any publicly dedicated street or alley.
- (b) Lot Area, Size and Coverage. Every lot upon which a dwelling unit is proposed to be developed shall contain not less than one thousand square feet of lot area, and shall not be less than twenty feet in width nor less than fifty feet in length, and not more than eighty percent of the lot area shall be covered by buildings and/or structures.
- (c) Group and/or Cluster Dwellings. Contiguous lots and/or attached dwelling units which are grouped or clustered in any manner so as to form a single building may be permitted; provided, however, that such group shall not contain more than six dwelling units and/or lots, nor shall the horizontal dimensions of such building or dwelling structure be greater than one hundred seventy-five feet.
- (d) Development Standards. The development standards with respect to setbacks, dwelling unit size, building heights, parking and other associated requirements of the underlying zone shall be complied with.
- (e) Circulation. Private drives may be permitted. Said drives shall be a minimum width of twenty-six feet, and shall be posted to prohibit parking.

(Ord. 646 § 9, 1991; Ord. 537 § 2 (part), 1985)

Chapter 11.12 TENTATIVE MAPS

Sections:

- 11.12.010 Tentative maps-General.
- 11.12.020 Map numbers.
- 11.12.030 Tentative map preparation.
- 11.12.040 Tentative map contents.
- 11.12.050 Written statement.
- 11.12.060 Reversion to acreage.
- 11.12.070 Divisions of land for purpose of lease only.
- 11.12.080 Mobilehome divisions of land.

11.12.010 Tentative maps-General.

Tentative maps shall be prepared and processed in accordance with the provisions of the Subdivision Map Act and with the provisions of this title.

(Ord. 537 § 2 (part), 1985)

11.12.020 Map numbers.

The subdivider shall apply for a map number prior to submission of a tentative map. Map numbers shall be assigned by the county engineer.

(Ord. 537 § 2 (part), 1985)

11.12.030 Tentative map preparation.

Each tentative map shall be prepared in accordance with the following requirements:

- (a) Tentative maps shall be prepared by or under the direction of a registered civil engineer or a licensed land surveyor. This requirement may be waived by the director of planning for division of land into four parcels or less.
- (b) Each tentative map shall clearly show the details of the plan thereon. Whenever practicable, map sheets should be no less than eighteen by twenty-four inches. In no case shall the scale be less than one inch to two hundred feet.
- (c) The director of planning shall determine the number of copies of a tentative map which a subdivider shall submit. One copy shall be a reproducible print of a type approved by the city engineer.

(Ord. 537 § 2 (part), 1985)

11.12.040 Tentative map contents.

Each tentative map shall show and contain the following information:

- (a) The assigned map number;
- (b) The date of preparation, north point, and scale;
- (c) The boundary of the division of land and of the design unit, if not identical to the boundary of the division of land, shown to scale and tied to a known point;
- (d) A key map, indicating the location of the proposed division of land in relation to the surrounding area;
- (e) The approximate contours, showing existing topography;
- (f) The approximate location of all existing and proposed trees standing within the boundaries of proposed rights-of-way;
- (g) The approximate location of all areas subject to inundation or stormwater overflow and the location, width and direction of flow of each watercourse;
- (h) The location, width, approximate grade and centerline radius of existing and proposed streets, alleys, highways, ways, and easements which are within or adjacent to the proposed design unit;
- (i) The existing street improvements, including drainage structures;
- (j) Actual names for existing streets or highways and an identifying name for each proposed street or highway;
- (k) A label or identifying note for existing or proposed easements other than street and highways; the widths and approximate locations of all existing and proposed easements, whether public or private, including but not limited to those for roads, drainage, sewage disposal, fire- fighting access, and public utility purposes. This includes the location, owner, purpose and recording reference for all existing easements. If an easement is blanket or indeterminate in nature, a statement to that effect must be shown on the tentative map in lieu of its location. The subdivider or his agent shall certify by an affidavit or by a declaration made under penalty of perjury pursuant to Section 2015.5 of the Code of Civil Procedure that all existing easements of record are shown on the tentative map.
- (l) The approximate layout of lots, including approximate dimensions and lot numbers, and where pads are proposed for building sites, the approximate finish grade and proposed slopes;
- (m) The approximate location of existing structures, shown to scale, within or immediately adjacent to the design unit. Show house numbers, and label each structure with the proposed disposition;
- (n) The general location of all proposed buildings and structures which are to be divided into units of air space and the means of access thereto, where the design unit consists of a condominium or community apartment project;
- (o) If necessary, a generalized plan of proposed development adjacent to the design unit showing the compatibility of the design unit with existing and future development in the neighborhood;
- (p) The name and address of the subdivider;
- (q) The name, address and license or registration number of the person who prepared the tentative map or who directed the

preparation of the tentative map;

- (r) Sufficient legal description of the land as to define the boundaries of the proposed division of land;
- (s) Proposed public areas, if any;
- (t) The distance from each existing structure to the proposed lot lines;
- (u) The distance from existing sewage disposal components, including house laterals, to the proposed lot lines.

(Ord. 537 § 2 (part), 1985)

11.12.050 Written statement.

(a) Each tentative map shall be submitted with written statements containing the following information and acknowledgements:

- (1) The name and address of the subdivider;
- (2) The name, address, and license or registration number of the person who prepared the tentative map or who directed the preparation of the tentative map;
- (3) A statement by a person holding a proprietary interest in the parcel or parcels comprising the design unit, consenting to the submission of the tentative map;
- (4) The existing and proposed zoning;
- (5) The interest which the subdivider proposes to convey in parcels shown on the tentative map;
- (6) A copy of conditions, covenants and restrictions proposed by the subdivider, if any;
- (7) A statement detailing the arrangements which the subdivider proposes to make for the operation and maintenance of common parcels and easements, if any;
- (8) The source of water supply, if any, and the proposed method of sewage disposal;
- (9) A soils report, if required by the city engineer, prepared by a registered civil engineer, stating the effect of geological or soil conditions on the proposed development;
- (10) Environmental impact information, as required by the city;
- (11) Preliminary title report;
- (12) A geological report to determine whether the property to be divided is subject to an existing or potential geological hazard, and/or a written report stating how the geological conditions will affect the proposed development shall be submitted whenever required by the city engineer. The report shall be prepared by an engineering geologist certified by the State Board of Registration for Geologists of the state of California;
- (13) One full-size print of the most recent Assessor Map Book page or pages covering the proposed division of land, for the use of the city engineer.

(b) Any of the information required by subsections (a)(1), (2), (3), (4) and (8) may be shown on the tentative map. The written statements required by this section shall become a part of the tentative map upon submission to the director of planning.

(Ord. 537 § 2 (part), 1985)

11.12.060 Reversion to acreage.

Prior to the submission of a final tract map or parcel map for the purpose of reverting to acreage land previously subdivided, a tentative map shall be prepared and processed in accordance with the provisions of the Subdivision Map Act and with the provisions of this title.

(Ord. 537 § 2 (part), 1985)

11.12.070 Divisions of land for purpose of lease only.

(a) The city council may approve a tentative map of a division of land which does not comply in all respects with the requirements of Chapter 11.24 if the city council finds that the division of land is for lease only and because the lots are to be leased only and because of the situation and development or proposed development of the division of land and surrounding property, approval of the tentative map would not be detrimental to the public welfare or property of other persons in the vicinity thereof.

(b) On such tentative map and on the final map, there shall appear, in letters not less than one-fourth-inch in height, the words "Division of land for purpose of lease only."

(c) A person shall not sell, mortgage, place a deed of trust or other lien upon any lot or other parcel in such division of land, or offer or contract to do so, unless such transaction would be in full compliance with all of the provisions of this title and the Subdivision Map Act had such final map or such parcel map not been filed.

(d) The filing of such final map or of such parcel map authorizes the leasing of any lot shown upon such map.

(e) Except that the lots in a division of land for lease only need not comply with the provision of Section 11.24.140, this section does not modify in any way any requirements in any other ordinance or law as to area or width requirements.

(Ord. 537 § 2 (part), 1985)

11.12.080 Mobilehome divisions of land.

(a) The city council may approve a tentative map of a division of land which does not comply in all respects with the requirements of Chapter 11.24 if the city council finds that the division of land is for mobilehome purposes only and the units of space proposed on the tentative map are for mobilehomes and related facilities only, and the development of a mobilehome park on the property included within the division of land is in conformance with the city Zoning Ordinance.

(b) On such tentative map and on the final map, there shall appear, in letters not less than one-fourth-inch in height, the words "Division of land for mobile home purposes only."

(c) A person shall not use, lease, sell, mortgage, or place a deed of trust or other lien upon a unit or space within a mobilehome division of land for any purpose other than a mobilehome and related facilities.

(d) Except that the units in a division of land for mobilehome purposes need not comply with the provision of Section 11.24.140, this section does not modify in any way any requirements in any other ordinance or law as to area or width requirements.

(e) In a mobilehome division of land, the owners of the units of space which are occupied by mobilehomes and which may also be occupied by accessory uses will hold an undivided interest in the common areas which will in turn provide the necessary access and utility easements for the units. A note to this effect is required on the final map.

(f) Title to the units and common areas in a mobilehome division of land and control and maintenance of the common areas shall be similar to those for condominiums as contained in the Civil Code.

(Ord. 537 § 2 (part), 1985)

Chapter 11.16 TENTATIVE TRACT MAP PROCESSING

Sections:

11.16.010 Required filing.

11.16.020 Division of land review.

11.16.030 Report required.

11.16.031 Notice.

11.16.040 Planning commission action.

11.16.050 Appeals.

11.16.070 Time limits.

11.16.080 Criteria for rejection.

11.16.090 Notification of Real Estate Commissioner.

11.16.100 Notification to the Office of Intergovernmental Management.

11.16.010 Required filing.

A tentative and final tract map are required for all subdivisions of five or more lots or units. Tentative tract maps and required written statements shall be submitted to the city planning commission. The director of planning, on behalf of the city planning commission, shall distribute copies of tentative tract maps and, where appropriate, required written statements to the following:

- (a) Each member of the division of land review committee;
- (b) A city requesting extraterritorial review of tentative maps;
- (c) Other agencies or school districts who in the opinion of the director of planning would have an interest in the proposed division of land.

(Ord. 537 § 2 (part), 1985)

11.16.020 Division of land review.

The division of land review committee shall meet to confer and make recommendations on tentative tract maps within twenty working days subsequent to the submission thereof. Division of land review committee meetings shall be open to the public, and the subdivider or his authorized agent, and any other interested party, who may wish to appear and present any matters relevant to the proceedings.

(Ord. 537 § 2 (part), 1985)

11.16.030 Report required.

(a) The director of planning shall prepare a written report, setting forth the recommendations of the division of land review committee and the content of departmental reports submitted to the director at or prior to the division of land review committee meeting by city officers or departments or other interested agencies. The director shall transmit the report together with a copy of the tentative tract map to the planning commission.

(b) The director of planning shall provide the subdivider with a copy of the division of land review committee's report prior to action on the tentative tract map by the planning commission. If the subdivider or his authorized representative does not receive the report in person, this provision shall be deemed accomplished when the division of land review committee's report is placed in the mail, bearing the proper postage, and directed to the subdivider at his designated address.

(Ord. 537 § 2 (part), 1985)

11.16.031 Notice.

Consideration of any subdivision map by the city council or planning commission shall require a public hearing preceded by the following notice:

- (a) The notice shall be posted at least ten days prior to the hearing in at least three public places within the jurisdiction of the city.
- (b) Notice of the hearing shall be mailed or delivered at least ten days prior to the hearing to the owner of the subject real property or the owner's duly authorized agent, and to the project applicant.
- (c) Notice of the hearing shall be mailed or delivered at least ten days prior to the hearing to each local agency expected to provide

water, sewage, streets, roads, schools, or other essential facilities and services which may be significantly affected.

(d) Notice of the hearing shall be mailed or delivered at least ten days prior to the hearing to all owners of real property as shown on the latest equalized assessment roll within three hundred feet of the real property that is the subject of the hearing. In lieu of utilizing the assessment roll, the city may utilize records of the county assessor or tax collector which contain more recent information than the assessment roll. If the number of owners to whom notice would be mailed or delivered pursuant to this subsection is greater than one thousand, the city, in lieu of mailed or delivered notice, may provide notice by placing a display advertisement of at least one-eighth page in at least one newspaper of general circulation within the city in which the proceeding is conducted at least ten days prior to hearing.

(e) The notice of the hearing shall be posted at least ten days prior to the hearing in a public place in an area directly affected by the proceeding.

(f) The notice shall include the date, time and place of a public hearing, the identity of the hearing body or officer, a general explanation of the matter to be considered, and a general description, in text or by diagram, of the location of the real property, if any, that is the subject of the hearing. The notice shall also include that the environmental impact assessment will be considered at the hearing.

(Ord. 537 § 2 (part), 1985)

11.16.040 Planning commission action.

The planning commission will review the report of the division of land committee and any other information, either oral or written, which is presented to the advisory agency during the public hearing on the application and shall either approve, conditionally approve or disapprove the map within the time limits prescribed in the Subdivision Map Act of the state of California. The applicable time limits shall commence upon acceptance of a complete application by the director of community development. The findings and decision of the planning commission shall be set forth in a resolution and shall be final unless appealed to the city council. Failure of the Planning Commission to act within the required time period shall cause the map to be deemed approved.

(Ord. 737 § 14, 1996: Ord. 537 § 2 (part), 1985)

11.16.050 Appeals.

Any interested person adversely affected by the decision of the planning commission may appeal the planning commission's decision to the city council; provided, that the appeal is filed in writing with the city clerk within ten days of the date of the adoption of the resolution by the planning commission and is accompanied by the applicable fee established by resolution of the city council. The city clerk shall schedule the hearing on the appeal before the city council within thirty days of the filing of such an appeal. The city council may sustain, modify, reject or overrule the planning commission's decision. The city council's decision must be rendered within ten days after the conclusion of the hearing on the appeal. The findings and decision of the city council shall be set forth in a resolution and shall be final. If the city council fails to render a decision on the appeal within the applicable time periods, the planning commission's decision shall be deemed to be affirmed.

(Ord. 737 § 15, 1996: Ord. 537 § 2 (part), 1985)

11.16.070 Time limits.

The time limits for acting and reporting on tentative tract maps and appeals as specified in this title and by the Subdivision Map Act may be extended by mutual consent of the subdivider and the planning commission or the city council as the case may be.

(Ord. 537 § 2 (part), 1985)

11.16.080 Criteria for rejection.

The planning commission, or city council on appeal, shall deny approval of a tentative or final map if it makes any of the following findings:

- (a) That the proposed map is not consistent with applicable general and specific plans;
- (b) That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans;
- (c) That the site is not physically suitable for the type of development;
- (d) That the site is not physically suitable for the proposed density of development;
- (e) That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat;
- (f) That the design of the subdivision or the type of improvements is likely to cause serious public health problems;
- (g) That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the planning commission, or city council on appeal, may approve a map if it finds that alternate easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction;
- (h) That the design or improvement of the subdivision does not comply with city zoning and/or grading laws.

The planning commission, or city council on appeal, may deny approval of a tentative or a final map if it finds that the discharge of waste from the proposed division of land into the existing community sewer system would result in violation of existing requirements prescribed by the California Regional Water Quality Control Board.

(Ord. 737 § 16, 1996; Ord. 537 § 2 (part), 1985)

11.16.090 Notification of Real Estate Commissioner.

If a division of land contains five or more units or lots, the city council shall forward a copy of the conditions of approval of the tentative map to the State Real Estate Commissioner.

(Ord. 537 § 2 (part), 1985)

11.16.100 Notification to the Office of Intergovernmental Management.

Upon the filing of a tentative tract map, the director of planning may submit said tentative map to the Office of Intergovernmental Management for evaluation of the environmental impact of the proposed project. If the subdivision in question is a land project as defined by Section 11005 of the Business and Professions Code, such submission shall be required prior to approval of the map.

(Ord. 537 § 12, 1985)

Chapter 11.20 TENTATIVE PARCEL MAP PROCESSING

Sections:

- 11.20.010 Required filing.
- 11.20.020 Division of land review.
- 11.20.030 Report required.
- 11.20.040 Procedures.
- 11.20.050 Director of planning (action).
- 11.20.060 Appeal to city council.
- 11.20.070 Eligibility for waiver.
- 11.20.080 Request for waiver.

11.20.090 Fees.

11.20.100 Waiver procedure.

11.20.010 Required filing.

A tentative and final parcel map is required for all subdivisions for which a tract map is not required and for subdivisions described in Government Code Section 66426, unless a waiver is approved. Tentative parcel maps and required written statements shall be submitted to the city planning commission. The director of planning, on behalf of the city planning commission, shall distribute copies of tentative parcel maps and, where appropriate, required written statements to the following:

- (a) Each member of the division of land review committee;
- (b) A city requesting extraterritorial review of tentative maps;
- (c) Other agencies or school districts who in the opinion of the director of planning would have an interest in the proposed division of land.

(Ord. 537 § 2 (part), 1985)

11.20.020 Division of land review.

The division of land review committee shall meet to confer and make recommendations on tentative parcel maps within twenty working days subsequent to the submission thereof. Division of land review committee meetings shall be open to the public, the subdivider or his authorized agent, and any other interested party, who may wish to appear and present any matter relevant to the proceedings.

(Ord. 537 § 2 (part), 1985)

11.20.030 Report required.

The director of planning shall prepare a written report, setting forth the recommendations of the division of land review committee and the content of departmental reports submitted to the director at or prior to division of land review committee meetings by city officers or departments or other interested agencies. The director shall transmit the report together with a copy of the tentative parcel map to the planning commission. In the event that the tentative parcel map involves a minor lot line adjustment not resulting in the creation of any new parcel, the director shall transmit the report directly to the subdivider or his authorized agent. If the subdivider or his authorized agent does not receive the report in person, this provision shall be deemed accomplished when the division of land review committee's report is placed in the mail, bearing the proper postage, and directed to the subdivider at his designated address.

(Ord. 537 § 2 (part), 1985)

11.20.040 Procedures.

All proposed divisions of land other than minor lot line adjustment shall be processed in accordance with the provisions of Chapter 11.16 of this title.

(Ord. 537 § 2 (part), 1985)

11.20.050 Director of planning (action).

(a) When a tentative parcel map is filed, as set forth in Section 11.20.010, requesting a minor lot line adjustment, the director of planning shall approve, conditionally approve, or disapprove the tentative parcel map within ten days after receipt of the division of land review committee's report.

(b) Pursuant to Section 66474.7 of the Subdivision Map Act, the director of planning may approve or conditionally approve a

tentative parcel map if it is determined that said map conforms to all of the following:

- (1) No additional parcel is created;
- (2) The tentative parcel map is consistent with applicable general and specific plans;
- (3) The design or improvement of the proposed division of land is consistent with applicable general and specific plans;
- (4) The area of the parcel or parcels is consistent with the applicable zoning regulations;
- (5) No lot or parcel is denied frontage on a public street or alley;
- (6) No lot or parcel is denied access to a public utility easement or available utility service;
- (7) No key lot or parcel is created;
- (8) Does not create the need for additional public streets or easements or the extension of any public street or easement;
- (9) The proposed division of land will not result in a violation of existing requirements prescribed by a California regional water quality control board.

(Ord. 537 § 2 (part), 1985)

11.20.060 Appeal to city council.

When the applicant or any interested person is dissatisfied with any decision of the director of planning with respect to his duties as the advisory agency for a proposed minor lot line adjustment not resulting in the creation of additional parcels, they may appeal to the city council within fifteen days after receipt of the director of planning's decision. Upon the filing of the appeal, the city council shall set the matter for hearing within thirty days from the date of filing. Upon conclusion of the hearing, the city council shall within seven days declare its findings by resolution. The decision of the city council shall be final.

(Ord. 537 § (part), 1985)

11.20.070 Eligibility for waiver.

The following divisions of land shall be eligible for waiver of the requirements that a final parcel map be filed:

- (a) Lot line adjustments which are approved by the director of planning pursuant to Section 11.20.040 of this chapter;
- (b) Parcel maps required by Section 66426 and Section 66428 of the Subdivision Map Act, provided:
 - (1) The boundaries of the proposed division of land coincide with the boundaries of a lot(s) or parcel(s) shown on a previously filed or recorded tract map or parcel map, and
 - (2) The proposed division of land meets the design standards in Chapter 11.24 and the improvement standards in Chapter 11.28, and
 - (3) Each proposed parcel abuts upon a maintained public street or highway, and no dedications or improvements are required by the advisory agency or city council.

(Ord. 537 § 2 (part), 1985)

11.20.080 Request for waiver.

- (a) Waiver requests shall be made in writing on a standardized form provided by the advisory agency. The request shall include:
 - (1) A request for waiver, signed and acknowledged by all owners of record of the land comprising the division of land;
 - (2) A description of each proposed parcel;
 - (3) If requested by the director of planning, a plat map, showing sufficient ties, dimensions and bearings to adequately establish

the boundaries of the minor land division and of each proposed parcel. Record information, when available may be utilized.

