

RESOLUTION NUMBER \_\_\_\_\_ 25-010 (PCS)

(Planning Commission Series)

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA MONICA RECOMMENDING TO THE CITY COUNCIL THAT THE COUNCIL AMEND THE TEXT OF THE ZONING ORDINANCE TO AUTHORIZE CANNABIS RETAILERS TO SELL ADULT-USE AND MEDICINAL CANNABIS AND CANNABIS PRODUCTS WITHIN CERTAIN ZONING DISTRICTS

WHEREAS, the State of California has a long history of regulating cannabis uses within the State; and

WHEREAS, in 1996, California voters approved Proposition 215 (codified at Health and Safety Code section 11362.5 and titled the “Compassionate Use Act of 1996”), which provides criminal immunity for patients and primary caregivers for the cultivation and possession of cannabis if a doctor has recommended the cannabis for medical purposes; and

WHEREAS, in 2004, Senate Bill 420 was enacted (codified at Health and Safety Code section 11362.7 et seq. and titled the “Medical Marijuana Program Act”) to clarify the scope of the Compassionate Use Act of 1996; and

WHEREAS, the Medical Marijuana Program Act allows cities and other governing bodies to adopt and enforce laws consistent with its provisions; and

WHEREAS, in 2015, Assembly Bills 243 and 266 and Senate Bill 643 were enacted (codified at Business and Professions Code section 19300 et seq. and titled the “Medical Marijuana Regulation and Safety Act”) and provided for enhanced statewide marijuana regulations; and

WHEREAS, in November 2016, voters approved Proposition 64, the Adult Use of Marijuana Act (“AUMA”), which allows adults 21 years of age or older to legally grow, possess, and use cannabis for nonmedicinal purposes, with certain restrictions; and

WHEREAS, the AUMA authorizes the sale and distribution of cannabis for nonmedicinal purposes through a licensed business; and

WHEREAS, in 2017, the State legislature enacted Senate Bill 94 which created the Medicinal and Adult-Use Cannabis Regulation and Safety Act (“MAUCRSA”) and established regulations for the medicinal and adult-use cannabis markets, aligned all permit types, and authorized certain state agencies to establish rules governing cannabis operations and to implement the law; and

WHEREAS, MAUCRSA continues to preserve local control over cannabis-related uses by: (1) requiring medicinal cannabis businesses to obtain both a state license and a local license or permit, if required, to operate legally in California, (2) terminating the ability of a medicinal cannabis business to operate if its local license or permit is terminated, (3) continuing to authorize local governments to enforce local cannabis-related laws, (4) providing for penalties for unlicensed activities, and (5) expressly protecting local licensing practices, zoning and business regulation laws, and local actions taken under the constitutional police power; and

WHEREAS, consistent with State actions, City Council, when adopting its comprehensive update to its Zoning Ordinance in 2015, contemplated authorizing two medicinal cannabis retailers within the City to serve local needs; and

WHEREAS, on October 24, 2017, the City Council adopted Interim Zoning Ordinance 2557 (CCS) (“IZO 2557”) which established interim zoning regulations to

replace the term “medical marijuana dispensary” with “medicinal cannabis retailer” throughout the Zoning Ordinance; create a definition for “medicinal cannabis retailer” to replace the definition for “medical marijuana dispensary” to conform with State law; remove certain requirements for medicinal cannabis retailers for consistency with State law and to allow for separate and more effective regulatory rulemaking; and modify the definition of “industry, limited” to allow for medicinal cannabis light manufacturing; and

WHEREAS, the interim zoning regulations adopted by IZO 2557 prohibited all adult-use commercial cannabis activities, including retail, cultivation, testing, distribution, and manufacturing; and

WHEREAS, since then, the City has commenced a prolonged medicinal cannabis retailer selection process and issued two permits for the operation of medicinal cannabis retailers in the City; and

WHEREAS, on March 13, 2020, the City Manager, as the Director of Emergency Services (“Director of Emergency Services”), proclaimed the existence of a local emergency to ensure the availability of mutual aid and effectuate the City’s response to the novel coronavirus (“COVID-19”), and this local emergency was restated on March 14, 2020, through a revised declaration of local emergency; and

WHEREAS, on March 16, 2020, the Director of Emergency Services issued a Third Supplement to the Executive Order, requiring the closure of a wide range of businesses including bars, nightclubs, on-premises restaurant service, movie theatres, live performance venues, gyms, fitness centers, spas, hair salons, massage parlors, and nail salons; and

WHEREAS, on March 19, 2020, California Governor Gavin Newsom issued Executive Order N-33-20 directing all residents of the State of California to heed directives issued by the State Health Officer on the same date instructing all Californians to stay home except as needed to maintain continuity of operations of the federal critical infrastructure sectors; and

WHEREAS, on March 19, 2020, the Los Angeles County Department of Public Health issued an enhanced Health Officer Order, the Safer at Home Order for Control of COVID-19, amending and superseding its earlier March 16, 2020 Order, closing all nonessential businesses, and limiting gatherings; and

WHEREAS, after March 19, 2020, the Los Angeles Department of Public Health, on multiple occasions, amended and modified its Health Officer Order, recognizing the issues posed by community transmission of COVID-19 in Los Angeles County, and, in response, maintaining public health measures that have, at differing times, included strict limitations on public gatherings, required closures of certain businesses, and strict limitations and protocols for the operations of businesses permitted to remain open; and

WHEREAS, the local, state, and federal COVID-19 emergency declarations have since concluded, but the economic impacts of the COVID-19 closures of, and limitations on, businesses have been and continue to be devastating to the local Santa Monica economy; and

WHEREAS, as the commercial and economic landscape evolves, the City's economic recovery and competitive advantage will depend on its ability to deliver on a diverse range of unique dining, retail, commercial, and entertainment uses; and

WHEREAS, the City has an important governmental interest in maintaining a thriving business community and protecting the health, safety, and economic welfare of its citizens and businesses; and

WHEREAS, on May 10, 2022, City Council requested that the City Manager schedule a study session as soon as practicable regarding whether to allow for the sale of nonmedicinal cannabis in the City of Santa Monica; and

WHEREAS, on July 26, 2022, in line with potential economic recovery efforts, the City Council voted to place a cannabis business license tax measure (Measure HMP) on the ballot, imposing a tax on all commercial cannabis activities; and

WHEREAS, in the November 2022 election, the voters approved Measure HMP; and

WHEREAS, on June 13, 2023, City Council held a study session where it: (1) considered key policy considerations for allowing adult-use cannabis businesses and other non-retail cannabis business types within the City of Santa Monica; (2) discussed options for allowing adult-use cannabis sales and associated regulatory restrictions as may be appropriate; and (3) provided direction to staff on bringing back changes to the Municipal Code to allow for adult-use cannabis retail businesses and non-retail cannabis business types within the City; and

WHEREAS, at the June 13, 2023, study session, City Council directed staff to return with an ordinance amendment allowing the previously approved medicinal cannabis retailers to also sell adult-use cannabis while the permanent adult-use cannabis updates are pending; and

WHEREAS, on November 14, 2023, City Council the adopted Interim Zoning Ordinance Number 2764 (CCS) (“IZO 2764”), which: (1) established interim zoning regulations related to terminology, definitions and use standards consistent with those established under IZO 2557 in 2017; and (2) expanded those interim regulations in order to allow the two approved medicinal cannabis retailers to also sell adult-use cannabis; and

WHEREAS, on December 19, 2023, City Council adopted Interim Zoning Ordinance Number 2770 (CCS), which extended IZO 2764 to February 12, 2026, to allow adequate time for staff to further evaluate the results of the land use changes included in the IZO and to develop a permanent adult-use cannabis program; and

WHEREAS, on January 19, 2024, Santa Monica was awarded a \$40,000 grant from the State to conduct an equity assessment to inform the adult-use cannabis program; and

WHEREAS, on April 23, 2024, City Council had an additional study session to provide direction on cannabis social equity in Santa Monica and locational restrictions for adult-use cannabis; and

WHEREAS, on September 18, 2024, the Planning Commission conducted a study session where it discussed various policy considerations for adult-use cannabis uses; and

WHEREAS, on October 16, 2024, in accordance with Santa Monica Municipal Code Section 9.46.030(B), the Planning Commission adopted a Resolution of Intention, Resolution Number 24-016 (PCS), declaring its intention to consider recommending to the City Council that the City Council amend the text of the Zoning Ordinance to consider recommending that the City Council make amendments to the Zoning Ordinance to allow

adult-use cannabis uses, including, but not limited to, retail, cannabis events, and consumption lounges; and