(b) The director of planning may require the submission of documentation, i.e., preliminary title report, as it deems necessary to verify the information presented in the request for waiver. All submissions shall be legible and readily reproducible.

(Ord. 537 § 2 (part), 1985)

11.20.090 Fees.

Upon submission of a request for waiver, the subdivider shall pay a filing fee of one hundred dollars. The subdivider shall also pay a sum of money equal to the amount required by law for filing with the county recorder a certificate of compliance for the parcels comprising the division.

(Ord. 537 § 2 (part), 1985)

11.20.100 Waiver procedure.

(a) Within fifty days after acceptance of a request for waiver or within such additional time as may be necessary, the advisory agency shall waive the requirement that a parcel map be filed as provided in Section 11.20.070, if it finds:

- (1) That the design of each parcel described in the request for waiver is in substantial accordance with the tentative map, as approved;
- (2) That the proposed division of land complies with all applicable requirements as to area, improvement and design, flood and water drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability, environmental protection, and other requirements of the Subdivision Map Act and of this title.

(b) When a waiver is granted pursuant to this section, the advisory agency shall, within ten working days, cause a certificate of compliance, describing each approved parcel, to be filed for record with the county recorder. The certificate of compliance shall state that the requirement that a parcel map of the division of land be filed has been waived, and that the parcels comprising the division may be sold, leased, financed or transferred in full compliance with all applicable provisions of the Subdivision Map Act and of this title.

(c) The producers set forth in this section shall be completed within the period prescribed by Section 11.32.020 for filing a parcel map after approval or any extension thereof.

(Ord. 537 § 2 (part), 1985)

Chapter 11.21
VESTING TENTATIVE MAPS

Sections:

- 11.21.010 General.
- 11.21.020 Description required.
- 11.21.030 Development entitlements required.
- 11.21.040 Vested rights.
- 11.21.050 Duration.

11.21.010 General.

Whenever a provision of this title requires that a tentative map be filed, a vesting tentative map may instead be filed. A vesting tentative map shall be filed and processed in the same manner as a tentative map except as otherwise provided by this chapter. The provisions of this chapter shall apply only to residential developments.

(Ord. 537 § 2 (part), 1985)

11.21.020 Description required.

At the time a vesting tentative map is filed it shall have printed conspicuously on its face the words "Vesting Tentative Map." (Ord. 537 § 2 (part), 1985)

11.21.030 Development entitlements required.

If a project requires additional zoning approval such as an unclassified use permit or development review board approval, under the ordinances and resolutions effective on the date the application is complete, the unclassified use permit, development review board approval, or other zoning entitlement must be obtained prior to the approval of a vesting tentative map.

(Ord. 537 § 2 (part), 1985)

11.21.040 Vested rights.

Approval of a vesting tentative map confers a vested right on the subdivider to proceed with development in substantial compliance with the ordinances, policies and standards in effect on the date that the application for the vesting tentative map was complete. However, such vested rights of the subdivider may be denied only under the following circumstances:

- (a) Where recognition of the vested right would place the residence of the subdivision or the immediate community, or both in a condition dangerous to their health or safety, or both;
- (b) Recognition of the vested right would be a violation of state or federal law.

(Ord. 537 § 2 (part), 1985)

11.21.050 Duration.

The rights conferred by this section shall expire if a final map is not approved prior to the expiration of the vesting tentative map. If the final map is approved, the rights conferred by this section shall be subject to the periods of time set forth in subdivisions (g) and (h) of Section 66452.6 of the Subdivision Map Act.

(Ord. 537 § 2 (part), 1985)

Chapter 11.24 DESIGN STANDARDS

Sections:

- 11.24.010 Access.
- 11.24.015 Dedications.
- 11.24.020 Highways-Conformity with general plan.
- 11.24.030 Highways-Alignment.
- 11.24.040 Highway grades.
- 11.24.050 Highway widths.
- 11.24.060 Street alignment.
- 11.24.070 Street grades.
- 11.24.080 Streets and alleys-Right-of-way and roadway widths.
- 11.24.090 Future streets and alleys.

11.24.100 Alleys.

11.24.110 Maximum cul-de-sac length.

11.24.120 Right-of-way corner.

11.24.130 Alley intersections.

11.24.140 Lot design.

11.24.150 City boundary.

11.24.010 Access.

Access to a design unit or to any lesser unit thereof, if more than one parcel map or final map is to be filed on a design unit, shall be by means of an improved public street or highway.

(Ord. 537 § 2 (part), 1985)

11.24.015 Dedications.

The city council may require dedications or offers of dedication of real property for streets, highways, and other public ways; access rights and abutter's rights; drainage and public utility easements as a condition of approval for any division of land.

(Ord. 537 § 2 (part), 1985)

11.24.020 Highways-Conformity with general plan.

(a) If the circulation element of the general plan shows a highway so located that any portion thereof lies within a design unit, that portion of the highway which is within the design unit shall be included in the design of the division unless the city council determines that there is a reasonable probability that the general plan will be amended to remove or relocate the highway so that it is no longer within the design unit.

(b) If the city council determines that the present acceptance and construction of a highway or portion thereof is not warranted, the highway or portion thereof shall be included in the design of the division of land as a future street.

(Ord. 537 § 2 (part), 1985)

11.24.030 Highways-Alignment.

If a centerline has been established for a highway, the alignment of the highway shall conform to the established centerline. If no centerline has been established, the alignment shall conform to the following requirements:

- (a) The alignment shall be substantially as shown on the circulation element of the general plan;
- (b) The centerline curve radius of an arterial highway shall be not less than one thousand five hundred feet;
- (c) The centerline curve radius of a collector highway shall be not less than one thousand feet;
- (d) Highways shall intersect with streets and other highways as nearly at a right angle as is practical.

(Ord. 537 § 2 (part), 1985)

11.24.040 Highway grades.

No highway shall have a grade of more than six percent nor less than four-tenths of one percent.

(Ord. 537 § 2 (part), 1985)

11.24.050 Highway widths.

Arterial highways shall have a width of one hundred feet and collector highways shall have a width of eighty feet, unless a different width is indicated on the circulation element of the general plan.

(Ord. 537 § 2 (part), 1985)

11.24.060 Street alignment.

The alignment of streets shall be such as to provide at least sixty feet of frontage for each lot in the design unit, except as specified in Section 11.24.140. Lots which abut arterial or collector highways, to which access rights are to be relinquished, shall be provided with frontage on a service road or other local street.

(a) Centerline jogs of one hundred fifty feet or less shall be avoided whenever practicable.

(b) On any street no centerline curve radius of less than two hundred feet shall be provided. A centerline having an arc length of less than one hundred feet shall not be permitted unless the centerline radius is greater than three thousand feet.

(c) Streets shall intersect with other streets and highways as nearly at a right angle as feasible.

(Ord. 537 § 2 (part), 1985)

11.24.070 Street grades.

No street shall have a grade of less than four-tenths of one percent nor more than ten percent except where the city council determines a grade not to exceed fifteen percent to be necessary due to topographic limitations.

(Ord. 537 § 2 (part), 1985)

11.24.080 Streets and alleys-Right-of-way and roadway widths.

All streets shall have a minimum right-of-way width of sixty feet and have an improved roadway width of thirty-six feet. All alleys shall have a minimum right-of-way of twenty feet improved full width. Dead-end alleys shall have a minimum turnaround of twenty-six feet improved to full width.

(Ord. 537 § 2 (part), 1985)

11.24.090 Future streets and alleys.

The city council may require that future streets and alleys be provided for the future division of lots shown on the tentative map and for the development of adjoining property.

(Ord. 537 § 2 (part), 1985)

11.24.100 Alleys.

The city council may require that an alley be provided at the rear of lots which are intended for multiple residential (not including two-family use), commercial or industrial use.

(Ord. 537 § 2 (part), 1985)

11.24.110 Maximum cul-de-sac length.

(a) Cul-de-sacs shall be not more than:

- (1) Five hundred feet in length, when serving land zoned for industrial or commercial use;
- (2) Seven hundred feet in length, when serving land zoned for residential uses having a density of more than four dwelling units per net acre;
- (3) One thousand feet in length, when serving land zoned for residential uses having a density of four or less dwelling units per net acre.

(b) This section shall not be construed to prohibit the approval of a division of land utilizing frontage on an existing cul-de-sac of more than the maximum permitted length nor shall it be construed to prohibit the planning commission from reducing the length of a proposed cul-de-sac to less than the maximum length permitted by this section or requiring the elimination of a proposed cul-de-sac in order to provide for the efficient circulation of traffic, the future development of the neighborhood street system or the deployment of emergency services.

(Ord. 537 § 2 (part), 1985)

11.24.120 Right-of-way corner.

(a) Intersections of road right-of-way lines, where one or both streets are local residential, shall be rounded with a curve having a radius of fifteen feet unless otherwise determined by the superintendent of streets.

(b) Intersections of road right-of-way lines, where both streets are highways or one of the streets serves a commercial or industrial development shall be rounded with a curve having a radius of twenty-five feet, unless otherwise determined by the superintendent of streets.

(Ord. 537 § 2 (part), 1985)

11.24.130 Alley intersections.

Where two alleys intersect, a cutoff of not less than ten feet at the intersection of right-of-way lines shall be provided.

(Ord. 537 § 2 (part), 1985)

11.24.140 Lot design.

(a) Each lot in a division of land shall have an area of not less than the required area for the zone in which the lot is located. Each lot shall have an average width of not less than the required width. Strips of land intended for use as vehicular access shall not be included in calculating average width or required area. The required area and the required width shall be the same as those terms are defined in the zoning ordinance. Where the zoning ordinance does not establish a required area and/or width in a particular zone, the required area shall be six thousand square feet and the required width shall be sixty feet.

(b) If a lot is in more than one zone, then the area and width thereof shall be not less than the area and width requirements, respectively, in that zone in which any part of the lot is located which has the largest area requirement and in that zone in which any part of the lot is located which has the greatest width requirement.

(c) This section does not apply to any lot which the subdivider offers to deed or dedicate to the public.

(d) In all cases where practical, the sidelines of lots shall be at an approximate right angle to the street upon which such lots front.

(e) Wherever practical, divisions of property abutting rights-of-way for freeways, highways, railroads, transmission lines, and flood-control channels shall be designed so as to create lots which back up to said rights-of-way.

(f) Minimum width of a lot fronting on a cul-de-sac or knuckle shall be forty feet, measured at the front property line.

(Ord. 537 § 2 (part), 1985)

11.24.150 City boundary.

No lot shall be divided by a city boundary line. Each such boundary line shall be made a lot line.

(Ord. 537 § 2 (part), 1985)

Chapter 11.28 IMPROVEMENTS

Sections:

- 11.28.010 General requirements.
- 11.28.020 Improvement and site development plans.
- 11.28.030 Improvement plans-Street and highway.
- 11.28.040 Map showing structures.
- 11.28.050 Highway improvements.
- 11.28.060 Street improvements.
- 11.28.070 Improvements to existing streets or highways adjacent to the division of land.
- 11.28.080 Improvements to existing streets or highways within the division of land.
- 11.28.090 Improvements of future streets.
- 11.28.100 Temporary improvements.
- 11.28.110 Protective improvements.
- 11.28.120 Drainage improvements.
- 11.28.130 Fences or walls adjacent to highways.
- 11.28.140 Fencing of watercourses or drainage facilities.
- 11.28.150 Underground utilities.
- 11.28.160 Sanitary sewers.
- 11.28.170 Sidewalks.
- 11.28.180 Street lighting system.
- 11.28.190 Landscaping maintenance.
- 11.28.200 Street trees and plants.
- 11.28.210 Water mains and fire hydrants.
- 11.28.220 Improvement agreement.
- 11.28.230 Cost of improvement.
- 11.28.240 Soils report.

11.28.010 General requirements.

Improvements required to be installed or agreed to be installed by a subdivider as a condition precedent to the filing of a final tract map or parcel map shall comply with the requirements of this title. Such improvements shall be provided and developed in accordance with the conditions imposed as a condition of approval of the tentative map, in accordance with any agreement or bond made or entered into by the subdivider for that purpose, and in accordance with the standards and specifications set by administrative

regulations and ordinances of the city applicable at the time of approval of the tentative map.

(Ord. 537 § 2 (part), 1985)

11.28.020 Improvement and site development plans.

(a) Plans, profiles and specifications for improvements other than street and highway improvements shall be submitted to the city engineer not later than the time a final tract map or parcel map is submitted for checking and certification. Such plans shall show all details of the proposed improvements needed for approval of the plans by the city engineer. Such details may include requirements of other governmental bodies whose jurisdiction some portion of the plan may encompass.

(b) Final plans must be approved by the city engineer before a final tract map or parcel map is transmitted to the city council for approval.

(c) Preliminary plans may be approved by the city engineer when sufficient engineering data is furnished by the subdivider to demonstrate that the preliminary design meets the city's standards and specifications, and is practicable from a maintenance standpoint and is consistent with sound engineering practices and that the final plans will conform to the preliminary plans with only minor changes.

(Ord. 537 § 2 (part), 1985)

11.28.030 Improvement plans-Street and highway.

Plans, profiles, and specifications for all street and highway improvements shall be subject to the approval of the superintendent of streets. Such plans shall be furnished to the superintendent of streets not later than the time of submitting the final tract map or parcel map to the city engineer for checking and shall be subject to the approval of the superintendent of streets before any such map shall be certified by the city engineer. Such plans, profiles, and specifications shall show full details of the proposed improvements and shall be in accordance with the standards and specifications of the city. Such plans shall also include the design grade for an existing highway or for a future street, provided the superintendent of streets determines that such grade is necessary to properly locate slope and drainage easements, if any.

(Ord. 537 § 2 (part), 1985)

11.28.040 Map showing structures.

If streets, highways, or other public ways are to be dedicated or granted on a final tract map or parcel map or by separate instrument prior to filing a parcel map and the subdivider is required to grade, pave or install curbs, gutters or sidewalks within such easements, the subdivider shall provide a copy of the final map or parcel map, as the case may be, which delineates all structures within such easements, except publicly owned storm drains, water lines, sewers and other drainage or sanitary facilities. Such maps shall be submitted to the superintendent of streets when highway improvement plans are submitted for approval.

(Ord. 537 § 2 (part), 1985)

11.28.050 Highway improvements.

Each highway shall be improved with full-width grading, Portland cement concrete curbs and gutters, fullwidth roadway paving, installation of drainage facilities incidental thereto, street signs, and such other improvements for traffic and drainage needs as are required for the appropriate development of the division of land.

(Ord. 537 § 2 (part), 1985)

11.28.060 Street improvements.

Each street, whether public or private, shall be improved with full-width grading, Portland cement concrete curbs and gutters, full-

width roadway paving, drainage facilities incidental thereto and street signs.

(Ord. 537 § 2 (part), 1985)

11.28.070 Improvements to existing streets or highways adjacent to the division of land.

If a portion of an existing street or highway constitutes any portion of the boundary of the division of land and such street or highway is unimproved, or the city council determines that the improvements are insufficient for the general use of the lot owners in the division of land and for local neighborhood traffic and drainage needs, the city council may require the subdivider to improve or agree to improve such street or highway as specified in Sections 11.28.050, 11.28.060 and 11.28.170.

(Ord. 537 § 2 (part), 1985)

11.28.080 Improvements to existing streets or highways within the division of land.

The city council may require the remodeling of an existing street or highway. Such remodeling shall be in accordance with the improvement requirements specified in Sections 11.28.050, 11.28.060 and 11.28.170.

(Ord. 537 § 2 (part), 1985)

11.28.090 Improvements of future streets.

Except for full-width grading, the subdivider shall not be required to improve streets or highways shown on a final map or a parcel map as future streets.

(Ord. 537 § 2 (part), 1985)

11.28.100 Temporary improvements.

Temporary improvements may be required prior to, or concurrent with, permanent improvements. In such instances, the temporary improvements shall be installed in a manner approved by the city engineer or superintendent of streets, whichever is appropriate.

(Ord. 537 § 2 (part), 1985)

11.28.110 Protective improvements.

The city council may require such structures to be installed as are necessary for the proper functioning and maintenance of the improvements required to remove a flood or geological hazard and as are necessary for the protection of property adjacent to the division of land.

(Ord. 537 § 2 (part), 1985)

11.28.120 Drainage improvements.

The subdivider shall provide such drainage facilities as are considered necessary by the city council for the drainage requirements of the division of land and for local neighborhood needs. Such facilities shall be constructed in accordance with standards and specifications approved by the city engineer.

(Ord. 537 § 2 (part), 1985)

11.28.130 Fences or walls adjacent to highways.

If lots in a division of land abut a highway and the city council required the subdivider to relinquish access rights to such highway, a masonry wall not less than six feet high shall be required along the property line of the lots contiguous to the highway. Said wall shall be constructed in accordance with wall design standards DC-83-A, or equivalent.

(Ord. 537 § 2 (part), 1985)

11.28.140 Fencing of watercourses or drainage facilities.

The subdivider shall provide a chain-link fence or equivalent, not less than six feet high, along each side of any portion of a dedicated right-of-way for any watercourse or drainage facility within a proposed division of land if the city council finds that the location, shape, slope, width, velocity of water therein, or other characteristics of the watercourse or drainage facility makes the fencing of the right-of-way necessary for the protection of the general public. Such fencing shall have an adequate number of gates to facilitate cleaning and maintenance and shall not contain apertures below the fence in excess of four inches vertical.

(Ord. 537 § 2 (part), 1985)

11.28.150 Underground utilities.

Utility lines, including but not limited to electric, communications, street lighting and cable television, shall be required to be placed underground. The subdivider is responsible for complying with the requirements of this section, and he shall make the necessary arrangements with the utility companies for the installation of such facilities. For the purposes of this section, appurtenances and associated equipment such as but not limited to, surface-mounted transformers, pedestal-mounted terminal boxes and meter cabinets, and concealed ducts in an underground system may be placed aboveground.

(Ord. 537 § 2 (part), 1985)

11.28.160 Sanitary sewers.

The subdivider shall install sanitary sewers to serve each lot in a division of land. Such sewers shall be designed in accordance with the requirements of the city engineer and the outlet to be used for the sewers shall be designated by the city engineer.

(Ord. 537 § 2 (part), 1985)

11.28.170 Sidewalks.

The subdivider shall install Portland concrete sidewalks not less than four feet wide when adjacent to the property line or not less than five feet wide, excluding curb when adjacent to the curb along that side of all service roads upon which lots abut and on both sides of all other streets and highways. In either case allowable lot area includes only that portion not within street right-of-way.

(Ord. 537 § 2 (part), 1985)

11.28.180 Street lighting system.

The subdivider shall provide an ornamental street lighting system in each division of land of five lots or more. Plans for the installation of the system shall be submitted to the superintendent of streets for approval.

(Ord. 537 § 2 (part), 1985)

11.28.190 Landscaping maintenance.

Whenever a lot on a final tract map or parcel map is to be owned in common by a number of persons or by an association comprised of a number of persons the subdivider shall form a landscape maintenance district or develop some other landscape maintenance procedure satisfactory to the city prior to filing a final map or parcel map to assure continual maintenance of common areas.

(Ord. 537 § 2 (part), 1985)

11.28.200 Street trees and plants.

The subdivider shall plant trees in the parkway panels of streets and highways within or adjacent to a division of land; the type or species and location of such trees shall be subject to the approval of the director of planning.

(Ord. 537 § 2 (part), 1985)

11.28.210 Water mains and fire hydrants.

(a) The subdivider shall install or agree to install mains and fire hydrants in the division of land for the general use of the lot owners and for fire protection. The installation of such water mains and fire hydrants shall comply in all respects with all statutes, ordinances, rules and regulations applicable to water mains and fire hydrants.

(b) In the absence of such statutes, ordinances, rules and regulations required domestic water flows shall be determined by the city engineer and required duration of fire flows, and fire hydrant type and location shall be determined by the fire chief.

(c) Water mains and fire hydrants may be required on existing streets or highways adjacent to or within the division of land, provided the existing improvements are insufficient for the general use and/or fire protection of the lot owners.

(Ord. 537 § 2 (part), 1985)

11.28.220 Improvement agreement.

If a required improvement is not completed before a final tract map or parcel map is filed, the subdivider shall enter, as contractor, into an agreement with the city to complete the improvement within the time specified in the agreement.

(Ord. 537 § 2 (part), 1985)

11.28.230 Cost of improvement.

Improvements required by this title shall be installed and constructed by the subdivider at his expense, and shall not be paid for by any special assessment lien, tax bonded indebtedness, or charge against the land or real property within the division, except:

(a) The cost of installing pipes and other facilities for the transmission of water may be paid for in whole or in part from revenues collected from the customers served at regular established water rates for the water company, pursuant to regulations of the Public Utilities Agency (as defined in Section 4401 of the Government Code), from the net operating income only, as payment for the sale of water thereto;

(b) As provided in Sections 66483, 66484, 66485, 66486, 66487, 66488 and 66489 of the Subdivision Map Act or other enabling acts.