WHEREAS, on January 28, 2025, the City Council adopted Interim Zoning Ordinance Number 2799 (CCS), amending the interim zoning regulations established by IZO 2764 and extended by IZO 2770 to expand the operating hours for the City's existing cannabis retailers consistent with State law; and

WHEREAS, on June 4, 2025, the Planning Commission conducted a duly noticed public hearing to consider recommending to the City Council that the City Council amend the text of the Zoning Ordinance to allow cannabis retailers to sell adult-use and medicinal cannabis and cannabis products.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF SANTA MONICA DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. Pursuant to Santa Monica Municipal Code Section 9.46.060(B), the Planning Commission does hereby recommend to the City Council that the City Council amend the text of the Zoning Ordinance to allow adult-use cannabis uses, as set forth in Exhibit A. In making this recommendation, the Planning Commission hereby finds and declares that, for the reasons articulated above, and in the staff report dated June 4, 2025:

1. The proposed amendments to the text of the Zoning Ordinance are consistent with the General Plan and any applicable Specific Plans in that cannabis retailers are an active, pedestrian-oriented use that is appropriate in non-residential zoning districts supporting the goals of the General Plan Land Use and

Circulation Element (LUCE) to create complete neighborhoods with amenities that serve residents, workers, and visitors in the area, including Goal N3, to locate services and amenities within walking distance of neighborhoods, and Goal E4, to support the retail sector in order to provide for the needs of local residents and visitors and augment sales tax revenues.

2. The proposed amendments to the text of the Zoning Ordinance are consistent with the purpose of the Zoning Ordinance to promote the growth of the City in an orderly manner and to promote and protect the public health, safety, and general welfare in that the amendments create the opportunity for cannabis retailers, which are an enhanced retail land use, to operate within the City's nonresidential districts subject to reasonable location and operating requirements that ensure compatibility with surrounding uses, including maintaining appropriate health and safety measures.

SECTION 2. The Director of the Community Development Department shall certify to the adoption of this Resolution, and thenceforth and thereafter the same shall be in full force and effect.

APPROVED AS TO FORM:

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Douglas Sloan, City Attorney



Adopted this \_\_\_\_th day of \_\_\_\_\_, 2025.

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Chair, Planning Commission

I hereby certify that the foregoing Resolution of Intention was duly and regularly introduced and approved at a meeting of the Planning Commission on the \_\_\_\_th day of \_\_\_\_\_, 2025 by the following vote:

Ayes:

Noes:

Abstain:

Absent:

Attest:

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Director of Community Development Department

EXHIBIT A  
ZONING ORDINANCE AMENDMENTS

**CANNABIS  
PROPOSED REDLINE AMENDMENTS**

*(Changes below reflect amendments to regulations and amendments anticipated to become effective June 26, 2025, resulting from City Council action on May 27, 2025)*

**CHAPTER 9.10  
CHAPTER 9.11  
CHAPTER 9.12  
CHAPTER 9.13  
CHAPTER 9.14  
CHAPTER 9.31  
CHAPTER 9.51**

## **CHAPTER 9.10 DOWNTOWN DISTRICTS**

### **Section 9.10.040 Land Use Regulations**

Table 9.10.040 prescribes the land use regulations for Downtown Districts. The regulations for each district are established by letter designations below. These designations apply strictly to the permissibility of land uses; applications for buildings or structures may require discretionary review.

“P” designates permitted uses.

“L(#)” designates limited uses, which are permitted by right, provided they comply with specific limitations listed at the end of the table.

“MUP” designates use classifications that are permitted after review and approval of a Minor Use Permit.

“CUP” designates use classifications that are permitted after review and approval of a Conditional Use Permit.

“—” designates uses that are not permitted.

Land uses are defined in Chapter 9.51 (“Use Classifications”) of Article 9 of the Santa Monica Municipal Code (“Zoning Ordinance”). Use classifications and sub-classifications not listed in the table are prohibited. Accessory uses are permissible when they are determined by the Zoning Administrator to be necessary and customarily associated with and appropriate, incidental, and subordinate to, the principal uses and which are consistent and not more disturbing or disruptive than permitted uses. The table also notes additional use regulations that apply to various uses. Section numbers in the right-hand column refer to other Sections of this Ordinance.

<b>TABLE 9.10.040 LAND USE REGULATIONS—DOWNTOWN DISTRICTS</b>								
<b>Use Classification</b>	<b>LT</b>	<b>NV</b>	<b>BC (Third Street Promenade Area)</b>	<b>BC (Excluding Third Street Promenade Area)</b>	<b>TA</b>	<b>OT</b>	<b>WT</b>	<b>Additional Regulations</b>
<b>Residential Uses</b>								
<b>Residential Dwelling Types</b>								
Accessory Dwelling Unit	P	P	P	P	P	P	P	Section 9.31.025 Accessory Dwelling Units and Junior Accessory Dwelling Units
Junior Accessory Dwelling Unit	P	P	P	P	P	P	P	Section 9.31.025 Accessory Dwelling Units and Junior Accessory Dwelling Units
Multiple-Unit Dwelling	P	P	L(1)	L(1)	P	P	P	Section 9.31.195, Multiple-Unit Dwelling Projects
<i>Senior Citizen Multiple-Unit Dwelling</i>	P	P	L(1)	L(1)	P	P	P	Section 9.31.195, Multiple-Unit Dwelling Projects
<b>Housing Types for Specific Needs</b>								
Congregate Housing	P	MUP, L(3)	MUP, L(1)	MUP, L(1)	MUP	MUP	MUP	Section 9.31.110, Congregate Housing
Elderly and Long-Term Care	P	L(3)	L(1)	L(1)	L(1)	L(1)	L(1)	
Emergency Shelters	L(6)/CUP	L(6)/CUP	CUP/L(1)	L(1), L(6)/CUP	L(6)/CUP	L(6)/CUP	L(6)/CUP	Section 9.31.130, Emergency Shelters
Family Day Care	<i>See sub-classifications below.</i>							
<i>Large</i>	L(1)	L(3)	L(1)	L(1)	L(1)	L(1)	L(1)	Section 9.31.140, Family Day Care, Large
<i>Small</i>	L(1)	L(3)	L(1)	L(1)	L(1)	L(1)	L(1)	
Group Residential	MUP	MUP, L(3)	MUP, L(1)	MUP, L(1)	MUP	MUP	MUP	Section 9.31.155, Group Residential
<i>Senior Group Residential</i>	P	L(3)	P	P	P	P	P	Section 9.31.155, Group Residential
Low Barrier Navigation Centers	P	P	P	P	P	P	P	Section 9.31.175, Low Barrier Navigation Centers
Residential Facilities	<i>See sub-classifications below.</i>							
<i>Residential Care, General</i>	P	L(3)	L(1)	L(1)	P	L(1)	L(1)	Section 9.31.270, Residential Care Facilities
<i>Residential Care, Limited</i>	P	P	L(1)	L(1)	P	P	P	
<i>Residential Care, Senior</i>	P	L(9)	L(1)	L(1)	P	L(9)	L(9)	
<i>Hospice, General</i>	P	L(3)	L(1)	L(1)	P	L(1)	L(1)	Section 9.31.270, Residential Care Facilities
<i>Hospice, Limited</i>	P	P	L(1)	L(1)	P	P	P	
Single-Room Occupancy Housing	L(1)	L(3)	L(1)	L(1)	L(1)	L(1)	L(1)	Section 9.31.330, Single Room Occupancy Structures
Supportive Housing	P	P	L(1)	L(1)	P	P	P	
Transitional Housing	P	P	L(1)	L(1)	P	P	P	
<b>Public and Semi-Public Uses</b>								