(Ord. 537 § 2 (part), 1985)

11.28.240 Soils report.

A preliminary soils report, prepared by a civil engineer registered in this state, and based upon adequate test borings, shall be required prior to approval of any final tract map, except that:

The city council may waive the preliminary soils report if it finds sufficient data is available to determine that the soils qualities of the soils of the tentative tract are such that no analysis is necessary or the conditions of approval of a tentative map are likely to prevent structural damage to the structures to be constructed, and the conditions of approval are incorporated in the construction of each structure.

Chapter 11.32
FINAL TRACT MAPS AND PARCEL MAPS

Sections:

- 11.32.010 Time limit on final maps.
- 11.32.030 Conformity to the tentative map.
- 11.32.040 Submission.
- 11.32.050 Reports.
- 11.32.060 Dedications-Final tract and parcel maps.
- 11.32.070 Dedications-Reversion to acreage.
- 11.32.080 Dedications-Streets, highways, alleys and other vehicular and pedestrian rights- of-way.
- 11.32.090 Future streets and alleys.
- 11.32.100 Access rights.
- 11.32.110 Restricted use and/or flood hazard areas.
- 11.32.120 Sewers and drains.
- 11.32.130 Natural watercourses.
- 11.32.140 Final tract and parcel maps-General requirements.
- 11.32.150 Title sheet.
- 11.32.160 Map sheets-Format.
- 11.32.170 Divisions of land for purpose of lease only.
- 11.32.180 Lot numbers and area designation.
- 11.32.190 Lot, block and boundary lines.
- 11.32.210 Widths and centerlines of streets, highways, alleys, and other ways.
- 11.32.220 Private and future streets and alleys.
- 11.32.230 Street and highway names.
- 11.32.240 Railroad, transmission line and flood control rights-of-way.
- 11.32.250 Easements required-Final tract and parcel maps.
- 11.32.260 Easements-How shown.
- 11.32.270 City boundary lines.
- 11.32.280 Lots subject to flood hazard, inundation, or geological hazard.
- 11.32.290 Natural watercourse designation.
- 11.32.300 Parcel maps-Compiled from record data.
- 11.32.310 Evidence determining boundary-(Final tract and parcel maps for which a survey is required).
- 11.32.320 Survey procedure and practice.
- 11.32.330 Monuments.

- 11.32.340 Evidence of title-Final tract maps and/or parcel maps.
- 11.32.350 Waiver of signatures-Final tract and parcel maps.
- 11.32.360 Easement certificate-Final tract and parcel maps.
- 11.32.365 Evidence of title-Final parcel map.
- 11.32.370 Separate instruments-Preparation and evidence of title.

11.32.010 Time limit on final maps.

A tentative map shall expire two years from initial approval unless the initial approval provides an additional period, not to exceed up to an additional year. Within the period of initial approval, a subdivider may cause the proposed division of land to be accurately surveyed and a final map prepared and filed in the office of the county recorder. The time limit for such filing may be extended by the approving body for a period or periods not to exceed three years.

(Ord. 537 § 2 (part), 1985)

11.32.030 Conformity to the tentative map.

The final tract map and/or parcel map shall conform to the approved tentative map and to the requirements and conditions contained in the report approving the tentative map. No final tract map or parcel map shall be accepted by the city engineer unless a tentative tract map or parcel map has been approved by the city council.

(Ord. 537 § 2 (part), 1985)

11.32.040 Submission.

Final tract maps and/or parcel maps shall be submitted to the city engineer. A subdivider shall submit sufficient copies of the final tract map and/or parcel map to permit the city engineer to furnish copies to city officers and departments and to other public agencies which in the opinion of the city engineer may have an interest in the map. After approval by the city council of a final tract or parcel map, the city clerk shall have the map transmitted to the clerk of the county board of supervisors for ultimate transmittal to the county recorder.

(Ord. 537 § 2 (part), 1985)

11.32.050 Reports.

Each officer or department, within fifteen days after the receipt of a print of a final tract map or parcel map, shall report in writing to the city engineer as to the compliance or noncompliance of the map with the approved or conditionally approved tentative map.

(Ord. 537 § 2 (part), 1985)

11.32.060 Dedications-Final tract and parcel maps.

Dedications or grants of easements required as a condition precedent to filing a final tract map shall be made on the final tract map. Dedications or grants of easements required as a condition precedent to filing of a final parcel map may be made on the parcel map or be offered by separate instrument, accepted and recorded prior to or concurrently with the filing of the final parcel map.

(Ord. 537 § 2 (part), 1985)

11.32.070 Dedications-Reversion to acreage.

The city council may require dedications as a condition precedent to filing of a final tract map or parcel map for the purpose of reverting to acreage land previously subdivided.

(Ord. 537 § 2 (part), 1985)

11.32.080 Dedications-Streets, highways, alleys and other vehicular and pedestrian rights- of-way.

(a) Except as otherwise provided by this section, streets, highways, alleys, and other vehicular and pedestrian rights-of-way, or portions thereof, which are required as a condition precedent to filing a final tract map or parcel map shall be offered for public use.

(b) With the approval of the city council, a street or alley which is intended to be kept physically closed to public travel or posted as a private right-of-way may be shown as a private street or alley. Private streets and alleys shall be conditionally dedicated, which offer may be accepted by the city council, if the street or alley ceases to remain physically closed or posted and is open to public travel for a period of three months or more.

(Ord. 537 § 2 (part), 1985)

11.32.090 Future streets and alleys.

Future streets and alleys shall be offered for public use, which offer shall remain open for an indeterminate period of time until the city council determines that the opening of the street or alley is warranted. The owners of the underlying fee to any portion of a future street or alley shall retain the right of any and all ordinary uses of such land, except the erection or construction thereon of any structure not ordinarily placed in public streets or alleys, until such time as the city council opens the street or alley for public use.

(Ord. 537 § 2 (part), 1985)

11.32.100 Access rights.

Access rights to arterial and collector highways and to one street for double-frontage lots, except corner lots, shall be dedicated unless abutting lots are to be used for commercial or industrial development.

(Ord. 537 § 2 (part), 1985)

11.32.110 Restricted use and/or flood hazard areas.

The right to restrict the erection of buildings or other structures within those portions of lots or parcels which are shown as being subject to flood hazard, inundation, or geological hazard on a final tract map or parcel map shall be dedicated.

(Ord. 537 § 2 (part), 1985)

11.32.120 Sewers and drains.

If sewers or drains or both are required for the general use of lot owners in a division of land and such sewers or drains are not to be installed within public highways, streets or alleys, the necessary easements shall be granted.

(Ord. 537 § 2 (part), 1985)

11.32.130 Natural watercourses.

In the event that a division of land is traversed by a major watercourse, channel, stream, swale or creek, the city council may require that an adequate right-of-way be dedicated for storm drainage purposes. In the event that the natural watercourse does not lie entirely within such dedication, the subdivider may either construct an adequate channel within such dedication or delineate the course of said watercourse upon the final tract map or parcel map.

(Ord. 537 § 2 (part), 1985)

11.32.140 Final tract and parcel maps-General requirements.

(a) Final tract maps and parcel maps shall be prepared in accordance with the requirements of the State Subdivision Map Act and of this title.

(b) Final tract maps and parcel maps shall be prepared by or under the direction of a registered civil engineer authorized to practice land surveying or a licensed land surveyor.

(c) The division of parcels, or portions thereof, which are not abutting shall be divided as a separate parcel and shown on separate maps, unless such parcels are separated because of the interposition of a highway, street, alley or railroad, public utility or flood-control right-of-way.

(Ord. 537 § 2 (part), 1985)

11.32.150 Title sheet.

(a) The title sheet of each map shall contain a title, consisting of the words "Tract Map No." and the map number of a final map the words "Parcel Map No." and the map number of a parcel map. The title shall also contain the words "In the City of La Puente" or "partly in the City of La Puente and partly in (here insert the name of the political division involved)."

(b) The title sheet shall also contain a subtitle consisting of a description of all of the property being divided by reference to maps previously filed or recorded in the office of the county recorder or previously filed with the county clerk pursuant to a final judgment in any action in partition or by reference to the plat of a United States survey. Upon the title sheet of each map filed for the purpose of reverting subdivided land to acreage, the subtitle shall consist of the words "Being a Reversion to Acreage of." (insert a legal description of the land being reverted). Each reference in these subtitles must be spelled out and worded identically to the original record thereof. A complete reference to the book and page of the cited record must be included.

(c) The title sheet for a final parcel map shall contain the certificate of the surveyor or engineer referred to in Section 66449 of the Subdivision Map Act. The title sheet for a final tract map shall contain the certificate of the surveyor or engineer referred to in Section 66441 of the Subdivision Map Act. The title sheet or at least one map sheet shall contain a basis of bearing, making reference to a final subdivision map, county surveyor's map or other records acceptable to the city engineer.

(d) Required certificates, affidavits and acknowledgments may be legibly stamped or printed on the title sheet of a final tract map or parcel map with opaque ink. All required signatures shall be written with opaque black ink. All such entries shall be readily reproducible by any normal method of reproduction.

(Ord. 537 § 2 (part), 1985)

11.32.160 Map sheets-Format.

Each map sheet of a final tract map or a parcel map shall conform to following format:

(a) Each map sheet and the lettering thereon shall be oriented so that, with the north point directed away from the reader, the map may be read most conveniently from lower right-hand corner of the sheet.

(b) Each map sheet shall bear the main title of the map, the scale, north point and sheet number and designation of the relation, if any, between the sheet and each other sheet comprising the final tract map or parcel map.

(Ord. 537 § 2 (part), 1985)

11.32.170 Divisions of land for purpose of lease only.

If a division of land is for lease only, there shall appear on a final tract map or parcel map in letters not less than one-fourth inch in height the words: "Division of Land for Purpose of Lease Only."

(Ord. 537 § 2 (part), 1985)

11.32.180 Lot numbers and area designation.

(a) All lots shall be numbered. Lot numbers shall begin with the number "1" and continue consecutively without omission or duplication throughout the entire map. No prefix or suffix or combination of letter and number shall be used. Each lot shall be shown entirely on one sheet.

(b) Upon each lot containing an area of three-fourths of an acre or more shall be designated the acreage of the lot to the nearest one-hundredth of an acre.

(Ord. 537 § 2 (part), 1985)

11.32.190 Lot, block and boundary lines.

(a) The bearing and length of each lot, block, and boundary line shall be shown on a final tract map or parcel map, except that, when bearings and lengths of lot lines in a series of lots are the same, the bearings or lengths may be omitted from each interior, parallel lot line of the series. Each required bearing or length shall be shown in full and no ditto mark or other designation of repetition shall be used. Bearings shall be shown to the nearest second and distances shall be shown to the nearest one-hundredth of a foot.

(b) The length, radius and total central angle or bearings of terminal radii of each curve and the bearing of each radial line to each lot corner on each curve, or the central angle of each segment within each lot or parcel shall be shown.

(Ord. 537 § 2 (part), 1985)

11.32.210 Widths and centerlines of streets, highways, alleys, and other ways.

(a) Each final tract map or parcel map shall show the centerline, the total width, and the width on each side of the centerline of each street, highway, alley or other way appearing on the map. The length of each tangent and the radius, central angle and length of each curve shall be shown on each centerline.

(b) Final maps shall also show the width of right-of-way to be dedicated on the map when only a portion of a street, highway, alley or way is within the map boundary.

(Ord. 537 § 2 (part), 1985)

11.32.220 Private and future streets and alleys.

(a) Final tract maps and parcel maps shall show sufficient mathematical data to clearly indicate the portion of each lot which is within private or future streets or alleys in addition to the width and centerline detail required by Section 11.32.210.

(b) Right-of-way lines for private or future streets or alleys shall be dashed.

(c) Each private or future street or alley shall be clearly identified as such.

(Ord. 537 § 2 (part), 1985)

11.32.230 Street and highway names.

(a) Final tract maps and parcel maps shall show the name of each highway or street, other than a future street, appearing on the map. Street and highway names shall be shown in or arrowed to the right-of-way.

(b) If only a portion of a street or highway is to be dedicated on a final map, the street or highway name shall be shown or arrowed into both the portion to be dedicated and the existing portion of the street or highway.

(c) Street and highway names shall be subject to the approval of the city engineer.

- (d) The word "Avenue," "Street," "Place" or other street or highway designation shall be spelled out in full.

(Ord. 537 § 2 (part), 1985)

11.32.240 Railroad, transmission line and flood control rights-of-way.

Final tract maps and parcel maps shall show the width and location of each railroad or transmission line right-of-way, flood-control channel, or other similar rights-of-way appearing on the map. Rights-of-way which appear on a map as a lot or a series of lots shall be shown as provided in Sections 11.32.180 and 11.32.190.

(Ord. 537 § 2 (part), 1985)

11.32.250 Easements required-Final tract and parcel maps.

(a) Final tract maps shall show all easements which are a burden upon lots in the division or reversion or which are required as a condition precedent to filing map.

(b) Parcel maps shall show each easement which is required as a condition precedent to filing the map.

(Ord. 537 § 2 (part), 1985)

11.32.260 Easements-How shown.

Easements appearing on a final tract map or parcel map shall conform to the following requirements:

(a) The sidelines of each easement shall be shown. Widths, centerlines, centerline or sideline data, and ties shall be shown, as necessary to definitely locate each easement.

(b) Easement sidelines shall be shown as fine dashed lines.

(c) Distances and bearings on the side lines of lots which are cut by easements shall be arrowed or otherwise shown so as to clearly indicate the actual length of each lot line.

(d) Each easement shall be clearly labeled and identified and, if of record, the record reference shall be shown thereon. If an easement is to be granted by separate instrument, the record reference shall be shown on the map prior to the time of filing.

(e) Notes or figures pertaining to easements shall be subordinated in form and appearance to other notes or figures on the map.

(Ord. 537 § 2 (part), 1985)

11.32.270 City boundary lines.

Final tract maps and parcel maps shall show each boundary line crossing or adjoining a division or reversion. Each such line shall be clearly designated and tied.

(Ord. 537 § 2 (part), 1985)

11.32.280 Lots subject to flood hazard, inundation, or geological hazard.

If any portion of a lot shown on a final tract map or parcel map is subject to flood hazard, inundation, or geological hazard, and the hazard is not to be removed as a condition precedent to filing the map, the hazard area and a prominent note identifying the hazard shall be shown on the map.

(Ord. 537 § 2 (part), 1985)

11.32.290 Natural watercourse designation.

In the event that dedication of right-of-way for storm drainage purposes is not required, the planning commission may require that a final tract map or parcel map show the location of any natural watercourse, stream, channel, swale or creek which traverses the map.

(Ord. 537 § 2 (part), 1985)

11.32.300 Parcel maps-Compiled from record data.

If a parcel map is compiled from record data, the source of information used shall be contained in a note satisfactory to the city engineer on the first sheet of the map.

(Ord. 537 § 2 (part), 1985)

11.32.310 Evidence determining boundary-(Final tract and parcel maps for which a survey is required).

Each final tract map and each parcel map for which a survey is required shall show evidence found on the ground of sufficient corners of prior surveys or such other evidences as may be suitable to precisely locate the boundaries of the division or reversion shown on the map. Each stake, monument or other object found shall be fully described and referenced. The method used to establish each point or line shall be clearly shown and explained on the map.

(Ord. 537 § 2 (part), 1985)

11.32.320 Survey procedure and practice.

(a) The procedure and practice for all survey work done for preparation of a final tract map or parcel map shall conform to the standards and details set forth in Chapter 15, Division 3, of the Business and Professions Code, the Land Surveyor's Act. The allowable error of closure on any portion of a final tract map or parcel map shall be one ten-thousandth.

(b) In the event that the county engineer, county road commissioner, the State Highway Engineer, or city engineer has established the centerline of any highway, street or alley shown on a final tract map or parcel map, the map shall show such centerline, together with a reference to a field book or map showing such centerline and the monuments which determine its position. If determined by ties, that fact shall be stated upon the final tract map or parcel map.

(Ord. 537 § 2 (part), 1985)

11.32.330 Monuments.

(a) Unless modified by the city engineer each final tract map and each parcel map for which a survey is required shall show durable monuments found or set at or near each boundary corner and at intermediate points, approximately one thousand feet apart, or at such lesser distances as may be made necessary by topography or culture to insure accuracy in the reestablishment of any point or line without unreasonable difficulty. The precise position and the character of each such monument shall be not less substantial than an iron pipe of a two-inch outside diameter, not less than two and one-half feet in length, with plug and tack, and set at least two feet into the ground or of such other character and stability as may be approved by the city engineer. For the purposes of this chapter a lead and tack set in permanent concrete or masonry shall be considered as a durable monument. The approximate elevation of the top of each such monument with respect to the surface of the ground shall be shown on said map.

(b) (1) Whenever necessary in the opinion of the city engineer, centerline monuments shall be set to mark intersections of streets or intersections of streets with the map boundary or to mark either the beginning and end of curves or the points of intersection of tangents thereof or other intermediate points. Each such monument shall be not less durable and substantial than:

(A) In asphaltic concrete or cement pavements, a lead and tack;

(B) In unsurfaced graveled or oiled surfaces, a two-inch iron pipe set not less than twelve inches below the surface, or at such depth as may be approved by the city engineer.

(C) In bituminous macadam pavements, a spike not less than six inches long.

(2) All monuments set as required herein shall be permanently and visibly marked or tagged with the registration or license number of the engineer or surveyor under whose supervision the survey was made.

(3) For each centerline monument set, the engineer or surveyor under whose supervision the survey has been made shall furnish to the city engineer a set of notes, clearly showing the ties between the monument and a sufficient number (normally four) of durable, distinctive reference points or monuments.

(4) Such reference points or monuments may be leads and tacks in sidewalks, or two-inch by two-inch stakes set back of the curbline and below the surface of the ground, or a substitute therefor which appears to be not more likely to be disturbed.

(5) Each set of notes submitted shall conform in all respects to the standardized office records of the city engineer. All such notes shall be indexed and filed by the city engineer as a part of the permanent public records of his office.

(c) (1) All boundary monuments shall be set or referenced prior to filing the final tract or parcel map unless extensive grading operation or improvement work makes it impractical to set monuments. Interior street centerline monuments and boundary monuments which are impractical to set may be set subsequent to filing of the final tract or parcel map. The final tract or parcel map shall show which monuments are in place and which are to be set.

(2) Prior to certification of the final tract or parcel map by the City Engineer, the subdivider shall submit a written agreement in which he agrees that monuments deferred will be set within a specified time and that the notes required in Section 11.32.330(b) will be furnished within a specified times.

(d) All monuments shall be subject to inspection and approval of the city engineer.

(e) The city council may require that all lot corners be perpetuated on the ground by a monument satisfactory to the city engineer.

(Ord. 537 § 2 (part), 1985)

11.32.340 Evidence of title-Final tract maps and/or parcel maps.

The evidence of title required by the provisions of Section 66465 of the Subdivision Map Act shall be a certificate of title or a policy of title insurance issued by a title company authorized by the laws of the State of California to write the same, showing the names of all persons having any record title interest in the land to be subdivided, together with the nature of their respective interests therein. In the event that land in the City is to be dedicated, the certificate of title or policy of title insurance shall be issued for the benefit and protection of the City. The certificate or policy shall be dated and delivered upon request of the City Engineer when the final tract map or parcel map is ready for filing.

(Ord. 537 § 2 (part), 1985)

11.32.350 Waiver of signatures-Final tract and parcel maps.

When easements held by public utilities or entities exist within the boundaries of the final tract or parcel map the subdivider must provide the City Council with evidence from the effected public utility or entity that the subdivision will not unreasonably interfere with the free and complete exercise of their easement.

(Ord. 537 § 2 (part), 1985)

11.32.360 Easement certificate-Final tract and parcel maps.

Final tract and parcel maps on which easements are offered for public use shall have written thereon, in addition to or as a part of any other certificate required, a certificate signed by all persons claiming an interest in the lands included within the division or reversion shown on the map, other than an interest which cannot ripen into a fee, in substantially the following form:

"We hereby certify that except as shown on a copy of this map on file in the office of the City Superintendent of Streets, we know of no easement or structure existing within the easements hereby offered for dedication to the public, other than publicly owned water line, sewers or storm drains; that we will grant no right or interest within the boundaries of said easements offered to the public except

where such right or interest is expressly made subject to the said easements." (Ord. 537 § 2 (part), 1985)

11.32.365 Evidence of title-Final parcel map.

The signatures of all parties having any record title interest in the real property being subdivided shall not be required to be on the final parcel map unless dedications or offers of dedication are made by certificate on the final parcel map.

(Ord. 537 § 27, 1985)

11.32.370 Separate instruments-Preparation and evidence of title.

Separate instruments shall be prepared by a title company or by the city engineer. When dedicating by separate instrument, the subdivider shall submit a title report, prepared in favor of the city, which indicates who is required to sign the separate instrument to pass clear title to the city. This title report shall be kept up to date and the city shall be notified of any change until such time as the separate instrument is recorded.

(Ord. 537 § 2 (part), 1985)

Chapter 11.36 FEES-DEPOSITS-BONDS

Sections:

- 11.36.010 Tentative tract maps.
- 11.36.020 Tentative parcel maps and minor lot line adjustments.
- 11.36.030 Final tract map-Checking and filing fees.
- 11.36.040 Parcel map-Checking and filing fees.
- 11.36.050 Business license fees.
- 11.36.060 Plan checking fees.
- 11.36.070 Inspection deposits.
- 11.36.080 Inspection deposits-General.
- 11.36.090 Improvement securities.
- 11.36.100 Improvement securities-Water mains.
- 11.36.110 Improvement securities-Amount and purpose.
- 11.36.120 Improvement securities-Bonds and deposits.
- 11.36.130 Improvement securities-Reduction.
- 11.36.140 Improvement securities-Forfeiture on failure to complete.
- 11.36.150 Faithful performance bond or deposit-Monuments.

11.36.010 Tentative tract maps.

Upon submission of a tentative tract map the subdivider shall pay to the city a filing fee established by city council resolution.

If the subdivider submits a revised tentative map subsequent to the approval of a tentative map by the city council as a substitute for the approved tentative map, he shall pay a fee equal to one-half of the fee.

(Ord. 644 § 10, 1991: Ord. 537 § 2 (part), 1985)

11.36.020 Tentative parcel maps and minor lot line adjustments.

Upon submission of a tentative tract map the subdivider shall pay to the city a filing fee established by city council resolution.

If the subdivider submits a revised tentative map subsequent to the approval of a tentative map by the city council as a substitute for the approved tentative map, he shall pay a fee equal to one-half of the fee.

(Ord. 644 § 11, 1991: Ord. 537 § 2 (part), 1985)

11.36.030 Final tract map-Checking and filing fees.

Upon submission of a final tract map for checking, the subdivider shall pay a fee to the city engineer in addition to all other fees and charges required by law. This fee shall be equal to the fee established by the county of Los Angeles for checking and filing and by city council resolution.

(Ord. 644 § 12, 1991: Ord. 537 § 2 (part), 1985)

11.36.040 Parcel map-Checking and filing fees.

Upon submission of a final parcel map for checking, the subdivider shall pay a fee to the city engineer in addition to all other fees and charges required by law. This fee shall be equal to the fee established by the county of Los Angeles for checking and filing and by city council resolution.

(Ord. 644 § 13, 1991: Ord. 537 § 2 (part), 1985)

11.36.050 Business license fees.

Every subdivider shall at the time of filing the final tract or parcel map with the city clerk for the approval of the city council, pay a business license fee computed at the rate of twenty-five dollars per lot or unit, for each lot or unit so set forth upon the final tract or parcel map.

(Ord. 537 § 2 (part), 1985)

11.36.060 Plan checking fees.

A subdivider shall pay to the city the following fees for checking improvement plans:

(a) For plans for sewers and appurtenant facilities, the fee required by the city ordinance entitled sanitary sewer and industrial waste ordinance;

(b) For other improvement plans, a fee equal to the cost of checking the plans. Upon submission of plans to the city, the subdivider shall deposit an amount estimated by the appropriate city officer to be adequate to cover the cost of checking the plans. If at any time subsequent to making the deposit the actual funds extended exceed the amount of the deposit, the subdivider shall make an additional payment equal to the deficiency. Excess deposits, if any, shall be returned to the subdivider after completion of plan checking.

(Ord. 537 § 2 (part), 1985)

11.36.070 Inspection deposits.

Before commencing construction or installation of a required improvement, the subdivider shall deposit with the city:

(a) For inspection of sewers and appurtenant facilities, the sum required by the city ordinance entitled sanitary sewer and industrial

waste ordinance;

(b) For inspection of other improvements, a sum estimated by the city engineer to be adequate to cover the actual cost of inspection.

(Ord. 537 § 2 (part), 1985)

11.36.080 Inspection deposits-General.

In lieu of making the special deposits required by Section 11.36.060 and 11.36.070 the subdivider may make and maintain with the city a general deposit in an amount determined by the officer with whom the deposit is made to be sufficient to protect the city's interest. Such deposits shall not be less than one thousand dollars. The general deposit shall be held and used for the same purposes as a special deposit.

(Ord. 537 § 2 (part), 1985)

11.36.090 Improvement securities.

Except as provided in Section 11.36.100 the improvement agreement required by Section 11.28.220 shall be secured by an improvement security.

(Ord. 537 § 2 (part), 1985)

11.36.100 Improvement securities-Water mains.

If a subdivider shows to the satisfaction of the city engineer that he has entered into a contract with a water utility to construct water mains, which contract makes the city a party thereto and provides that the contract may not be modified or rescinded without the consent of the city, except as required by the public utilities commission, and has deposited with the water utility security for the payment of the water utility which the city engineer finds adequate, the subdivider need not accompany an agreement to install water mains with an improvement security.

(Ord. 537 § 2 (part), 1985)

11.36.110 Improvement securities-Amount and purpose.

Improvement security shall be for the following amounts, unless otherwise stated in this title:

(a) An amount estimated by the city to be equal to the cost of improvements covered by the security, guaranteeing the faithful performance of the improvement work, plus an amount equal to the cost of inspecting the improvement work, plus an amount estimated by the city to be necessary for the guarantee and warranty of the work for a period of one year following the completion and acceptance thereof against any defective work or labor done, or defective materials furnished;

(b) An amount estimated by the city to be equal to fifty percent of the cost of the improvements covered by the security, securing payment to contractors and subcontractors and to all persons renting equipment or furnishing labor or materials to them.

(Ord. 537 § 2 (part), 1985)

11.36.120 Improvement securities-Bonds and deposits.

Improvement securities shall be:

(a) A bond or bonds issued by a surety company authorized to write the same in the state of California.

(b) A deposit with the city of cash, negotiable bonds, letters of credit or savings and loan certificates or shares. Savings and loan shares or certificates shall be assigned to the city.

(Ord. 537 § 2 (part), 1985)

11.36.130 Improvement securities-Reduction.

When a portion of an improvement has been fully completed, the inspecting officer may in his discretion authorize a reduction in an improvement security given for faithful performance equal to the estimated cost of the completed portion of the improvement.

(Ord. 537 § 2 (part), 1985)

11.36.140 Improvement securities-Forfeiture on failure to complete.

Upon the failure of a subdivider to complete an improvement within the time specified in an agreement, the city council may, upon notice in writing of not less than ten days served upon the person, firm or corporation signing the contract or upon notice in writing of not less than twenty days served by certified mail, addressed to the last known address of the person, firm, or corporation signing the contract, determine that the improvement work or any part thereof is incompleted and may cause to be forfeited to the city the portion of the sum of money or bonds given for the faithful performance of the work or may cash savings and loan certificates of shares deposited and assigned to assure the faithful performance of the work to complete the improvement work.

(Ord. 374 § 2 (part), 1974)

11.36.150 Faithful performance bond or deposit-Monuments.

The agreement referred to in Section 11.32.330(c) shall be accomplished by a security listed in Section 11.36.120(b) guaranteeing the faithful performance of the agreement in an amount estimated by the city engineer to be equal to the cost of setting monuments and furnishing notes.

(Ord. 537 § 2 (part), 1985)

STATUTORY REFERENCES FOR CALIFORNIA CITIES

The statutory references direct the code user to those portions of the state statutes that are applicable to the laws of the municipality. This reference list is up-to-date through July 2004.

General Provisions

Code adoption Gov. Code §§ 50022.1-50022.10
Ordinances Gov. Code § 36900 et seq.
Penalties for ordinance violations Gov. Code §§ 36900 and 36901
Imprisonment Gov. Code §§ 36903 and 36904
Citations for misdemeanors Penal Code §§ 853.5-853.85
Administrative fines and penalties Gov. Code § 53069.4

Judicial review of city decisions Code of Civil Procedure § 1094.6 Expedited judicial review of First Amendment cases Code of Civil Procedure § 1094.8
Elections Gov. Code §§ 34050 and 36503 and Elections Code §§ 1301, 9200 et seq. and 10100 et seq.
Classification of cities Gov. Code §§ 34100-34102
General powers Gov. Code § 37100 et seq. and Cal. Const. Art. 11 § 7
Conflict of interest code Gov. Code § 87100 et seq.

Administration and Personnel

City records Gov. Code §§ 34090-34090.7 et seq.
Alternative forms of government Gov. Code § 34851 et seq.
City Manager Gov. Code §§ 34851-34859
Elective Mayor Gov. Code §§ 34900-34906
City officers generally Gov. Code § 36501 et seq.
Legislative body Gov. Code § 36801 et seq.
Election of legislative body by districts Gov. Code § 34870 et seq.
Meetings Gov. Code § 54950 et seq.
Mayor Gov. Code § 40601 et seq.
City clerk Gov. Code § 40801 et seq.

City treasurer Gov. Code § 41001 et seq.
City assessor Gov. Code § 41201 et seq.
Chief of police Gov. Code § 41601 et seq.
City attorney Gov. Code § 41801 et seq.
Local planning agencies Gov. Code § 65100 et seq.
Emergency services Gov. Code § 8550 et seq.
Fire Department Gov. Code § 38611
Peace officer standards and training Penal Code § 13520 et seq.
Personnel system Gov. Code § 45000 et seq.
Retirement systems Gov. Code § 45341 et seq.

Revenue and Finance

Financial powers Gov. Code § 37200 et seq.
Transfer of tax function to county Gov. Code § 51500 et seq.
Property tax assessment, levy and collection Gov. Code § 43000 et seq.
Sales and use tax Rev. and Tax. Code § 7200 et seq.
Transient occupancy tax Rev. and Tax. Code §§ 7280 through 7283
Real property transfer tax Rev. and Tax. Code § 11901 et seq.
Special gas tax street improvement fund Str. and Hwys. Code § 2106 et seq.
Unclaimed property

Civil Code § 2080 et seq.
Local agency service fees and charges Gov. Code § 66013 et seq.
Public works and public purchases Gov. Code § 4000 et seq.
Contracting by local agencies Pub. Contracts Code § 20100 et seq.
Uniform Public Construction Cost Accounting Act Pub. Contracts Code § 22000 et seq.
Claims against public entities Gov. Code § 900 et seq.
Development fees Gov. Code § 66000 et seq.

Business Licenses, Taxes and Regulations

Authority to license businesses Gov. Code § 37101, Bus. and Prof. Code § 16000 et seq. and Const. Art. II, § 2
Bingo Penal Code § 326.5
Community antenna TV systems Gov. Code § 53066
Charitable solicitations Bus. and Prof. Code § 17510 et seq.
Commercial Filming Gov. Code § 65850.1
Private investigators Bus. and Prof. Code § 7512 et seq.
Taxicabs Vehicle Code §§ 16500 et seq. , 21100, 21112 and Gov. Code §§ 815 et seq. , § 53075.5
Gaming clubs Bus. and Prof. Code § 19800 et seq.
Massage parlors Gov. Code § 51030 et seq.
Automatic checkout systems

Civil Code § 7100 et seq.
Telecommunications Gov. Code § 50030

Animals

Animals generally Food and Agric. Code § 16301 et seq.
Dogs Gov. Code § 38792 and Food and Agric. Code § 30501 et seq.
Potentially dangerous and vicious dogs Food and Agric. Code § 31601 et seq.
Rabies control Health and Saf. Code § 121575 et seq.
Cruelty to animals Penal Code § 597 et seq.

Health and Safety

Garbage and refuse collection and disposal Nuisance abatement Gov. Code § 38771 et seq. and Penal Code § 373a
Littering Penal Code § 374 et seq.
Smoking Labor Code § 6404.5
Smoking, drug and/or tobacco paraphernalia Penal Code § 22950 et seq. Health and Safety Code §§ 11014.5, 11364.5, 11364.7
Graffiti abatement Gov. Code § 38772
Fire Prevention Health and Saf. Code § 13000 et seq.
Noise control Health and Saf. Code § 46000 et seq. and Gov. Code § 65302(f)

Hospitals Gov. Code § 37600 et seq.

Public Peace, Morals and Welfare

Crimes against public justice Penal Code § 92 et seq.

Crimes against the person Penal Code § 187 et seq.

Crimes against the person involving sexual assault and against public decency and good morals Penal Code § 261 et seq.

Crimes against public health and safety Penal Code § 369d et seq.

Crimes against the public peace Penal Code § 403 et seq.

Crimes against property Penal Code § 450 et seq.

Loitering by criminal street gangs Penal Code § 186.22(f)

Weapons Penal Code § 12000 et seq.

Vehicles and Traffic

Local traffic rules and regulations Vehicle Code § 21100 et seq.

Traffic signs, signals and markings Vehicle Code § 21350 et seq.

Turning movements Vehicle Code §§ 22100 et seq. and 22113

Speed limits Vehicle Code § 22348 et seq.

One-way street designations Vehicle Code § 21657

Stopping, standing and parking Vehicle Code § 22500 et seq.

Through highways Vehicle Code §§ 21101, 21353, 21354
Curb markings Vehicle Code § 21458
Weight limits Vehicle Code § 35700 et seq.
Pedestrians Vehicle Code § 21950 et seq.
Establishment of crosswalks Vehicle Code § 21106
Bicycles Vehicle Code §§ 21100, 21206 and 39000 et seq.
Penalties Vehicle Code § 40000.1 et seq.

Streets, Sidewalks and Public Places

Improvement Act of 1911 Str. and Hwys. Code § 5000 et seq.
Construction of sidewalks and curbs Str. and Hwys. Code § 5870 et seq.
Underground utility districts Str. and Hwys. Code § 5896.1 et seq.
Obstructions and encroachments on public ways Gov. Code § 38775
Municipal parks Public Res. Code § 5181 et seq.
Tree planting Str. and Hwys. Code § 22000 et seq.
Landscaping and Lighting Act of 1972 Str. and Hwys. Code § 22500 et seq.
Charitable solicitations Bus. and Prof. Code § 17510 et seq.
Advertising displays Bus. and Prof. Code §§ 5230 and 5231

Public Services

Municipal water systems Gov. Code § 38730 et seq.

Municipal sewers Gov. Code § 38900 et seq. and Health and Saf. Code § 5470 et seq.

Water wells Water Code § 13803 et seq.

Buildings and Construction

Authority to regulate buildings and construction Gov. Code §§ 38601 and 38660

State Housing Law Health and Saf. Code § 17910 et seq.

Mobile homes Health and Saf. Code § 18200 et seq.

Signs Gov. Code §§ 38774 and 65850; Bus. and Prof. Code § 5229 et seq.

Inspection warrants Civil Pro. Code § 1822.50 et seq.

Development fees Gov. Code § 66000 et seq.

Subdivisions

Subdivision Map Act Gov. Code § 66410 et seq.

Zoning

Local planning generally Gov. Code § 65000 et seq.

Local authority to regulate land use Gov. Code § 65850

Local zoning administration

Gov. Code § 65900 et seq.
Open-space zoning
Gov. Code § 65910 et seq.
Family day care homes
Health and Saf. Code § 1597.30 et seq.

Environmental Protection

Environmental Quality Act
Public Res. Code § 21000 et seq.
Noise Control Act
Health and Saf. Code § 46000 et seq.

ORDINANCE LIST AND DISPOSITION TABLE

Ordinances are listed in numerical order following Ordinance 1 which has been broken down into articles and chapters. The disposition or status of each chapter of Ordinance 1 and each ordinance thereafter appears in parentheses. The new code chapter or chapters is indicated for those ordinances which have been codified.

Ordinance Number	
1	Code
	Art. I General Provisions
	Chapter 1. Adoption of code (Note to Title 1)
	Chapter 2. Penalty (Note to Title 1)
	Chapter 3. Rules of construction (Note to Title 1)
	Art. II Administration
	Chapter 1. City manager (Note to Title 2)
	Chapter 1. Officers (Note to Title 2)
	Chapter 2. Compensation (Note to Title 2)
	Chapter 4. City funds and records (Note to Title 2)
	Chapter 7. Miscellaneous (Note to Title 2)
	Art. III Public Safety
	Chapter 1. Fire prevention (Repealed by 89)
	Chapter 2. Felons (3.08)
	Chapter 3. Traffic (Repealed by 15)
	Chapter 8. Firearms (3.12)
	Art. IV Disorderly Conduct, Nuisances, etc.
	Chapter 2. Misdemeanors (3.16)

	Chapter 4. Alcoholic beverages (3.04)
	Art. V Sanitation and Health
	Chapter 1. General (4.04)
	Art. VII Streets
	Chapter 1. General (Repealed by 295)
	Chapter 2. House moving (Repealed by 295)
	Art. VIII Building Regulations
	Chapter 1. Building code (Repealed by 101)
	Chapter 2. Plumbing code (Repealed by 102)
	Chapter 2. Electrical code (8.12)
	Art. IX Planning and Zoning Regulations
	Chapter 1. Zoning
	9100 General (Repealed by 39)
	9101 Map (Repealed by 39)
	9102 Master street plan (7.20)
	Chapter 2. Subdivision regulations
	(Interim regulation - Repealed by 374)
	(9.04.020 and 9.04.030 Repealed by 909) (9.04.050 repealed by 932)
2	Sales tax (Suspended)
3	Use tax (Suspended)
4	Uniform sales and use tax (5.16)
5	Wages and salaries (Temporary - Not codified)
6	Planning commission (Note to Title 2)
7	Dog licensing and regulation (Repealed by 334)
8	Council meetings (Note to Title 2)
9	Zoning annexed territory (Repealed by 34)
10	Gambling and fortunetellers (Not codified)
11	Business and occupation permits (5.08)
12	Licenses for businesses, occupations and professions (5.04)
13	Refuse collection license (5.04)
14	Pinball machines (3.24)
15	Traffic (Title 6)
16	Franchise - Southern Counties Gas Co. of California (Special)
17	Street and sidewalk construction (Repealed by 295)
18	Sewer main extensions (Repealed by 295)

19	Payment of reimbursement fees to Los Angeles County (8.20)
20	Warrants (Note to Title 2)
21	Temporary zoning regulations (Repealed by 34)
22	Secondary highway (7.08)
23	Fireworks (9.04)
24	Franchise - Southern California Edison Co. (Special)
25	Gas tax fund (Note to Title 2)
26	Sanitary sewers (Repealed by 336)
27	Annexation No. 2 (Special)
28	Construction of curbs, gutters and sidewalks (8.24)
29	Traffic amendment (6.12)
30	Traffic amendment (6.48)
31	Lot splits (Repealed by 104)
32	Relocation of buildings (10.80) (Repealed by 935)
33	Fire district annexation (Special)
34	Zoning code (Title 10) (Repealed by 935)
35	Racing homing pigeons (3.32)
36	Traffic amendment (Repealed by 443)
37	Bicycles (6.62)
38	Planning commission (Note to Title 2)
39	Repeals zoning provisions (Repealer)
40	Traffic amendment (6.36, 6.40, 6.48)
41	Transport of rubbish (Repealed by 448)
42	Business and occupation permits (5.08)
43	Zoning amendment (Repealed by 73)
44	Zoning amendment (10.64) (Repealed by 935)
45	Council meetings (Superseded by 107)
46	Electrical code amendment (8.12)
47	Buildings (Repealed by 101)
48	Electrical code amendment (8.12)
49	Annexation No. 8 (Special)
50	Zoning amendment (10.12) (Repealed by 935)
51	Zoning amendment (10.12) (Repealed by 935)
52	Zoning amendment (10.40, 10.44) (Repealed by 935)
53	Zoning amendment (10.12) (Repealed by 935)
54	Advertising (3.16)

55	Road tax (Special)
56	Lighting district tax (Special)
57	Lighting district tax (Special)
58	Lighting district tax (Special)
59	Zoning amendment (10.76) (Repealed by 935)
60	Zoning amendment (10.40) (Repealed by 935)
61	Trailer camps (Repealed by 101)
62	Zoning amendment (10.12) (Repealed by 935)
63	Zoning amendment (10.12) (Repealed by 935)
64	Zoning amendment (10.12) (Repealed by 935)
65	Zoning amendment (10.12) (Repealed by 935)
66	Zoning amendment (10.12) (Repealed by 935)
67	Sewer connection charges (Repealed by 336)
68	Annexation No. 6 (Special)
69	Traffic amendment (Repealed by 443)
70	Zoning amendment (10.44) (Repealed by 935)
71	Zoning amendment (10.12) (Repealed by 935)
72	Director of finance (Note to Title 2)
73	Zoning amendment (Repealed by 504)
74	Zoning amendment (10.12) (Repealed by 935)
75	Taxicab drivers (5.12)
76	Zoning amendment (10.12) (Repealed by 935)
77	Zoning amendment (10.80) (Repealed by 935)
78	Traffic amendment (Repealer)
79	Zoning amendment (10.12) (Repealed by 935)
80	Traffic amendment (6.40)
81	Public parking lots (6.56)
82	Zoning amendment (10.12) (Repealed by 935)
83	Zoning amendment (10.12) (Repealed by 935)
84	Building code (Repealed by 101)
85	Subdivisions (Repealed by 374)
86	Taxicab operators (5.12)
87	Zoning amendment (10.12) (Repealed by 935)
88	Solicitor's permit (5.08)
89	Fire prevention (9.04) (§§ 9.04.020 and 9.04.030 repealed by 909) (§ 9.04.050 repealed by 932)
90	Dances (5.20)
91	Entertainment license (5.24)