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Adult Day Care	L(1)	L(3)	L(1)	L(1)	L(1)	L(1)	L(1)	
Child Care and Early Education Facilities	P	P	P	P	P	P	P	Section 9.31.120, Child Care and Early Education Facilities
Colleges and Trade Schools, Public or Private	CUP	L(1)	L(1)	L(1)	L(1)	L(1)	L(1)	
Community Assembly	L(7)/CUP	CUP	L(15)	P	CUP	L(1)	L(7)/CUP	Section 9.31.100, Community Assembly
Community Gardens	P	P	-	P	P	P	P	
Cultural Facilities	P	P	P	P	P	P	P	
Hospitals and Clinics	P	P	L(1)	L(1)	P	-	P	
<i>Community Clinic</i>	L(29)	L(29)	L(29)	L(29)	L(29)	L(29)	L(29)	
Park and Recreation Facilities, Public	P	P	P	P	P	P	P	
Public Safety Facilities	P	P	P	P	P	P	P	
Schools, Public or Private	CUP	L(3)	L(1)	P	P	-	CUP	
Social Service Centers	P	P	-	P	P	P	P	Section 9.31.350, Social Service Centers
<b>Commercial Uses</b>								
Animal Care, Sales, and Services	<i>See sub-classifications below.</i>							
<i>Grooming and Pet Stores</i>	L(5)/CUP	L(5)/CUP	P	L(5)/CUP	L(5)/CUP	L(5)/CUP	L(5)/CUP	No more than 10 dogs or cats can be kept overnight
<i>Pet Day Care Services</i>	MUP	MUP	-	MUP	MUP	MUP	MUP	
<i>Veterinary Services</i>	MUP	MUP	-	MUP	MUP	-	MUP	
Automobile/Vehicle Sales and Service	<i>See sub-classifications below.</i>							
<i>Alternative Fuels and Recharging Facilities</i>	CUP/L(19)	CUP/L(19)	-	-	CUP/L(19)	-	-	
<i>Automobile Rental</i>	L(10)	L(10)	L(10)	L(10)	L(10)	L(10)	L(10)	Section 9.31.050, Automobile Rental
<i>Automobile Storage Use</i>	-	-	-	-	-	-	-	Section 9.31.070 Automobile/Vehicle Sales, Leasing, and Storage
<i>New Automobile/Vehicle Sales and Leasing</i>	L(8), L(5)/CUP	L(8), L(5)/CUP	L(8), L(5)/CUP	L(8), L(5)/CUP	L(8), L(5)/CUP	-	-	
<i>Additions 7,500 sq ft or less to Automobile/Vehicle Sales and Leasing buildings existing as of 7/06/2010</i>	L(20)/MUP	-	-	-	-	-	-	
<i>Additions larger than 7,500 sq ft to Automobile/Vehicle Sales and Leasing buildings existing as of 7/06/2010</i>	L(20)/CUP	-	-	-	-	-	-	
<i>Automobile/Vehicle Repair, Major</i>	L(19)	-	-	-	-	-	-	Section 9.31.060, Automobile/Vehicle Repair, Major and Minor
<i>Automobile/Vehicle Service and Repair, Minor</i>	L(19)	-	-	-	-	-	-	
<i>Automobile/Vehicle Washing</i>	L(19)	-	-	-	-	-	-	Section 9.31.080, Automobile/Vehi