92	Repossession of motor vehicles (6.58)
93	Animals, dog licenses (Repealed by 334)
94	Sidewalk construction (8.24)
95	Zoning amendment (10.12) (Repealed by 935)
96	Arrests and penalties (Note to Title 1)
97	Bicycle parking (6.40)
98	Zoning amendment (10.12) (Repealed by 935)
99	Purchasing (Note to Title 2)
100	Taxicab license (5.04)
101	Building code (8.04)
102	Plumbing code (8.08)
103	Traffic amendment (Repealed by 443)
104	Lot splits (Repealed by 374)
105	Annexation No. 9 (Special)
106	Traffic amendment (Repealed by 443)
107	Council meetings (Superseded by 121)
108	Traffic amendment (Repealed by 432)
109	Dog license (Repealed by 334)
110	Zoning amendment (10.12) (Repealed by 935)
111	Traffic amendment (6.48)
112	Zoning amendment (10.12) (Repealed by 935)
113	Zoning amendment (Repealed by 725)
114	Zoning amendment (10.64) (Repealed by 935)
115	Zoning amendment (10.12) (Repealed by 935)
116	Zoning amendment (10.12) (Repealed by 935)
117	Annexation No. 12 (Special)
118	Garbage containers (Repealed by 448)
119	Zoning amendment (10.12) (Repealed by 935)
120	Traffic amendment (Repealed by 443)
121	Council meetings (Note to Title 2)
122	Zoning amendment (Repealed by 504)
123	Dangerous cargos on streets (6.40)
124	Waste disposal facilities (Repealed by 448)
125	Zoning amendment (10.12) (Repealed by 935)
126	Zoning amendment (10.08, 10.68) (Repealed by 935)
127	Zoning amendment (10.12) (Repealed by 935)
128	Zoning amendment (10.12) (Repealed by 935)

129	Zoning amendment (10.12) (Repealed by 935)
130	Swimming pools (8.16)
131	Firearms (3.12)
132	Zoning amendment (10.12) (Repealed by 935)
133	Franchise - Suburban water systems (Special)
134	Zoning amendment (10.12) (Repealed by 935)
135	House moving (7.08)
136	Annexation No. 14 (Special)
137	Zoning amendment (10.12) (Repealed by 935)
138	Speed limits (Repealed by 443)
139	Zoning amendment (10.12) (Repealed by 935)
140	Adoption of code (Note to Title 1)
141	Zoning amendment (10.12) (Repealed by 935)
142	Zoning amendment (10.12) (Repealed by 935)
143	Zoning amendment (10.12) (Repealed by 935)
144	Annexation No. 16 (Special)
145	Annexation No. 17 (Special)
146	Auto trailer park area (Repealed by 504)
147	Going-out-of-business sales (5.28)
148	Zoning amendments (10.28, 10.32, 10.34) (Repealed by 935)
149	Handbill distribution (3.16)
150	Health code (4.04)
151	Annexation No. 18 (Special)
152	Consent to establishment of county highway (Special)
153	Zoning amendment (10.12) (Repealed by 935)
154	Zoning amendment (10.12) (Repealed by 935)
155	Civil defense (Repealed by 620)
156	Sales and use tax amendments (5.16)
157	Construction codes amendments (8.04, 8.08, 8.12)
158	Annexation No. 19 (Special)
159	Zoning amendment (10.12) (Repealed by 935)
160	Annexation No. 20 (Special)
161	Zoning amendment (10.12) (Repealed by 935)
162	Speed limit (Repealed by 443)
163	Off-street parking (10.64) (Repealed by 935)
164	Zoning amendment (10.12) (Repealed by 935)

165	Plumbing permit fees (8.08)
166	Building permit fees (8.04)
167	Electrical permit fees (8.12)
168	Zoning amendment (10.12) (Repealed by 935)
169	Barbershops (Repealed by 788)
170	Zoning amendment (10.12) (Repealed by 935)
171	Keeping animals (4.04)
172	Zoning amendment (10.12) (Repealed by 935)
173	Zoning amendment (10.12) (Repealed by 935)
174	Zoning amendment (10.12) (Repealed by 935)
175	Annexation No. 21 (Special)
176	Zoning amendment (10.12) (Repealed by 935)
177	Zoning amendment (10.12) (Repealed by 935)
178	Zoning amendment (10.12) (Repealed by 935)
179	Shopping center carnivals (5.08)
180	Zoning amendment (10.12) (Repealed by 935)
181	Zoning amendment (10.12) (Repealed by 935)
182	Zoning amendment (10.12) (Repealed by 935)
183	Zoning amendment (10.12) (Repealed by 935)
184	Zoning amendment (10.12) (Repealed by 935)
185	Rummage sales (4.24)
186	Protection of excavations (8.36)
187	Parking (6.40)
188	Zoning amendment (10.12) (Repealed by 935)
189	Zoning amendment (10.12) (Repealed by 935)
190	Zoning amendment (10.12) (Repealed by 935)
191	Zoning amendment (10.12) (Repealed by 935)
192	Pawnbroker license tax (5.04)
193	Truck routes (6.48)
194	Zoning amendment (10.12) (Repealed by 935)
195	Annexation No. 23 (Special)
196	Zoning amendment (10.12) (Repealed by 935)
197	Sale of baby animals (Not codified)
198	Zoning amendment (10.12) (Repealed by 935)
199	Building code (Repealed by 340)
200	Electrical code (Repealed by 351)
201	Plumbing code (8.09)
202	Police officer training (Note to Title 2)

203	Annexation No. 24 (Special)
204	Zoning amendment (10.12) (Repealed by 935)
205	Annexation No. 25 (Special)
206	Annexation No. 26 (Special)
207	Annexation No. 27 (Special)
208	Consenting to county highway (Special)
209	Zoning amendment (10.12) (Repealed by 935)
210	Zoning amendment (10.12) (Repealed by 935)
211	Zoning amendment (10.12) (Repealed by 935)
212	Zoning amendment (10.12) (Repealed by 935)
213	Zoning amendment (10.12) (Repealed by 935)
214	Zoning amendment (10.12) (Repealed by 935)
215	Zoning amendment (10.12) (Repealed by 935)
216	Zoning amendment (10.12) (Repealed by 935)
217	Zoning amendment (10.12) (Repealed by 935)
218	Zoning amendment (10.12) (Repealed by 935)
219	Zoning amendment (10.36, 10.40, 10.44, 10.48) (Repealed by 935)
220	Zoning amendment (10.12) (Repealed by 935)
221	Zoning amendment (10.12) (Repealed by 935)
222	Zoning amendment (10.12) (Repealed by 935)
223	Zoning amendment (10.12) (Repealed by 935)
224	Zoning amendment (10.12) (Repealed by 935)
225	Zoning amendment (10.12) (Repealed by 935)
226	Zoning amendment (10.12) (Repealed by 935)
227	Zoning amendment (10.12) (Repealed by 935)
228	Zoning amendment (10.12) (Repealed by 935)
229	Zoning amendment (10.12) (Repealed by 935)
230	Zoning amendment (10.12) (Repealed by 935)
231	Zoning amendment (10.12) (Repealed by 935)
232	Zoning amendment (10.12) (Repealed by 935)
233	Zoning amendment (10.12) (Repealed by 935)
234	Zoning amendment (10.12) (Repealed by 935)
235	Zoning amendment (10.12) (Repealed by 935)
236	Zoning amendment (10.12) (Repealed by 935)
237	Zoning amendment (10.12) (Repealed by 935)
238	Health code amendment (4.04)

239	Zoning amendment (10.12) (Repealed by 935)
240	Zoning amendment (10.12) (Repealed by 935)
241	Animal impounding fees (Repealed by 334)
242	Zoning amendment (10.12) (Repealed by 935)
243	Subdivision checking fees (Repealed by 374)
244	Zoning amendment (10.12) (Repealed by 935)
245	Fire prevention code amendments (9.04) (§§ 9.04.020 and 9.04.030 repealed by 909)
246	Subdivision requirements (Repealed by 374)
247	Zoning amendment (10.12) (Repealed by 935)
248	Zoning amendment (10.12) (Repealed by 935)
249	Annexation No. 28 (Special)
250	Zoning amendment (10.12) (Repealed by 935)
251	Zoning amendment (10.12) (Repealed by 935)
252	Annexation No. 29 (Special)
253	Lots splits (Repealed by 374)
254	Zoning amendment (10.12) (Repealed by 935)
255	Zoning amendment (10.12) (Repealed by 935)
256	Off-street parking (10.64) (Repealed by 935)
257	Zoning amendment (10.12) (Repealed by 935)
258	Zoning amendment (10.12) (Repealed by 935)
259	Zoning amendment (10.12) (Repealed by 935)
260	Zoning amendment (10.16, 10.20, 10.24, 10.28, 10.32, 10.34) (Repealed by 935)
261	Zoning amendment (10.12) (Repealed by 935)
262	Zoning amendment (10.12) (Repealed by 935)
263	Annexation No. 31 (Special)
264	Amusement and recreation centers amendment (10.40) (Repealed by 935)
265	Zoning amendment (10.12) (Repealed by 935)
266	Zoning amendment (10.12) (Repealed by 935)
267	Zoning amendment (10.12) (Repealed by 935)
268	Storage of vehicles on streets (6.40)
269	Road declared under county system (Special)
270	Zoning amendment (10.12) (Repealed by 935)
271	Sewers amendment (Repealed by 336)
272	Building code amendment (Repealed by 340)
273	Plumbing code amendment (8.09)

274	Electrical code amendment (Repealed by 351)
275	Retirement system for city employees (Repealed by 494)
276	Zoning amendment (10.12) (Repealed by 935)
277	Councilmen salaries (Note to Title 2)
278	Amends §§ 2.28.010 and 2.28.020, council chambers (Note to Title 2)
279	Retirement plan amendments (Repealed by 494)
280	Amends Ch. 8.05, building code (8.05)
281	Amends § 2.16.020, planning commission (Note to Title 2)
282	Road declared under county system (Special)
283	Annexation No. 32 (Special)
284	Annexation No. 33 (Special)
285	Annexation No. 35 (Special)
286	Zoning amendment (10.12) (Repealed by 935)
287	Adds § 10.12.605, zoning amendment (10.12) (Repealed by 935)
288	Consent of certain roads to county (Special)
289	Repeals §§ 10.64.070 through 10.64.230; adds Ch. 10.65, off-street parking and loading (10.65) (Repealed by 935)
290	Amends § 6.54.020, speed limit (Repealed by 443)
291	Amends §§ 10.36.050 and 10.40.050, advertising signs (10.36, 10.40) (Repealed by 935)
292	Adds §§ 8.05.070, 8.09.040, 8.09.050 and 8.09.060; amends § 8.13.010, permit fees (8.05, 8.09)
293	Documentary stamp (Note to Title 2)
294	Amends § 6.54.020, speed limit (Repealed by 443)
295	Repeals Chs. 7.04, 7.08, 7.12, and 7.16; adopts new Ch. 7.04; renumbers Ch. 7.20, street and highway permits (Title 7)
296	Amends Ch. 8.05, building code (Repealed by 340)
297	Amends Ch. 8.09, plumbing code (8.09)
298	Amends Ch. 8.13, electrical code (Repealed by 351)
299	Adds Ch. 8.17, mechanical code (8.17)
300	Amends retirement plan (Repealed by 494)
301	Amends retirement plan (Repealed by 494)
302	Amends § 6.54.020, speed limits (Repealed by 443)
303	Adds Ch. 8.04, underground utilities (8.40)
304	Amends § 10.12.606, zone change (10.12) (Repealed by 935)

305	Adds Ch. 7.06, abatement of encroachments on public rights-of-way (Repealed by 790)
306	Adds Ch. 7.06, abatement of encroachments on public rights-of-way (Repealed by 790)
307	Amends § 3.16.260; adds § 3.16.261, trespassing (3.16)
308	Adds §§ 7.08.030 and 7.08.040, master street plan (Repealed by 445)
309	Amends § 6.54.020, speed limit (Repealed by 443)
310	Adds § 10.12.152, zoning (10.12) (Repealed by 935)
311	Adds § 10.12.607, zoning (10.12) (Repealed by 935)
312	Amends §§ 9.04.020, 9.04.030, 9.04.040 and 9.04.050, fire code (9.04) (§§ 9.04.020 and 9.04.030 repealed by 909) (§ 9.04.050 repealed by 932)
313	Adds §§ 10.12.153 and 10.12.515, zoning (10.12) (Repealed by 935)
314	Repeals §§ 10.16.010(g)(6), 10.16.010(j), 10.32.010(i), 10.36.010(h), 10.36.050, 10.40.010(37), 10.40.050, 10.44.050, 10.48.010(31) and 10.48.050; amends § 10.60.010(n); adds Ch. 10.74, zoning (10.16, 10.32, 10.36, 10.40, 10.44, 10.48, 10.74) (Repealed by 935)
315	Adds § 10.12.463; zoning (10.12) (Repealed by 935)
316	Amends §§ 5.24.110, 5.24.140, 5.24.160 and 5.24.320; adds §§ 5.24.330 and 5.24.340, entertainment licenses (5.24)
317	Adds Ch. 3.40, indecent exposure (3.40)
318	Amends Ch. 3.20, gambling (Not codified)
319	Adds § 10.12.464, zoning (10.12) (Repealed by 935)
320	Repeals §§ 3.16.290 and 3.16.300 (Repealer)
321	Adds § 5.08.010(32), occupation permits (5.08)
322	Adds § 5.08.010(32), occupation permits (5.08)
323	Adds § 3.20.110, fortunetelling (3.20)
324	Adds § 3.20.110, fortunetelling (3.20)
325	Adds § 10.12.608, zoning (10.12) (Repealed by 935)
326	Adds § 10.28.120, zoning (10.28) (Repealed by 935)
327	Adds § 10.32.120, zoning (10.32) (Repealed by 935)
328	Adds § 10.34.120, zoning (10.34) (Repealed by 935)
329	Amends § 3.28.470, dog licenses; repeals § 3.28.450 (Repealed by 334)
330	Amends § 3.28.470, dog licenses; repeals § 3.28.450

331	(Repealed by 334) Amends § 6.54.020, speed limit (Repealed by 443)
332	Adds § 10.12.337, zoning (10.12) (Repealed by 935)
333	Amends § 6.54.020, speed limit (Repealed by 443)
334	Repeals and adds Ch. 3.28, animal control (3.36)
335	Adds § 10.12.349, zoning (10.12) (Repealed by 935)
336	Repeals and reenacts Ch. 4.08, sanitary sewers and industrial waste (Repealed by 485)
337	Repeals and reenacts Ch. 8.05, building code (Repealed by 340)
338	Amends §§ 8.09.010 and 8.09.020, plumbing code (8.09)
339	Amends §§ 8.17.010 and 8.17.020, mechanical code (8.17)
340	Repeals and reenacts Ch. 8.05, building code (Repealed by 393)
341	Amends §§ 8.09.010 and 9.09.020, plumbing code (8.09)
342	Amends §§ 8.17.010 and 8.17.020, mechanical code (8.17)
343	Adds (50) to § 10.40.010, temporary outdoor promotional sales (10.40) (Repealed by 935)
344	Adds (33) to § 5.08.010 and § 5.08.035, temporary outdoor promotional sales (5.08)
345	Repeals §§ 3.16.470 through 3.16.484; amends § 5.08.010; adds Ch. 5.29, handbills (5.08)
346	Adds § 10.12.517, R-3 zone (10.12) (Repealed by 935)
347	Adds § 10.12.518, R-3 zone (10.12) (Repealed by 935)
348	Repeals and reenacts Ch. 8.13, electrical code (Repealed by 351)
349	Amends § 8.05.030(H), building code (Repealed by 393)
350	Amends § 8.17.020, mechanical code (8.17)
351	Repeals and reenacts Ch. 8.13, electrical code (Repealed by 395)
352	Amends § 8.05.030(H), building code (Repealed by 393)
353	Amends § 8.17.020, mechanical code (8.17)
354	Adds § 10.12.610, R-2 zone (10.12) (Repealed by 935)
355	Adds § 10.08.820, Ch. 10.14 and (t) to § 10.60.010, planned residential unit development (10.08, 10.14) (Repealed by 935)
356	Adds § 10.16.110, floor area (10.16) (Repealed by 935)
357	Adds § 10.20.100, floor area (10.20) (Repealed by 935)

358	Amends § 10.24.100, floor area (10.24) (Repealed by 935)
359	Amends § 6.54.020, speed limits (Repealed by 443)
360	Adds § 10.12.611, C-2 zone (10.12) (Repealed by 935)
361	Amends § 2.12.010, council salary (Note to Title 2)
362	Adds section to Ch. 10.12, C-2 zone (10.12) (Repealed by 935)
363	Adds Ch. 6.64, abandoned vehicles (6.64)
364	Adds section to Ch. 10.12, R-4 zone (10.12) (Repealed by 935)
365	Adds §§ 10.08.830, 10.08.840 and 10.60.010(u) and (v), gas stations and equipment rental yards (10.08) (Repealed by 935)
366	Amends § 5.16.075; adds §§ 5.16.080.5, 5.16.120.5 and 5.16.130(1), sales and use tax (5.16)
367	Repeals and adds § 5.04.640, vending machine license taxes (5.04)
368	Adds section to Ch. 10.12, C-1 zone (10.12) (Repealed by 935)
369	Adds section to Ch. 10.12, -1 zone (10.12) (Repealed by 935)
370	Adds § 8.05.051, building code (Repealed by 393)
371	Adds § 6.40.260, assigned parking spaces (6.40)
372	Restrictions on development of condominium projects (Repealed by 379)
373	Amends § 6.54.020, speed limit (Repealed by 443)
374	Repeals and adds Title 11, division of land (Repealed by 537)
375	Amends § 3.28.010, county animal control ordinance (3.36)
376	Adds §§ 11.08.001 through 11.08.005; adds Ch. 11.10, condominium projects (Repealed by 537)
377	Adds section to Ch. 10.12, R-2 zone (10.12) (Repealed by 935)
378	Amends § 2.28.160, public notice posting places (Note to Title 2)
379	Repeals Ord. 372, suspension of condominium projects (Repealer)
380	Adds Ch. 4.34, noise regulations (Repealed by 753)
381	Adds section to Ch. 10.12, C-M zone (10.12) (Repealed

	by 935)
382	Amends §§ 10.12.010, 10.12.020, 10.16.010(g)(2), 10.16.010(i) and 10.28.010; amends title of Ch. 10.28, zoning (10.12, 10.16, 10.28) (Repealed by 935)
383	Amends §§ 10.36.010, 10.40.010, 10.40.020(g), 10.44.010 and 10.44.020(f), zoning (10.36, 10.40, 10.44) (Repealed by 935)
384	Amends §§ 10.48.010(20) and 10.52.030(b), zoning (10.48) (Repealed by 935)
385	Amends § 10.60.010(j) and (u), unclassified zoning uses (Repealed by 504)
386	Amends § 10.65.030(B), (C) and (D), off-street parking (10.65) (Repealed by 935)
387	Amends §§ 6.48.050 and 6.54.020, truck routes and speed limits (6.48)
388	Amends §§ 5.04.720 and 5.08.010, subdivider business license fee and business operation permits (5.04, 5.08)
389	Amends §§ 10.74.020(F) and 10.74.030(H); adds § 10.74.020(I), signs and advertising (10.74) (Repealed by 935)
390	Amends § 11.04.030, 11.04.050, 11.04.090, 11.04.130(a), 11.08.060, 11.08.170, 11.08.190, 11.08.210, 11.16.010(b), 11.16.080, 11.20.010(b), 11.20.040, 11.20.060, 11.28.230, 11.32.040, 11.32.060, 11.32.150(c), 11.32.330(c), 11.32.340, 11.32.350 and 11.32.360; adds §§ 11.08.135, 11.16.100, 11.24.015, 11.28.240 and 11.32.365; deletes § 11.32.200; division of land (Repealed by 537)
391	Adds section 59 to Ch. 10.12, R-2 zone (10.12) (Repealed by 935)
392	Amends § 4.04.100, health code (4.04)
393	Repeals and replaces Ch. 8.05, building code (Repealed by 420)
394	Amends §§ 8.09.010 and 8.09.020, plumbing code (8.09)
395	Repeals and replaces Ch. 8.13, electrical code (Repealed by 442)
396	Amends §§ 8.17.010 and 8.17.020, mechanical code (8.17)
397	Annexation (Special)
398	Adds section to Ch. 10.12, C-2 zone (10.12) (Repealed by 935)
	Amends § 2.12.010, compensation for city councilmen