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								cle Washing
<i>Service Station</i>	L(19)	L(19)	-	-	L(19)	-	-	Section 9.31.320, Service Stations
<i>Towing and Impound</i>	-	-	-	-	-	-	-	
Banks and Financial Institutions	<i>See sub-classifications below.</i>							
<i>Banks and Credit Unions</i>	L(4)/CUP	L(3), L(5)/CUP	-	-	L(4)/CUP	L(4)/CUP	L(4)/CUP	
<i>Check Cashing Businesses</i>	-	-	-	-	-	-	-	
Business Services	L(5)/CUP	L(5)/CUP	L(15)	L(5)/CUP	L(5)/CUP	L(5)/CUP	L(5)/CUP	
Commercial Entertainment and Recreation	<i>See sub-classifications below.</i>							
<i>Cinemas &amp; Theaters, up to 99 seats</i>	-	CUP	P	P	P	-	-	
<i>Cinemas &amp; Theaters, more than 99 seats</i>	-	-	P	CUP	CUP	-	-	
<i>Convention and Conference Centers</i>	CUP	CUP	P	CUP	CUP	CUP	CUP	
<i>Large-Scale Facility</i>	L(21)/CUP	L(21)/CUP	L(21)/CUP	L(21)/CUP	L(21)/CUP	L(21)/CUP	-	
<i>Small-Scale Facility</i>	L(5)/CUP	L(5)/CUP	L(5)/CUP	L(5)/CUP	L(5)/CUP	L(5)/CUP	L(5)/CUP	Section 9.31.340 Small Scale Facility
<i>Fortunetelling</i>	P	P	P	P	P	P	P	
Eating and Drinking Establishments	<i>See sub-classifications below.</i>							
<i>Bars/Nightclubs/Lounges</i>	CUP	CUP	CUP	CUP	CUP	CUP(10)	-	Section 9.31.040, Alcoholic Beverage Sales
<i>Restaurants, Full-Service, Limited Service &amp; Take-Out (2,500 sq ft and smaller, including Outdoor Dining and Seating)</i>	P	P	L(22)	P	P	P	P	Section 9.31.040, Alcoholic Beverage Sales
<i>Restaurants, Full-Service, Limited Service &amp; Take-Out (2,501 – 5,000 sq ft, including Outdoor Dining and Seating)</i>	P	P	L(22)	P	P	P	P	Section 9.31.280, Restaurants, Limited Service, and Take-Out Only
<i>Restaurants, Full-Service, Limited Service &amp; Take-Out (greater than 5,000 sq ft, including Outdoor Dining and Seating)</i>	CUP	P	L(22)	P	P	P	CUP	Section 9.31.200, Outdoor Dining and Seating
<i>Food Hall (up to 175 seats)</i>	CUP	CUP	P	CUP	CUP	CUP	CUP	Section 9.31.290, Restaurants with Entertainment
Equipment Rental	-	-	-	-	L(5)/CUP	-	-	
Food and Beverage Sales	<i>See sub-classifications below.</i>							
<i>Convenience Market</i>	CUP	L(5)/CUP	L(5)/CUP	L(5)/CUP	L(5)/CUP	L(5)/CUP	-	Section 9.31.040, Alcoholic Beverage Sales
<i>Farmer's Market</i>	CUP	P	P	P	P	P	P	
<i>General Market</i>	L(12)/	L(12)/	L(12)/	L(12)/CUP	L(12)/	L(12)/	L(12)	Section 9.31.040,

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	CUP	CUP	CUP		CUP	CUP	/ CUP	Alcoholic Beverage Sales
<i>Liquor Stores</i>	CUP	CUP	P	CUP	CUP	CUP	-	
Funeral Parlors and Mortuaries	CUP	-	-	-	-	-	-	
Instructional Services	L(5)/CUP	L(3), L(5)/CUP	L(1), L(5)/CUP	L(5)/CUP	L(5)/CUP	L(1), L(5)/CUP	L(1), L(5)/CUP	
Live-Work	L(13)	L(3)(13)	L(1)(13)	L(13)	L(13)	L(1)(13)	L(13)	Section 9.31.170, Live-Work Units
Lodging	See sub-classifications below.							
<i>Bed and Breakfast</i>	MUP	MUP	P	MUP	MUP	MUP	MUP	Section 9.31.090, Bed and Breakfasts
<i>Hotels and Motels</i>	CUP	CUP	P	CUP	CUP	CUP	CUP, L(19)	
Maintenance and Repair Services	L(5)/CUP	-	-	-	-	-	-	
Nurseries and Garden Centers	L(5)/CUP	L(5)/CUP	-	L(5)/CUP	L(5)/CUP	-	L(5)/CUP	Section 9.31.220, Outdoor Retail Display and Sales
Offices	See sub-classifications below.							
<i>Business and Professional</i>	L(14)/CUP	L(3), L(5)/CUP	L(1)	L(1)	L(3), L(5)/CUP	L(1)	L(1)	
<i>Creative</i>	L(14)/CUP	L(3), L(5)/CUP	L(1)	L(1)	L(3), L(5)/CUP	L(1)	L(1)	
<i>Medical and Dental</i>	L(14)/CUP	L(3), L(5)/CUP	P	L(1)	L(3), L(5)/CUP	L(1)	L(1)	
<i>Walk-In Clientele</i>	L(14)/CUP	L(3), L(5)/CUP	L(1)	L(5)/CUP	L(3), L(5)/CUP	L(5)/CUP	L(5)/CUP	
Outdoor Newsstands	MUP	MUP	MUP	MUP	MUP	MUP	MUP	Section 9.31.210, Outdoor Newsstands
Parking, Public or Private	CUP	CUP	-	CUP	CUP, L(11)	-	CUP	
Personal Services	See sub-classifications below.							
<i>General Personal Services</i>	L(5)/CUP	L(5)/CUP	P	L(5)/CUP	L(5)/CUP	-	L(5)/CUP	Section 9.31.230, Personal Service
<i>Physical Training</i>	L(17), L(5)/CUP	L(17), L(5)/CUP	L(17), L(21)/CUP	L(17), L(5)/CUP	L(17), L(5)/CUP	L(17), L(5)/CUP	L(17), L(5)/CUP	
<i>Tattoo or Body Modification Parlor</i>	P	P	P	P	P	P	P	Section 9.31.230, Personal Service
Retail Sales	See sub-classifications below.							
<i>Building Materials Sales and Services</i>	P	-	-	-	-	-	-	Section 9.31.220, Outdoor Retail Display and Sales
<i>General Retail Sales, Small-Scale</i>	L(5)/CUP	L(5)/CUP	P	L(5)/CUP	L(5)/CUP	L(5)/CUP	L(5)/CUP	
<i>General Retail Sales, Medium-Scale</i>	CUP	CUP	P	CUP	CUP	-	CUP	
<i>General Retail Sales, Large-Scale</i>	-	-	-	-	-	-	-	
<i>Medical Marijuana Dispensaries</i>	CUPP	-P	-P	-P	-P	-P	-P	Section 9.31.185, Medical



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<i>Cannabis Retailers</i>								Marijuana Dispensaries Section 9.31.095 Cannabis Retailers
<i>Pawn Shops</i>	-	-	-	-	-	-	-	
<i>Swap Meets</i>	-	-	-	-	-	-	-	
<b>Industrial Uses</b>								
Artist's Studio	P	P	L(2)	L(1)	P	P	P	
Commercial Kitchens	-	-		-	CUP	-	-	
Industry, Limited	-	-	L(2), L(23)	-	-	-	-	
Media Production	See sub-classifications below.							
<i>Support Facilities</i>	L(14)/ CUP	L(3), L(5)/CUP	L(1)	L(1)	L(3), L(5)/C UP	L(1)	L(1)	
<b>Transportation, Communication, and Utilities Uses</b>								
Bus/Rail Passenger Stations	P	P	P	P	P	-	P	
City Bike Share Facility	P	P	P	P	P	P	P	
Communication Facilities	See sub-classifications below.							
<i>Antennas and Transmission Towers</i>	-	-	-	-	-	-	-	
<i>Equipment within Buildings</i>	-	-	-	-	-	-	-	
Light Fleet-Based Services	-	-	-	-	MUP	-	-	
Utilities, Major	L(18)	-	-	-	-	-	-	
Utilities, Minor	P	P	P	P	P	P	P	
Specific Limitations:								
(1) Limited to upper floors, and on the ground floor where the entire tenant space shall be located at least 25 feet from the front property line, except for residential units shall be limited to upper floors only. (2) A minimum depth of 25 feet from the front parcel line adjacent to a street for the entire ground-floor street frontage shall be designed to accommodate interactive uses. For purposes of this limitation, interactive uses shall be commercial uses with an interactive element, including, but not limited to, retail sales, exhibitions, displays, demonstrations, or instruction. (3) Between 4th and 7th Court, permitted in mid-block parcels on the ground floor and upper floors. On all other parcels, permitted anywhere on the ground floor if the space has street frontage and was occupied by office on, or is vacant but was occupied by office in the 12 months preceding, the date this Ordinance is effective; otherwise, permitted on upper floors and on the ground floor where the entire tenant space including the primary entry is located at least 50 feet from the front property line. (4) Permitted except no ground floor tenant space shall exceed 20 linear feet of ground floor street frontage without a Conditional Use Permit. (5) Permitted if within buildings existing as of the date the ordinance codified in this Chapter is effective. Permitted in new buildings, except: (a) No individual ground floor tenant space shall occupy more than 7,500 square feet of floor area and/or exceed 50 linear feet of ground floor street frontage without a Conditional Use Permit. (b) Ground floor tenant spaces in the Santa Monica Place are not subject to size limitations. (6) Limited to shelters containing less than 55 beds; Conditional Use Permit required for emergency shelters with 55 or more beds. (7) Any community assembly facility abutting a residential district shall require approval of a Conditional Use Permit. (8) Limited to automobile/vehicle dealer showrooms only which must display one alternative fuel automobile/vehicle if such an automobile/vehicle is available in the dealer's fleet, and limited to six showrooms in the Third Street Promenade Area. (9) Facilities for 6 or fewer residents are permitted by right. Facilities for more than 6 residents shall be subject to L(1) if located in the OT and WT zoning districts and L(3) if located in the NV zoning district. (10) Permitted as an ancillary use to support a primary use. (11) Limited to public parking facilities only.								