399	(Note to Title 2)
400	Adds § 8.05.100, building fees and charges (Repealed by 420)
401	Adds section to Ch. 10.12, R-2 zone (10.12) (Repealed by 935)
402	Adds section to Ch. 10.12, R-S zone (10.12) (Repealed by 935)
403	Repeals and replaces § 6.40.240; adds § 6.40.241, parking for handicapped (Repealed by 575)
404	Adds § 6.40.055, trailer parking (6.40)
405	Amends § 3.28.010, animal control (3.36)
406	Amends §§ 7.08.030 and 7.08.040, planned street (Repealed by 445)
407	Public employees' retirement system contract (Repealed by 408, 410)
408	Repeals Ord. 407, public employees' retirement (Repealer)
409	Theaters, bookstores, auditoriums (Repealed by 540)
410	Repeals Ord. 407, public employees' retirement (Repealer)
411	Adds § 3.04.015; amends § 3.04.010, alcoholic beverages (3.04)
412	Adds § 6.40.270, parking (6.40)
413	Zoning amendment (10.12) (Repealed by 935)
414	Theaters, bookstores, auditoriums (Repealed by 540)
415	Adds §§ 10.08.850, 10.16.010(I), 10.74.020(J), 10.74.040(D) and 10.74.050(D); amends § 10.74.030(B), zoning (10.08, 10.74) (Repealed by 935)
416	Adds Ch. 3.44, graffiti (3.44)
417	Amends § 3.28.010, animal control (3.36)
418	Amends § 2.12.010, councilman salary (Note to Title 2)
419	Adds § 11.20.070, division of land (Repealed by 537)
420	Amends Ch. 8.05, building code (8.05)
421	Amends § 8.09.010, plumbing code (8.09)
422	Amends § 8.17.010, mechanical code (8.17)
423	Theaters, bookstores, auditoriums (Repealed by 540)
424	Adds section to Ch. 10.12, R-2 zone (10.12) (Repealed by 935)
425	Adds section to Ch. 10.12, R-4 zone (10.12) (Repealed by

426	935) Adds section to Ch. 10.12, R-3 zone (10.12) (Repealed by 935)
427	Amends §§ 9.04.020 and 9.04.030, fire code (9.04) (§§ 9.04.020 and 9.04.030 repealed by 909)
428	Suspension of zone changes in R-1 zones (Special)
429	Amends § 3.28.010, animal control (3.36)
430	Sanitary sewer and industrial waste ordinance adopted (Repealed by 485)
431	Amends § 8.05.010, building code adoption (8.05)
432	Amends § 10.40.010(29); adds (w) to § 10.60.010; adds §§ 10.08.035, 10.08.041, 10.08.042, 10.08.043, 10.08.044, 10.08.045, 10.08.046, 10.08.047, 10.08.048, 10.08.046, 10.08.047, 10.08.048, 10.08.049, 10.08.075, 10.08.315, 10.09.643, 10.08.645 and 10.76.015, zoning (10.08, 10.40, 10.76) (Repealed by 935)
433	Amends § 10.40.010(29); adds (W) to § 10.60.010; adds §§ 10.08.035, 10.08.041, 10.08.042, 10.08.043, 10.08.044, 10.08.045, 10.08.046, 10.08.047, 10.08.048, 10.08.049, 10.08.075, 10.08.315, 10.08.643, 10.08.645 and 10.76.015, zoning (10.08, 10.40, 10.76) (Repealed by 935)
434	Adds Ch. 3.48, burglar and robbery alarm (3.48)
435	Adds section to Ch. 10.12, C-1 zone (10.12) (Repealed by 935)
436	Adds Ch. 3.26, bingo (Repealed by 790)
437	Amends § 2.12.010, compensation for councilmen (Note to Title 2)
438	Amends § 3.28.010, animal control (3.36)
439	Amends § 6.54.020, speed limits (6.54)
440	Adds section to Ch. 10.12, R-2 zone (10.12) (Repealed by 935)
441	Adds section to Ch. 10.12, C-1 zone (10.12) (Repealed by 935)
442	Repeals and replaces Ch. 8.13, electrical code (8.13)
443	Repeals and replaces §§ 6.54.010 and 6.54.020, speed limits (Repealed by 443)
444	Adds section to Ch. 10.12, R-2 zone (10.12) (Repealed by 935)
445	Amends § 7.04.010, highway permit ordinance (Repealed by 449, 454)

446	Adds Ch. 5.30, item pricing in retail grocery stores (Repealed by 502)
447	Amends § 10.14.060, planned unit development (10.14) (Repealed by 935)
448	Repeals and replaces Chs. 4.12, 4.16 and 4.20 with Ch. 4.12; amends §§ 5.04.730, 5.08.010 and 5.08.015, solid waste and refuse (4.12, 5.04, 5.08)
449	Repeals and replaces Ch. 7.04, street and highway permits (Repealed by 454)
450	Amends § 2.12.010, councilman salary (Note to Title 2)
451	Adds section to Ch. 10.12, PUD zone (10.12) (Repealed by 935)
452	Adds section to Ch. 10.12, PUD zone (10.12) (Repealed by 935)
453	Adds section to Ch. 10.12, PUD zone (10.12) (Repealed by 935)
454	Repeals and replaces Ch. 7.04, street and highway permits (7.04)
455	Repeals §§ 7.08.030 and 7.08.040 (Repealer)
456	Adds section to Ch. 10.12, PUD zone (10.12) (Repealed by 935)
457	Adds section to Ch. 10.12, R-1 zone (10.12) (Repealed by 935)
458	Adds section to Ch. 10.12, R-2 zone (10.12) (Repealed by 935)
459	Adds section to Ch. 10.12, R-2 zone (10.12) (Repealed by 935)
460	Adds section to Ch. 10.12, C-1 zone (10.12) (Repealed by 935)
461	Adds Ch. 3.48, display of books, magazines and other publications (Repealed by 790)
462	Purchasing (Note to Title 2)
463	Adds section to Ch. 10.12, C-2 zone (10.12) (Repealed by 935)
464	Adds section to Ch. 10.12, C-1 zone (10.12) (Repealed by 935)
465	Adds Ch. 8.03, building construction fees and charges (8.03)
466	Adds section to Ch. 10.12, R-2 zone (10.12) (Repealed by 935)
467	Adds section to Ch. 10.12, R-2 zone (10.12) (Repealed by

	935)
468	Adds section to Ch. 10.12, R-2 zone (10.12) (Repealed by 935)
469	Adds Ch. 3.45, aerosol spray paint and dye (Repealed by 619)
470	Amends Ch. 2.20, claims against city (Note to Title 2)
471	Adds Ch. 5.31, narcotic and other paraphernalia (Repealed by 507)
472	Adds Ch. 5.31, narcotic and other paraphernalia (Repealed by 507)
473	Adds section to Ch. 10.12, R-2 zone (10.12) (Repealed by 935)
474	Adds §§ 10.08.245, 10.08.522, 10.08.525, 10.08.527 and 10.16.010(m); amends §§ 10.08.740, 10.20.010, 10.24.010 and 10.28.010(a), zoning (10.08, 10.16, 10.20, 10.24, 10.28) (Repealed by 935)
475	Adds section to Ch. 10.12, C-2 zone (10.12) (Repealed by 935)
476	Amends § 3.28.010, animal control (3.36)
477	Adds section to Ch. 10.12, C-2 zone (10.12) (Repealed by 935)
478	Adds section to Ch. 10.12, PUD zone (10.12) (Repealed by 935)
470	Repeals and replaces Ch. 8.05, building code (8.05)
480	Amends § 8.09.010, plumbing code; repeals § 8.09.030(8.09)
481	Interim ordinance to regulate coin-operated game machines (Not codified)
482	Adds section to Ch. 10.12, PUD zone (10.12) (Repealed by 935)
483	Amends § 2.28.160, posting of public notices (Note to Title 2)
484	Interim ordinance to regulate games machines (Not codified)
485	Repeals and replaces Ch. 4.08, sanitary sewers and industrial waste (Repealed by 613)
486	Amends § 2.12.010, compensation for councilmen (Note to Title 2)
487	Adds Ch. 3.25, game arcades, § 10.08.085, pool and billiard halls and § 10.60.010(x), zoning of game arcades; amends Ch. 3.24, coin-operated games and §§ 5.04.500,

	5.04.640, 10.40.010, vending machines and zoning restrictions (3.24, 5.04, 10.08, 10.40) (§§ 10.08.085 and 10.60.010(x) repealed by 935)
488	Adds section to Ch. 10.12, R-3 zone (10.12) (Repealed by 935)
489	Adds § 3.16.521, vending in public parks prohibited (Repealed by 788)
490	Adds section to Ch. 10.12, R-3 zone (10.12) (Repealed by 935)
491	Contract between California Public Employees' Retirement System (Special)
492	Adds §§ 10.74.030(L) - (O), 10.74.040(E) and 10.74.050(E); amends §§ 10.74.060(E)(2)(c), (E)(3)(c) and (E)(4), 10.74.070(E)(2)(c), (E)(3)(c) and (E)(4), 10.74.080(E)(2)(c), (E)(3)(c) and (E)(4); repeals §§ 10.74.060(E)(2)(e) and (E)(3)(e), 10.74.070(E)(2)(e) and (E)(3)(e), 10.74.080(E)(2)(e) and (E)(3)(e) and 10.74.090, zoning (10.74) (Repealed by 935)
493	Adds §§ 3.16.560 and 3.16.570, admission to parties in residential zone (3.16)
494	Repeals Ch. 2.14, employees' retirement system (Repealer)
495	Adds section to Ch. 10.12, R-3 zone (10.12) (Repealed by 935)
496	Amends § 8.13.010, electrical code (8.13)
497	Adds Ch. 5.31, cable communications franchises (Repealed by 760)
498	Adds section to Ch. 10.12, R-2 zone (10.12) (Repealed by 935)
499	Suspends and prohibits review, processing and/or granting of unclassified use permits for gasoline service stations or extensions of existing permits to permit sale of food, alcoholic beverages or other related uses (Special)
500	Suspension and prohibition of review, processing and/or granting of unclassified use permits for gasoline service stations selling and/or proposing to sell food, alcoholic beverages or other related items (Repealed by 541)
501	Amends §§ 4 and 5 of Ord. 4, sales and use tax (Not codified)
502	Repeals Ch. 5.30 (Repealer)
503	(Not sent)
	Adds §§ 10.40.010(48) and 10.44.010 (21); amends §§

504	10.40.010(39) and 10.44.010(14); and repeals and replaces Ch. 10.60, unclassified uses (10.40, 10.44, 10.60) (Repealed by 935)
505	Adds section to Ch. 10.12, -1 zone change (10.12) (Repealed by 935)
506	Adds section to Ch. 10.12, R-3 zone change (10.12) (Repealed by 935)
507	Repeals and readopts Ch. 5.31 as Ch. 5.30, narcotic and other paraphernalia (5.30)
508	Repeals and readopts Ch. 5.31 as Ch. 5.30, narcotic and other paraphernalia (5.30)
509	Adds section to Ch. 10.12, -1 zone (10.12) (Repealed by 935)
510	Amends § 2.12.010, administration (Note to Title 2)
511	Interim zoning ordinance (Repealed by 525)
512	Adds Ch. 3.52, public lodgings (3.52)
513	Interim zoning ordinance (Repealed by 526)
514	Adds section to Ch. 10.12, R-3 zone (10.12) (Repealed by 935)
515	Extends interim zoning Ordinance 511 (Repealed by 525)
516	Extends interim zoning Ordinance 513 (Repealed by 526)
517	Amends § 5.08.035, business and occupation permits (5.08)
518	Authorizes amendment to contract with Public Employees' Retirement System (Special)
519	Amends § 6.54.010, speed limits (6.54)
520	Adds section to Ch. 10.12, -1 zone (10.12) (Repealed by 935)
521	Adds §§ 10.14.080, 10.16.120, 10.20.110, 10.24.110, 10.28.130, 10.32.130 and 10.34.130, zoning (10.14, 10.16, 10.20, 10.24, 10.28, 10.32, 10.34) (Repealed by 935)
522	Adds section to Ch. 10.12, R-2 zone (10.12) (Repealed by 935)
523	Amends § 10.60.020(5), zoning (10.60) (Repealed by 935)
524	Adds §§ 5.04.740 and 5.04.741; amends §§ 5.04.370, 5.04.520, business regulations and licenses; deletes subsection (14) of § 5.08.010 (5.04)
525	Repeals Ords. 511 and 515, interim zoning (Repealer)
526	Repeals Ords. 513 and 516, interim zoning (Repealer)

527	Adds §§ 10.08.065, 10.08.635, 10.14.050(E), 10.16.010(n) and 10.36.010(8); amends § 10.48.010 (1) (a), zoning for satellite dish antennas (10.08, 10.14, 10.16, 10.36, 10.48) (Repealed by 935)
528	Amends §§ 3.16.450 and 3.16.540, commercial vehicles, and § 4.34.070(2)(a), prohibited noises (3.16)
529	Amends §§ 8.05.010, 8.05.030(P), 8.05.060 and 8.05.100; repeals §§ 8.05.060 and 8.05.090, building code (8.05)
530	Amends § 8.09.010, plumbing code (8.09)
531	Amends § 8.17.010, mechanical code (8.17)
532	Adds section to Ch. 10.12, R-2 zone (10.12) (Repealed by 935)
533	Adds section to Ch. 10.12, -1 zone (10.12) (Repealed by 935)
534	Adds § 3.16.021, noise control (Repealed by 753)
535	Fortunetelling prohibited (Repealed by 549)
536	Adds §§ 5.04.065, 5.04.585, 5.08.010 (25) and 5.08.033; repeals § 3.20.110, fortunetelling (5.04, 5.08)
537	Repeals and replaces Title 11, division of land ordinance (11.04, 11.08, 11.10, 11.11, 11.12, 11.16, 11.20, 11.21, 11.25, 11.28, 11.32, 11.36)
538	Adds section to Ch. 10.12, R-2 zone (10.12) (Repealed by 935)
539	Extends Ord. 535 for ten months, fifteen days (Repealed by 549)
540	Repeals § 10.64.070 and Ords. 409, 414 and 423, all pertaining to theaters, bookstores and auditoriums (Repealer)
541	Repeals Ord. 500, permits for certain sales at gas stations (Repealer)
542	Adds §§ 10.40.010(49) and 10.60.020(27), zoning (10.40, 10.60) (Repealed by 935)
543	Adds section to Ch. 10.12, R-2 zone (10.12) (Repealed by 935)
544	Adds section to Ch. 10.12, R-3 zone (10.12) (Repealed by 935)
545	Adds section to Ch. 10.12, R-3 zone (10.12) (Repealed by 935)
546	Adds §§ 10.08.225 and 10.60.020(28); repeals and replaces § 10.16.010(i), zoning (10.08, 10.16, 10.60) (Repealed by 935)

547	Adds §§ 10.74.060(F) and 10.74.080(F); amends § 10.74.030(H) and repeals and replaces § 10.74.020(F), zoning for promotional advertising (10.74) (Repealed by 935)
548	Adds section to Ch. 10.12, C-2 zone (10.12) (Repealed by 935)
549	Repeals § 3.20.110 and Ords. 535 and 539, fortunetelling (3.20)
550	Amends §§ 8.13.010 and 8.13.020, electrical code (8.13)
551	Amends §§ 9.04.020, 9.04.030 and 9.04.050, fire code (9.04) (9.04.020 and 9.04.030 repealed by 909) (§ 9.04.050 repealed by 932)
552	Adds §§ 10.28.140, 10.32.140 and 10.34.140, zoning (10.28, 10.32, 10.34) (Repealed by 935)
553	Adds section to Ch. 10.12, R-3 zone (10.12) (Repealed by 935)
554	Amends § 2.12.010, compensation for councilmembers (Note to Title 2)
555	Adds §§ 10.65.055, 10.65.090(C) and (D) and 10.65.105; amends §§ 10.65.030, 10.65.090(A) and (B)(2)(b), 10.65.110, 10.65.120, 10.65.130, 10.65.150, 10.65.170, 10.65.180(A)(2) and (B), 10.65.190(A) and 10.65.200, zoning (10.65) (Repealed by 935)
556	Adds section to Ch. 10.12, R-2 zone (10.12) (Repealed by 935)
557	Adds section to Ch. 10.12, R-3 zone (10.12) (Repealed by 935)
558	Adds section to Ch. 10.12, R-3 zone (10.12) (Repealed by 935)
559	Adds section to Ch. 10.12, R-3 zone (10.12) (Repealed by 935)
560	Amends §§ 2.28.050, 2.28.060, 2.28.080, 2.28.120 and 2.28.140, city council meetings (Repealed by 683)
561	Adds section to Ch. 10.12, R-3 zone (10.12) (Repealed by 935)
562	Adds section to Ch. 10.12, R-3 zone (10.12) (Repealed by 935)
563	Zoning amendment (10.12) (Repealed by 935)
564	Zoning amendment (10.12) (Repealed by 935)
565	Zoning amendment (10.12) (Repealed by 935)
566	Zoning amendment (10.12) (Repealed by 935)

567	Interim zoning ordinance (Not codified)
568	Amends § 3.28.010, animal control (3.36)
569	Extends interim zoning Ordinance 567 (Not codified)
570	Zoning amendment (10.12) (Repealed by 935)
571	Zoning amendment (10.12) (Repealed by 935)
572	Zoning amendment (10.12) (Repealed by 935)
573	Adds § 7.04.030, street and highway permits (7.04)
574	Adds Ch. 3.13, replica firearms (Repealed by 790)
575	Adds § 6.40.242; repeals and replaces § 6.40.241; repeals § 6.40.240, stopping, standing and parking (6.40)
576	Adds Ch. 10.26; amends § 10.12.010; adopts Cottrell Ranch specific plan, zoning (10.12, 10.26) (Repealed by 935)
577	Adds §§ 10.08.611, 10.08.612, 10.08.613 and 10.08.614; adds (50) to § 10.40.010; repeals and replaces (50) of and adds (51) to § 10.48.010, zoning (10.08, 10.40, 10.48) (Repealed by 935)
578	Zoning amendment (10.12) (Repealed by 935)
579	Building permit moratorium (Special)
580	Amends §§ 8.05.010, 8.05.030(B) and 8.05.060; repeals §§ 8.05.040 and 8.05.050, building code (8.05)
581	Amends § 8.09.010, plumbing code (8.09)
582	Amends §§ 8.17.010 and 8.17.020(B), mechanical code (8.17)
583	Extends interim zoning Ord. 567 (Repealed by 592)
584	Extends building permit moratorium of Ord. 579 (Repealed by 592)
585	Addition to R-4 zone, zoning (10.12) (Repealed by 935)
586	Adds Ch. 3.54, newsracks (Repealed by 790)
587	Amends § 2.12.010, compensation (Note to Title 2)
588	Addition to R-3 zone, zoning (10.12) (Repealed by 935)
589	Adds Chs. 10.13, 10.27, 10.38 and §§ 10.28.115, 10.32.115, 10.34.115, 10.36.050, 10.40.050, 10.44.050 and 10.48.050; amends §§ 10.12.010, 10.12.020, 10.16.010(m), 10.16.020, 10.16.045, 10.28.020, 10.28.100, 10.28.110, 10.28.120, 10.32.020, 10.32.040, 10.32.060, 10.32.070, 10.32.120, 10.34.060, 10.34.070 and 10.34.120; repeals Ch. 10.52, zoning (10.12, 10.13, 10.16, 10.27, 10.28, 10.32, 10.34, 10.36, 10.38, 10.40, 10.44, 10.48) (Repealed by 935)
590	Amends § 8.13.010, electrical code (8.13)

591	Amends § 10.60.020(23), zoning (10.60) (Repealed by 935)
592	Repeals Ords. 583 and 584 (Repealer)
593	Adds Ch. 10.58, zoning (10.58) (Repealed by 935)
594	Establishes downtown business district zone, zoning (10.12) (Repealed by 935)
595	Amends § 3.16.310, misdemeanors (Repealed by 775)
596	Adds § 4.54.055, newsracks (Repealed by 790)
597	Amends § 5.04.220, business regulation and licenses (Repealed by 776)
598	Repeals and replaces § 10.80.090, zoning (10.80) (Repealed by 935)
599	Addition to the C-2 zone, zoning (10.12) (Repealed by 935)
600	Repeals and replaces §§ 10.74.050, 10.74.060(E)(1)(a), 10.74.070 and 10.74.080, zoning (10.74) (Repealed by 935)
601	Addition to C-2 zone, zoning (10.12) (Repealed by 935)
602	Addition to R-3 zone, zoning (10.12) (Repealed by 935)
603	Amends § 2.12.010, compensation (Note to Title 2)
604	Adds § 10.26.020; amends Ch. 10.12 (10.26.010), Cotrell Ranch specific plan, zoning (10.26) (Repealed by 935)
605	Addition to -1 zone, zoning (10.12) (Repealed by 935)
606	Adds Ch. 10.25; amends § 10.12.010; adopts Sunny Garden specific plan, zoning (10.12, 10.25) (Repealed by 935)
607	Adds § 6.40.225, parking (6.40)
608	Addition to R-3 zone, zoning (10.12) (Repealed by 935)
609	Addition to R-3 zone, zoning (10.12) (Repealed by 935)
610	Adds Ch. 2.44, redevelopment agency (Note to Title 2)
611	Amends §§ 6.54.010 and 6.54.020, speed limits (6.54) (Repealed by 940)
612	Addition to R-3 zone, zoning (10.12) (Repealed by 935)
613	Repeals and replaces Ch. 4.08, sewers and industrial waste (4.08)
614	Interim zoning ordinance (Repealed by 629)
615	Interim zoning ordinance (Repealed by 628)
616	Addition to R-3 zone, zoning (10.12) (Repealed by 935)
617	Extends interim zoning Ord. 614 (Repealed by 629)

618	Extends interim zoning Ord. 615 (Repealed by 628)
619	Adds § 3.44.040 and repeals Ch. 3.45, aerosol spray paint (3.44)
620	Repeals and replaces Ch. 2.36, emergency services (Note to Title 2)
621	Adds §§ 10.27.055, 10.28.055, 10.32.055 and 10.34.055; amends §§ 10.27.040, 10.27.050, 10.27.110, 10.27.115, 10.28.010, 10.28.020, 10.28.040, 10.28.050, 10.28.100, 10.32.020, 10.32.050, 10.32.100, 10.34.050 and 10.34.100, zoning (Repealed by 627)
622	Building permit moratorium (Repealed by 630)
623	Extends interim Ord. 622 (Repealed by 630)
624	Amends § 8.09.010, plumbing code (8.09)
625	Amends §§ 8.17.010 and 8.17.020, mechanical code (8.17)
626	Amends §§ 10.08.545, 10.40.010 and 10.60.020, zoning (10.40, 10.60) (Repealed by 935)
627	Adds §§ 10.27.055, 10.28.055, 10.32.055, and 10.34.055; amends §§ 10.27.040, 10.27.050, 10.27.110, 10.27.115, 10.28.010, 10.28.020, 10.28.040, 10.28.050, 10.28.100, 10.32.020, 10.32.050, 10.32.100, 10.34.050 and 10.34.100, zoning (10.27, 10.28, 10.32, 10.34) (Repealed by 935)
628	Repeals Ords. 615 and 618 (Repealer)
629	Repeals Ords. 614 and 617 (Repealer)
630	Repeals Ords. 622 and 623 (Repealer)
631	Amends § 2.28.110, city council (Note to Title 2)
632	Amends § 3.28.010, animal control (3.36)
633	Adds section to Ch. 10.12, zoning (10.12) (Repealed by 935)
634	Adds section to Ch. 10.12, zoning (10.12) (Repealed by 935)
635	Amends § 3.28.010, animal control (3.36)
636	Amends §§ 8.05.010 and 8.05.060, building code (8.05)
637	Adds section to Ch. 10.12, zoning (10.12) (Repealed by 935)
638	Adds section to Ch. 10.12, zoning (10.12) (Repealed by 935)
639	Amends § 10.72.120, zoning (10.72) (Repealed by 935)
639.5	Adds section to Ch. 10.12, zoning (10.12) (Repealed by 935)

640	Adds Ch. 2.23, air quality improvement trust fund (Note to Title 2)
641	Adds §§ 2.44.040, 2.44.050, 2.44.060, 2.44.070, 2.44.080 and 2.44.090, redevelopment agency (Note to Title 2)
642	Amends § 2.12.010, compensation (Note to Title 2)
643	Interim zoning ordinance (Repealed by 646)
644	Adds §§ 5.04.075, 5.24.075, business regulations and licenses and 10.92.035, zoning; amends §§ 5.08.035, 5.20.100, business regulations and licenses, 10.72.120, 10.74.030, 10.80.160, zoning, 11.36.010, 11.36.020, 11.36.030 and 11.36.040, division of land; repeals § 10.80.177 (5.08, 5.20, 5.24, 10.72, 10.74, 10.80, 10.92, 11.36) (§§ 10.72.120, 10.74.030, 10.80.160 and 10.92.035 repealed by 935)
645	Extends interim Ord. 643 (Repealed by 646)
646	Adds §§ 10.27.114, 10.28.114, 10.32.114 and 10.34.114; amends §§ 10.27.110, 10.28.110, 10.32.110, 10.34.110, zoning and 11.11.040, division of land; repeals Ords. 643 and 645 (10.27, 10.28, 10.32, 10.34, 11.11) (Repealed by 935)
647	Amends § 2.16.020, planning commission (Note to Title 2)
648	Amends §§ 2.24.010, 2.24.030, 2.24.040, 2.24.050, 2.24.060, 2.24.070, 2.24.080, 2.24.090, 2.24.100, 2.24.190 and 2.24.240, purchasing (Note to Title 2)
649	Adds section to Ch. 10.12, zoning (10.12) (Repealed by 935)
650	Amends § 2.24.190, purchasing (Note to Title 2)
651	Adds section to Ch. 10.12, zoning (10.12) (Repealed by 935)
652	Adds section to Ch. 10.12, zoning (10.12) (Repealed by 935)
653	Amends § 2.04.080, city manager (Note to Title 2)
654	Adds section to Ch. 10.12, zoning (10.12) (Repealed by 935)
655	Adds section to Ch. 10.12, zoning (10.12) (Repealed by 935)
656	Adds section to Ch. 10.12, zoning (10.12) (Repealed by 935)
657	Adds section to Ch. 10.12, zoning (10.12) (Repealed by 935)
	Adds section to Ch. 10.12, zoning (10.12) (Repealed by

658	935)
659	Adds section to Ch. 10.12, zoning (10.12) (Repealed by 935)
660	Adds section to Ch. 10.12, zoning (10.12) (Repealed by 935)
661	Adds section to Ch. 10.12 and adds Ch. 10.95; amends § 10.12.010, zoning (10.12, 10.95) (Repealed by 935)
662	Adds section to Ch. 10.12, zoning (10.12) (Repealed by 935)
663	Amends §§ 5.04.430 and 5.04.450, licenses (5.04)
664	Amends §§ 5.04.430 and 5.04.450, licenses (5.04)
665U	Adds §§ 8.05.090, 8.09.030 and 8.17.030; amends plumbing code and mechanical code and §§ 8.05.010, 8.05.020, 8.05.060, 8.09.010, 8.13.010, 8.13.030 and 8.17.010; adopts Exhibit A amendments to building code; repeals § 8.05.100; technical building codes (8.05, 8.09, 8.13, 8.17)
666U	Amends §§ 9.04.020, 9.04.030, 9.04.050 and 9.04.100; adopts Exhibit A amendments to fire code; repeals § 9.04.040, fire code (9.04) (§§ 9.04.020 and 9.04.030 repealed by 909) (§ 9.04.050 repealed by 932)
667	Amends § 3.28.010, animal control ordinance (3.36)
668	Adds section to Ch. 10.12, zoning (10.12) (Repealed by 935)
669	Adds section to Ch. 10.12 and adds Ch. 10.96; amends § 10.12.010, zoning (10.12, 10.96) (Repealed by 935)
670	Adds section to Ch. 10.12, zoning (10.12) (Repealed by 935)
671	Amends Ch. 4.12, solid waste handling and recycling services (4.12)
672	Regulates promotional advertising in commercial zones (Not codified)
673	Adds section to Ch. 10.12, zoning (10.12) (Repealed by 935)
674	Adds Ch. 5.32, transient occupancy tax (5.32)
675	Adds section to Ch. 10.12, zoning (10.12) (Repealed by 935)
676	Adds section to Ch. 10.12, zoning (10.12) (Repealed by 935)
677	Amends § 2.28.040, council meetings (Note to Title 2)
	Adds section to Ch. 10.12, zoning (10.12) (Repealed by

678	935)
679	Adds Ch. 3.56, disruptive parties and gatherings (Repealed by 753)
680	Adds Ch. 3.56 [3.57], smoking in public places (Repealed by 790)
681	Adds Ch. 3.57 [3.58], public parks (Repealed by 790)
682	Adds section to Ch. 10.12, zoning (10.12) (Repealed by 935)
683	Amends § 2.28.060; repeals Ord. 560, city council (Repealed by 705)
684	Adds Ch. 10.93, water-efficient landscape (10.93) (Repealed by 935)
685U	Amends § 3.44.040, graffiti (3.44)
686	Adds Ch. 10.66, transportation demand and trip reduction measures (10.66) (Repealed by 935)
687	Amends § 3.16.030, loitering (3.16)
688	Amends § 3.44.040, graffiti (3.44)
689	Adds §§ 1.08.120, 1.08.130 and 1.08.140; amends §§ 1.08.030, 1.08.060 and 1.08.070, violations and penalties (Note to Title 1)
690	Adds section to Ch. 10.12, zoning (10.12) (Repealed by 935)
691	Adds Ch. 3.17 and §§ 10.08.145, 10.08.543, 10.08.544, 10.08.545, [10.08.542, 10.08.543, 10.08.544], 10.08.583 and 10.08.765; amends § 10.65.080; repeals §§ 3.16.530 and 10.65.070, property maintenance, land use and building regulations (3.16, 3.20, 10.08, 10.65) (§§ 10.08.145, 10.08.543 - 10.08.545, 10.08.583, 10.08.765, 10.65.080 repealed by 935)
692	Adds § 10.08.185; amends § 10.65.090, zoning (10.08, 10.65) (Repealed by 935)
693	Adds section to Ch. 10.12, zoning (10.12) (Repealed by 935)
694	Adds section to Ch. 10.12, zoning (10.12) (Repealed by 935)
695	Adds Ch. 2.06; repeals §§ 2.04.120 and 2.08.050, city clerk (Note to Title 2)
696	Adds §§ 10.16.115, 10.20.105 and 10.24.105, zoning (10.16, 10.20, 10.24) (Repealed by 935)
697	Adds § 6.40.045, parking construction equipment (6.40)
698	Amends § 5.32.030, transient occupancy tax (5.32)

699	Adds § 3.28.020; amends § 10.90.010 of county animal control ordinance and § 3.28.010, animal control (3.36)
700	Adds Ch. 6.66, parking citation processing (6.66)
701	Adds §§ 10.74.040(F) and 10.74.050(F); amends §§ 10.74.020(F), 10.74.030(H) and (I), 10.74.060(F), 10.74.070(F) and 10.74.080(F); repeals § 10.74.020(I) and renumbers (J) to (I), zoning (10.74) (Repealed by 935)
702U	Adds Ch. 3.17, property maintenance (3.20)
703	Amends Ch. 3.17, property maintenance (3.20)
704	Adds section to Ch. 10.12, zoning (10.12) (Repealed by 935)
705	Amends § 2.28.060, city council; repeals Ord. 93-683 (Note to Title 2)
706	Amends § 10.60.020(10)(F) and (30), zoning (10.60) (Repealed by 935)
707	Adds section to Ch. 10.12 and adds Ch. 10.97; amends § 10.12.010, zoning (10.12, 10.97) (Repealed by 935)
708	Adds §§ 5.04.115 and 10.08.305; amends § 10.16.010(K), home occupations (10.08, 10.16) (Repealed by 935)
709	Adds Ch. 2.30, elections (Note to Title 2)
710	Adds new subsection (4) to § 2.28.110 and renumbers old subsections (4) and (5) to be (5) and (6), city council (Note to Title 2)
711	Amends Ch. 8.03, building construction fees and charges (8.03)
712	Adds §§ 2.28.050 and 2.28.080, city council (Note to Title 2)
713	Adds § 2.08.050, officers (Note to Title 2)
714	Adds section to Ch. 10.12, zoning (10.12) (Repealed by 935)
715U	Amends Ch. 3.17, property maintenance (3.20)
716	Adds Ch. 2.48, confidential communications (Note to Title 2)
717	Amends § 2.28.110, city council (Note to Title 2)
718	Amends Ch. 3.17, property maintenance (3.20)
719	Adds § 2.28.140, city council (Note to Title 2)
720	Amends § 2.28.110, city council (Note to Title 2)
721	Amends §§ 6.40.130, 6.40.140 and 6.40.160, stopping, standing and parking (6.40)
722	Adds Ch. 4.16, stormwater/urban runoff pollution control

	(4.16)
723	Amends §§ 10.08.635 and 10.16.010(n), zoning (10.08, 10.16) (Repealed by 935)
724	Adds § to Ch. 10.12, zoning (10.12) (Repealed by 935)
725	Adds subsection J to § 10.74.020; amends § 10.74.030B and Ch. 10.92, zoning; repeals Ch. 10.88 (10.74, 10.92) (Repealed by 935)
726	Amends § 2.28.110(4)(f)(3), council meetings (Note to Title 2)
727	Amends § 2.28.060, council meetings (Note to Title 2)
728	Adds §§ 9.04.040 and 9.04.105; amends Chs. 8.05, 8.09, 8.13, 8.17 and §§ 9.04.020, 9.04.030, 9.04.050 and 9.04.100; repeals §§ 9.04.010 and 9.04.095, building regulations and fire code (8.05, 8.09, 8.13, 8.17, 9.04) (§§ 9.04.020 and 9.04.030 repealed by 909) (§§ 9.04.040 and 9.04.050 repealed by 932)
729	Adds §§ 9.04.040 and 9.04.105; amends Chs. 8.05, 8.09, 8.13, 8.17 and §§ 9.04.020, 9.04.030, 9.04.050 and 9.04.100; repeals §§ 9.04.010 and 9.04.095, building regulations and fire code (8.05, 8.09, 8.13, 8.17, 9.04) (§§ 9.04.020 and 9.04.030 repealed by 909) (§§ 9.04.040 and 9.04.050 repealed by 932)
730	Adds new § to Ch. 10.12, zones and districts-general (10.12) (Repealed by 935)
731	Adds Ch. 3.46, juvenile truancy (3.56)
732	Adds Ch. 6.70, skateboards and rollerskates (6.70)
733U	Amends § 10.80.140, variances and amendments (Repealed by 737)
734	Amends § 10.80.140, variances and amendments (Repealed by 737)
735	Amends § 2.28.110(3), city council (Note to Title 2)
736	Adds Ch. 10.62; amends § 10.08.643, 10.08.645 and 10.60.020(23), adult businesses; repeals §§ 10.08.042-10.08.046, 10.08.048 and 10.08.049 (10.08, 10.60, 10.62) (§§ 10.08.643, 10.08.645 and 10.60.020(23) repealed by 935)
737	Amends §§ 2.16.060(d), 10.60.010, 10.60.030, 10.60.040, 10.65.040, 10.80.010, 10.80.080, 10.80.120-10.80.150, 10.84.010, 10.84.020, 11.16.040, 11.16.050 and 11.16.080, public hearings; repeals Ord. 733U and 734 (Note to Title 2, 10.60, 10.65, 10.80, 10.84, 11.16) (§§ 10.60.010, 10.60.030, 10.60.040, 10.65.040, 10.80.010,

	10.80.080, 10.80.120-10.80.150, 10.84.010, 10.84.020 repealed by 935)
738	Amends § 2.16.020, planning commission (Note to Title 2)
739	Adds §§ 10.40.010(52) [10.40.010(53)], 10.44.010(1)(d) and 10.60.020(31) and (32); amends § 10.60.020(16), zoning (10.40, 10.44, 10.60) (Repealed by 935)
740	Amends § 2.04.110, interference with city council (2.04)
741	Amends Ch. 4.16, storm water and urban runoff pollution control (4.16) (Repealed by 936)
742	Adds § 10.08.184; amends §§ 10.74.020(E), 10.74.030(O), 10.74.060(E)(1)(b), 10.74.060(E)(1)(c), 10.74.060(E)(4), 10.74.070(E)(1)(b), 10.74.070(E)(1)(c), 10.74.070(E)(4), 10.74.080(E)(1)(b), 10.74.080(E)(1)(c) and 10.74.080(E)(4), zoning (10.74) (Repealed by 935)
743U	Adds § 2.30.030, election campaigns, voluntary expenditure ceiling (Note to Title 2)
744	Adds Ch. 2.10; amends § 2.04.080(2) and (3), 2.32.020 and 2.32.060(a), (e) and (h), powers, duties and responsibilities of city manager, city treasurer and director of finance (Note to Title 2)
745	Amends § 6.40.045; repeals § 6.40.150, parking of commercial vehicles (6.40)
746	Adds §§ 4.34.070(1)(c), 4.34.070(3)(b) and Ch. 5.25, motion picture and television filming permits (Repealed by 788)
747	Amends § 10.60.020(29), zoning (10.60) (Repealed by 935)
748	Amends § 10.92.020(a), zoning (10.92) (Repealed by 935)
749	Amends §§ 1.08.130, 4.12.290 and 4.12.320, unauthorized removal from containers (Note to Title 1, 4.12)
750	Adds §§ 10.40.010(52) and 10.40.020, zoning (10.40) (Repealed by 935)
751	Adds § 3.28.030; amends §§ 3.28.010 and 3.28.020, adopting Los Angeles County animal control ordinance by reference (3.36)
752U	Moratorium on the acceptance and processing of applications and the issuance of un-classified use permits for multiple-tenant retail stores (Special)
753	Repeals and replaces Ch. 4.34; repeals §§ 3.16.020, 3.16.021 and Ch. 3.56, noise control (4.34)
754	Extends moratorium on the acceptance and processing of applications and the issuance of unclassified use permits

	for multiple-tenant retail stores (Special)
755	Add §§ 3.17.070(a)(17) and 10.65.085, commercial vehicle storage (3.20, 10.65) (§ 10.65.085 repealed by 935)
756	Amends § 10.60.020(29)(B)(ii), zoning (10.60) (Repealed by 935)
757	Amends §§ 3.28.020, 10.08.720 and 10.68.010, animal control (3.36, 10.08, 10.68) (§§ 10.08.720 and 10.68.010 repealed by 935)
758	Adds Ch. 1.16, administrative penalties (Note to Title 1)
759	Adds Ch. 4.06 and § 4.08.050; amends Ch. 4.04 and § 4.08.010, health and sanitation (4.04, 4.06, 4.08)
760	Repeals and replaces Ch. 5.31, telecommunications regulatory ordinance (5.32)
761	Adds Ch. 10.94, landscaping requirements for commercial and industrial developments (10.94) (Repealed by 935)
762	Amends Title 1, general provisions (1.04, 1.08, 1.12, 1.16, 1.20)
763	Amends § 2.28.040, council meetings (Note to Title 2)
764	Authorizes amendment to contract with Public Employees' Retirement System (Special)
765	Adds §§ 4.12.252 and 4.12.254 and amends § 4.12.150, solid waste and recycling (4.12)
766	Adds § 10.40.020(j); repeals § 10.40.010(51) and renumbers subsections (52) and (53) to be (51) and (52); repeals § 10.60.020(29) and renumbers subsections (30)-(32) to be (29)-(31); repeals § 10.08.545, zoning (10.08, 10.40, 10.60) (Repealed by 935)
767	Amends Title 2, administration (2.04, 2.06, 2.08, 2.10, 2.12, 2.14, 2.16, 2.18, 2.20, 2.22, 2.24, 2.26, 2.28, 2.30, 2.32) (Ch. 2.14 Repealed by 915)
768	Adds Ch. 10.75, restrictions on placement of outdoor advertisements for alcoholic beverages, tobacco products and adult telephone messages and establishment of enforcement processes (10.75) (Repealed by 935)
769U	Moratorium on the acceptance and processing of applications and the issuance of permits for development in the M-1 zone (Special)
770	Suspends enforcement of § 2.30.030 for the March 1999 election (Special)
771U	Extends moratorium on the acceptance and processing of applications and the issuance of permits for development

	in the M-1 zone (Special)
772	Amends § 2.04.120, city council (2.04)
773	Amends § 10.74.030B, signs and advertising (10.74) (Repealed by 935)
774	Amends § 2.04.030, city council (2.04)
775	Amends Ch. 3.46, curfews; repeals § 3.16.310 (3.56)
776	Amends § 5.16.120 and 5.16.160, sales and use tax; repeals and replaces §§ 5.04.010--5.04.400, licenses; repeals §§ 5.04.410, 5.04.420, 5.04.741, 5.16.080 and 5.16.080.5 (5.04, 5.16)
777	Amends § 2.12.010, city treasurer, and 2.14.020, director of finance (2.12, 2.14) (Ch. 2.14 Repealed by 914)
778	Amends § 2.16.020, planning commission (2.16)
779	Adds Ch. 10.46, zoning (10.46) (Repealed by 935)
780	Adds § 10.12.1050 and amends § 10.12.010, zoning (10.12) (Repealed by 935)
781U	Extends moratorium on the acceptance and processing of applications and the issuance of permits for development in the M-1 zone (Special)
782	Amends Ch. 10.48, zoning (10.48) (Repealed by 935)
783	Adds § 10.12.1060, zoning (10.12) (Repealed by 935)
784	Urgency ordinance amending building regulations and fire code (Not codified)
785	Amends Chs. 8.05, 8.09, 8.13, 8.17 and 9.04, building regulations and fire code (8.05, 8.09, 8.13, 8.17, 9.04) (§§ 9.04.020 and 9.04.030 repealed by 909) (§§ 8.05.030, 8.05.040, 8.05.050, and 8.05.060 repealed by 927) (§§ 9.04.040 and 9.04.050 repealed by 932)
786	Amends Ch. 5.08, business and occupation permits (5.08)
787	Repeals § 6.40.220, all night parking (Repealer)
788	Adds §§ 5.04.095, 5.08.010(c), Chs. 5.22, 5.26, 5.32, 5.34, 5.36, 5.38, 5.40, 5.42, 5.44, 5.46, 5.48 and 5.50; amends Ch. 5.06, § 5.08.020(a), Chs. 5.12, 5.20, 5.24, 5.28, 5.30, §§ 6.40.130, 6.40.160; rennumbers Ch. 5.31 to be Ch. 5.48 [5.52] and rennumbers Ch. 5.32 to be Ch. 5.06; repeals §§ 3.16.521, 3.16.540, Chs. 4.24 and 4.30, § 5.04.741, Chs. 5.25 and 5.29, § 6.40.410, business permits (5.04, 5.06, 5.08, 5.12, 5.20, 5.22, 5.24, 5.26, 5.28, 5.30, 5.32, 5.34, 5.36, 5.38, 5.40, 5.42, 5.44, 5.46, 5.48, 5.50, 5.52, 6.40)
	Adds Ch. 554; amends §§ 5.08.020(a) and 5.04.380;

789	renumbers § 5.32.100 to be 5.32.110 and adds new § 5.32.100, business regulations (5.08, 5.32, 5.54)
790	Adds Chs. 3.28, 3.60, 3.64, 3.68 and 3.72; amends Chs. 3.04, 3.08, 3.12, 3.16, §§ 3.20.070, 3.20.100(a), 3.20.130(c), 3.20.130(g), Chs. 3.24, 3.32, 3.40, 3.44, 3.48, 3.52; renumbers Ch. 3.17 to be Ch. 3.20, renumbers Ch. 3.28 to be Ch. 3.36, and renumbers Ch. 3.46 to be 3.56; repeals Chs. 3.13, 3.25, 3.26, 3.50, 3.54, 3.57, 3.58 and 7.06, public safety and morals (3.04, 3.08, 3.12, 3.16, 3.20, 3.24, 3.28, 3.32, 3.36, 3.40, 3.44, 3.48, 3.52, 3.56, 3.60, 3.64, 3.68, 3.72)
791U	Urgency ordinance designating Los Angeles County department of building and safety as place to post public notices (Not codified)
792U	Urgency ordinance adding Ch. 10.88, processing of development agreements (Not codified)
793	Adds Ch. 10.88, development agreements (10.88) (Repealed by 935)
794	Approves development agreement with LB Victory (Special)
795	Amends §§ 3.2.6, 3.2.9, 3.2.10, 4.6.5, 4.7.3, 4.7.6, 5.3.1(C), 5.2, 5.2.1, 5.2.2, 5.2.3, 5.2.4 and 10.97.010; repeals § 5.1.5, downtown business district specific plan (10.97) (Repealed by 935)
796	Approves amendment to development agreement with LB Victory (Special)
797	Adds §§ 4.16.030(d) and 4.16.095; amends §§ 4.16.040 and 4.16.100(a), stormwater and urban runoff pollution control (4.16)
798	Adds §§ 4.16.030(d) and 4.16.095; amends §§ 4.16.040 and 4.16.100(x); repeals Ord. 797, stormwater and urban runoff pollution control (4.16)
799	Renumbers § 2.32.040 to be 2.32.030; repeals § 2.32.030, voluntary campaign expenditure (2.32)
800	Amends §§ 3.36.010, 3.36.020 and 3.36.030, animal control (3.36)
801	Adds § 10.72.135, fabric membrane structures (10.72) (Repealed by 935)
802	Amends Ch. 10.74, signs and advertising regulations (10.74) (Repealed by 935)
803	Amends §§ 3.36.010 and 3.36.030, animal control (3.36)
804	Adds § 10.12.1070, zoning (10.12) (Repealed by 935)

805	Adds § 10.12.1080, zoning (10.12) (Repealed by 935)
806	Amends §§ 4.7.2, 4.7.4, 4.7.6, and 10.74.050(e) and (n); adds §§ 4.2.6, 4.8 (10.74, 10.97) (Repealed by 935)
808	Repeals § 5.32.100, Saturday night specials - sale prohibited
809	Replaces Chapter 4.16, stormwater and urban runoff pollution prevention (4.16) (Repealed by 936)
810	Amends § 2.04.100, appointing authority (2.04)
811	Repeals §§ 2.08.060 and 2.08.070, removal procedure; renumbers §§ 2.08.080 - 2.080.110, city manager (2.08)
812	Adds § 10.12.1090, addition to the R-2 Zone (Repealed by 935)
813	Adds Ch. 3.58, loitering by criminal street gangs (3.58)
814	Amends § 3.20.070, public nuisances (3.20)
815	Amends § 3.20.070, public nuisances (3.20)
816	Amends § 10.16.010, permitted uses; repeals § 10.16.020, building height restricted (Repealed by 935)
817	Amends § 9.04.070, discharge of fireworks (9.04)
819	Adds §§ 10.16.21, 10.20.021, 10.24.021, 10.27.021, 10.28.021, 10.32.021, 10.34.021, public notice for multiple story residential buildings (Repealed by 935)
822	Amends § 3.04.020, drinking in public places prohibited
823	Adds §§ 5.48.410, 5.48.420, 5.48.430, 5.48.440, 5.48.450, 5.48.460, 5.48.470, 5.48.480, 5.48.490, 5.48.500, 5.48.510, 5.48.520, 5.48.530, 5.48.540, 5.48.550, 5.48.560, 5.48.570, 5.48.580, 5.48.590, taxicab operators and taxicab drivers (5.48)
824	Amends § 4.12.260, mandatory service
825	Add Ch. 5.18, curb address painting (5.18)
826	Deletes § 5.04.095, solicitor defined; amends § 5.46.030, definitions
827	Amends §§ 3.68.010, 3.68.020, 3.68.030, 3.68.040, 3.68.050, 3.68.060; adds §§ 3.68.025, 3.68.026, 3.68.031, 3.68.045, 3.68.055, public parks (3.68)
828	Amends §§ 2.08.060, powers and duties of city manager, 2.20.100, formal bidding procedures, 2.20.110, open market procedures (2.08, 2.20)
829	Amends §§ 2.04.090, organization of city council, 2.32.010, general municipal election date, 2.32.020, extension of terms (2.04, 2.32)
831	Amends § 6.54.010, speed limits (6.54)

832	Amends §§ 3.36.010, 3.36.020, 3.36.030, animal control (3.36)
833	Amends § 10.74.090, temporary signs (10.74) (Repealed by 935)
834	Amends § 2.04.100, appointing authority, § 2.08.60, powers and duties (2.04, 2.08)
835	Amends § 5.42.060, solicitation (5.42)
836	Adds § 10.12.1100, zoning (10.12) (Repealed by 935)
837	Amends § 2.16.020, planning commission (2.16)
838	Amends § 3.20.070, camping (3.20)
839	Amends §§ 9.04.070, 9.04.080, fire code (9.04)
840	Amends § 9.04.080, fire code (9.04)
841	Amends § 6.54.010, speed limits (6.54)
05-842	Amends § 10.97.010, development regulations (10.97) (Repealed by 935)
06-843	Amends §§ 2.04.020, 2.04.050, 2.04.080, 2.04.090, 2.04.120 city council; repeals 2.04.060, ordinances (2.04)
06-844	Adds § 10.63.010, security screens and shutters (10.63) (Repealed by 935)
06-845	Amends § 10.72.120, walls and fences (10.72) (Repealed by 935)
06-846	Amends §§ 10.40.010, 10.40.020, general commercial zone, § 10.60.020, unclassified uses, § 10.65.030, parking (10.40, 10.60, 10.65) (Repealed by 935)
06-847	Amends §§ 9.04.070, 9.04.080, fireworks (9.04)
06-848	Amends § 10.60.020, wireless telecommuni-cations facilities in OS zone (10.60) (Repealed by 935)
06-849	Amends § 3.36.010, animal control (3.36)
06-850	Adds Ch. 4.10, sewer charges (4.10)
06-851	Adds § 10.12.1110, zoning (10.12) (Repealed by 935)
06-852	Adds § 10.12.1120, zoning (10.12) (Repealed by 935)
06-853	Adds § 10.12.1130, zoning (10.12) (Repealed by 935)
06-855	Amends §§ 3.44.030, 3.44.050, 3.44.110; adds §§ 3.44.051 - 3.44.055, graffiti regulations (3.44)
06-857	Amends §§ 10.60.020, 10.74.050, 10.74.065, 10.74.080, signs and advertising (10.60, 10.74) (Repealed by 935)
06-858	Amends §§ 1.12.010, 1.12.170, scope of administrative penalties (1.12)
07-861	Amends §§ 2.20.010, 2.20.030, 2.20.040, 2.20.050, 2.20.060, 2.20.070, 2.20.080, 2.20.090, purchasing limits

	relative to contracts for professional services (2.20)
07-863	Amends §§ 10.12.010, 10.12.880, 10.96.010, Unruh specific plan zone (10.12, 10.96) (Repealed by 935)
07-864	Amends § 10.97.010, zoning (10.97) (Repealed by 935)
07-865	Adds Ch. 4.14, sanitary sewer capacity charge (4.14)
07-866	Amends §§ 5.08.150, 10.08.880, Smoke shops (5.08, 10.08) (§ 10.08.880 repealed by 935)
08-869	Adds § 10.12.1140, addition to the C-2 zone (10.12) (Repealed by 935)
08-870	Amends §§ 8.05.010, 8.09.010, 8.13.010, 8.17.010 and 9.04.010 building code, plumbing code, electrical code,, mechanical code, fire code (8.05, 8.09, 8.13, 8.17, 9.04) (§ 9.04.020 repealed by 909)
08-871	Adds §§ 5.56.010 - 5.56.120, video service provided by state franchise holders (5.56)
08-872	Adds § 10.12.1150, additions (10.12) (Repealed by 935)
08-874	Amends §§ 10.08.860, 10.088.870 and 10.40.010, adding definitions and adding a permitted use to general commercial zone (C-2) (10.08, 10.40) (Repealed by 935)
877	Adding § 10.12.1160, zoning designations (10.12) (Repealed by 935)
878	Adding Chapter 3.22, abandoned and distressed residential properties registration (3.22)
879	Amends § 6.40.241, parking for disabled persons (6.40)
880	Amends § 1.12.030, administrative citation (1.12)
881	Amending 4.12.030, 4.12.160, 4.12.210, 4.12.254, repealing 4.12.252 and adding 4.12.253 and 4.12.550 regarding solid waste regulations (4.12)
882U	Establishing a temporary moratorium for large family day care homes in any residential zone (Not Codified)
883U	Extending a temporary moratorium for family day care homes in residential zone (Not Codified)
884	Adding Chapter 3.74, registered sex offender residency restrictions (3.74)
886	Adding Chapter 3.70, camping (3.70)
887	Amending Chapter 3.20, public safety and morals (3.20)
888	Amending § 5.04.200, application for business license (5.04)
889	Amends § 6.54.010, speed limits (6.54)
890	Amends § 3.20.080, procedures for abatement of public

	nuisances (3.20)
893	Adds Ch. 5.58, medical marijuana cooperatives or collectives (5.58)
892	Amends § 2.04.090, organization of city council and §§ 2.32.010, general municipal election date and 2.32.020, election terms (2.04, 2.32)
894	Amends §§ 2.04.090, organization of city council and 2.10.010, appointment of city clerk (2.04, 2.10)
895	Amends § 3.36.010, county animal control ordinance adoption (3.36)
896	Extending temporary moratorium on establishment and operation of large family day care homes in residential zones (Not Codified)
897	Establishing temporary moratorium on issuance of any zoning permit, use permit or other entitlement for the establishment and operation of automobile dealerships in the C-2 General Commercial district (Not Codified)
899	Extending temporary moratorium on issuance of any zoning permit, use permit or other entitlement for the establishment of automobile dealerships in C-2 zones (Not Codified)
901	Amends § 5.58.010, applicability, 5.58.020, definitions and 5.58.080, operational and performance standards (5.58)
902	Amends § 5.58.010, applicability, 5.58.020, definitions and 5.58.080, operational and performance standards (5.58)
903	Adds Ch. 10.100, prohibition of medical marijuana cooperatives or collectives (10.100) (Repealed by 935)
904	Adds Ch. 5.05, medical marijuana cooperative business license tax (5.05)
906	Adds § 2.20.131, local business preference program (2.20)
907	Amending urgency ordinance 899 to affirm the exemption of certain properties from a temporary moratorium on zoning permits for automobile dealerships (Not Codified)
	Amends § 8.05.010, adoption of building code, 8.05.020, definitions, 8.05.070, violations and penalties, 8.09.10, adoption of plumbing code, 8.09.020, definitions, 8.09.030, violations and penalties, 8.13.010, adoption of electrical code, 8.13.020, definitions, 8.13.030, violations and penalties, 8.17.010, adoption of mechanical code,

908	8.17.020, definitions, 8.17.030, violations and penalties, adds § 8.44.010, adoption of residential code, 8.44.020, definitions, 8.44.030, violations and penalties, adds § 8.48.010, adoption of green building standards code, 8.48.020, definitions, 8.48.030, violations and penalties, adds § 9.04.010, adoption of fire code, 9.04.015, definitions, repeals § 9.04.030, amends § 9.04.100, violations and penalties, 9.04.105, infractions (8.05, 8.09, 8.13, 8.17, 8.44, 8.48, 9.04)
909	Amends § 8.05.010, adoption of building code, 8.05.020, definitions, 8.05.070, violations and penalties, 8.09.10, adoption of plumbing code, 8.09.020, definitions, 8.09.030, violations and penalties, 8.13.010, adoption of electrical code, 8.13.020, definitions, 8.13.030, violations and penalties, 8.17.010, adoption of mechanical code, 8.17.020, definitions, 8.17.030, violations and penalties, adds § 8.44.010, adoption of residential code, 8.44.020, definitions, 8.44.030, violations and penalties, adds § 8.48.010, adoption of green building standards code, 8.48.020, definitions, 8.48.030, violations and penalties, adds § 9.04.010, adoption of fire code, 9.04.015, definitions, repeals § 9.04.030, amends § 9.04.100, violations and penalties, 9.04.105, infractions (8.05, 8.09, 8.13, 8.17, 8.44, 8.48, 9.04) (§§ 9.04.040 and 9.04.050 repealed by 932)
910	Adds § 10.08.900, day care, child - large family (7-14 children), 10.08.910, zoning clearance, amends § 10.16.010, permitted uses (10.08, 10.16) (Repealed by 935)
911	Amending the contract between the city council and the Board of Administration of the California Public Employees' Retirement System (Not Codified)
913	Amends § 2.16.020, planning commission membership - appointment - terms - vacancies - removal (2.16)
914	Amends § 2.12.010, appointment of city treasurer, § 2.12.020, powers and duties (2.12)
915	Repeals Ch. 2.14, director of finance (2.14)
916	Adds Ch. 2.13, at will employment for designated city employees (2.13)
917	Adds § 10.12.1180, addition to the R-3 zone (ZC-331) (10.12) (Repealed by 935)
918	Establishing a moratorium on the establishment and expansion of massage establishments (Not Codified)
	Making payments to the county auditor in order to continue

919	the redevelopment activities of the city (Not Codified)
920	Extending the moratorium on massage establishments established by ordinance 918 (Not Codified)
921	Amends § 2.13.010, at will employment (2.13)
922	Extending the moratorium on massage establishments as previously extended by ordinance 920 (Not Codified)
923	Amends § 2.04.020, council meetings (2.04)
924	Amends § 5.48.220, test for taxicab driver's permit (5.48)
925	Adds § 10.74.061, non-commercial signs; repeals § 10.74.060(f), small, nonilluminated, noncommercial signs (10.74) (Repealed by 935)
926	Amends §§ 8.05.010, 8.05.020, 8.05.070, building code, 8.09.10, 8.09.020, 8.09.030, plumbing code, 8.13.010, 8.13.020, 8.13.030, electrical code, 8.17.010, 8.17.020, 8.17.030, mechanical code, 8.44.010, 8.44.020, 8.44.030, residential code, 8.48.010, 8.48.020, 8.48.030, green building standards code; repeals §§ 8.05.030, 8.05.040, 8.05.050, 8.05.060, building code amendments (8.05, 8.09, 8.13, 8.17, 8.44, 8.48)
927	Amends §§ 8.05.010, 8.05.020, 8.05.070, building code, 8.09.10, 8.09.020, 8.09.030, plumbing code, 8.13.010, 8.13.020, 8.13.030, electrical code, 8.17.010, 8.17.020, 8.17.030, mechanical code, 8.44.010, 8.44.020, 8.44.030, residential code, 8.48.010, 8.48.020, 8.48.030, green building standards code; repeals §§ 8.05.030, 8.05.040, 8.05.050, 8.05.060, building code amendments (8.05, 8.09, 8.13, 8.17, 8.44, 8.48)
928	Amends §§ 10.74.020, signs and advertising definitions, 10.74.150, signs on public property; adds § 10.74.170, electronic display billboards; repeals §§ 10.60.020(33), freestanding electronic message board signs, 10.74.050(b), blinking or moving parts on signs (10.60, 10.74) (Repealed by 935)
929	Amends §§ 2.12.010, appointment of city treasurer, 2.12.020, powers and duties (2.12)
930	Amends § 2.16.020, planning commission membership (2.16)
931	Amends § 2.04.020, council meetings (2.04)
932	Amends §§ 9.04.010, 9.04.015, 9.04.040 and 9.04.100, California fire code (9.04)
933	Adopting moratorium on expansion or relocation or new or existing massage establishments and technicians (Not

	codified)
934	Adopting moratorium on expansion or relocation or new or existing massage establishments and technicians (Not codified)
935	Repeals Ch. 10.04, 10.08, 10.12, 10.13, 10.14, 10.16, 10.20, 10.24, 10.25, 10.26, 10.27, 10.28, 10.32, 10.34, 10.36, 10.38, 10.40, 10.44, 10.46, 10.48, 10.56, 10.58, 10.60, 10.63, 10.64, 10.65, 10.66, and 10.68; adds Ch. 10.02, 10.04, 10.06, 10.10, 10.12, 10.14, 10.16, 10.18, 10.20, 10.24, 10.26, 10.28, 10.30, 10.32, 10.34, 10.36, 10.38, 10.40, 10.42, 10.50, 10.60, 10.63, 10.64, 10.66, 10.68, 10.72, 10.80, 10.82, 10.84, 10.88, 10.90, 10.94, 10.98, 10.100, 10.102, 10.110, 10.112, 10.114, 10.116, 10.118, 10.120, 10.122, 10.132, zoning (10.02, 10.04, 10.06, 10.10, 10.12, 10.14, 10.16, 10.18, 10.20, 10.24, 10.26, 10.28, 10.30, 10.32, 10.34, 10.36, 10.38, 10.40, 10.42, 10.50, 10.60, 10.63, 10.64, 10.66, 10.68, 10.72, 10.80, 10.82, 10.84, 10.88, 10.90, 10.94, 10.98, 10.100, 10.102, 10.110, 10.112, 10.114, 10.116, 10.118, 10.120, 10.122, 10.132)
936	Repeals and replaces Ch. 4.16, stormwater and urban runoff pollution prevention (4.16)
937	Amends § 10.14.020, CM Zone allowed uses and permit requirements (10.14)
938	Adds Ch. 3.76, shopping cart regulations (3.76)
939	Amends § 10.10.010, High Density Residential Zone, § 10.10.020, use regulations for residential zones, § 10.10.030, residential development standards, § 10.132.070, definitions, § 10.132.200, definitions, and § 10.132.210, definitions (10.10, 10.132)
940	Amends § 6.54.010, speed limit on city streets and § 6.54.040, regulation of speed by traffic signals, repeals § 6.54.020, decrease of state law maximum speed on certain streets, and § 6.54.030, decrease of state law speed between districts (6.54)
941	Amends § 2.04.090, organization of City Council, § 2.32.010, general municipal election date, and § 2.32.020, extension of terms (2.04, 2.32)
943	Amends § 2.04.020, Council meetings (2.04)
944	Amends § 8.05.010, building code, § 8.09.010, plumbing code, § 8.13.010, electrical code, § 8.17.010, mechanical code, § 8.44.010, residential code, and § 8.48.010, green building standards code, adds §§ 8.52.010, 8.52.020,

	8.52.030, existing building code (8.05, 8.09, 8.13, 8.17, 8.44, 8.48, 8.52)
945	Amends § 8.05.010, building code, § 8.09.010, plumbing code, § 8.13.010, electrical code, § 8.17.010, mechanical code, § 8.44.010, residential code, and § 8.48.010, green building standards code, adds §§ 8.52.010, 8.52.020, 8.52.030, existing building code (8.05, 8.09, 8.13, 8.17, 8.44, 8.48, 8.52)
946	Adds Ch. 10.44, marijuana regulations (10.44)