**TABLE 9.10.040 LAND USE REGULATIONS—DOWNTOWN DISTRICTS**

Use Classification	LT	NV	BC (Third Street Promenade Area)	BC (Excluding Third Street Promenade Area)	TA	OT	WT	Additional Regulations
(12)								General markets greater than 15,000 square feet require approval of a Conditional Use Permit, except general markets in the Mixed-Use Boulevard district greater than 25,000 square feet require approval of a Conditional Use Permit.
(13)								If the commercial use requires a MUP or CUP, an application shall be required in accordance with SMMC, Chapter 9.41. Even if the commercial use would otherwise be permitted, no such use shall be approved where, given the design or proposed design of the live-work unit, there would be the potential for adverse health impacts from the proposed use on the people residing in the unit. An example of a potential health impact is the potential for food contamination from users that generate airborne particulates in a unit with an unenclosed kitchen.
(14)								All new construction requires approval of a Conditional Use Permit or permitted if within buildings existing as of the date the ordinance codified in this Chapter is effective, except: <ul style="list-style-type: none"> <li>(a) New additions of 50% or more additional square footage to an existing building at any one time, or incrementally, after the effective date of the ordinance codified in this Chapter, requires approval of a Conditional Use Permit.</li> <li>(b) No ground floor, street-fronting, non-office or non-media production support facility use, non-medical or non-dental office use tenant space shall be changed into an individual office use or a media production support facility use, or individual medical or dental office use occupying more than 7,500 square feet of floor area and/or exceeding 50 linear feet of street frontage without the approval of a Conditional Use Permit.</li> </ul>
(15)								Limited to the ground floor with frontage along 2 <sup>nd</sup> Court and 3 <sup>rd</sup> Court alleys or to upper floors.
(16)								Limited to public parking facilities only.
(17)								Youth-serving personal services, physical training requires review and approval of passenger loading and drop-off plan by the Director.
(18)								Limited to electric distribution substations.
(19)								Limited to legally established existing uses as of the date this Specific Plan is effective.
(20)								Auto dealerships existing as of July 6, 2010 are considered permitted uses. Expansions to existing dealerships conforming to the urban auto dealership format standards in Section 9.31.070, Automobile/Vehicle Sales, Leasing and Storage are permitted. Expansions to existing dealerships of 7,500 square feet or less that do not conform to the urban auto dealership format standards shall require an MUP. Expansions to existing dealerships larger than 7,500 square feet that do not conform to the urban auto dealership format standards shall require a CUP.
(21)								No individual Fitness Center tenant space shall exceed 100 linear feet of ground floor street frontage without the approval of a Conditional Use Permit.
(22)								Restaurant, Limited-Service and Take-Out establishments with frontage on the Third Street Promenade and the following characteristics shall be prohibited: <ul style="list-style-type: none"> <li>(a) More than 150 locations nationwide at the time that the application for the establishment is deemed complete by the City; and</li> <li>(b) Characteristics, including but not limited to, orders placed at a walk-up window, counter, or machine; payment prior to food consumption; and food served with disposable, one-time, or limited-use wrapping, containers, or utensils.</li> </ul>
(23)								Excludes commercial laundries and dry cleaning plants, monument works, medicinal cannabis, and medicinal cannabis products.
(24)								Reserved
(25)								Reserved
(26)								Reserved
(27)								Reserved
(28)								Reserved
(29)								Permitted if all objective planning standards set forth in Government Code Section 65914.900 are met.

## **CHAPTER 9.11      MIXED-USE AND COMMERCIAL DISTRICTS**

### **9.11.020      Land Use Regulations**

Table 9.11.020 prescribes the land use regulations for Mixed-Use and Commercial Districts. The regulations for each district are established by letter designations below. These designations apply strictly to the permissibility of land uses; applications for buildings or structures may require discretionary review.

“P” designates permitted uses.

“L(#)” designates limited uses, which are permitted by right, provided they comply with specific limitations listed at the end of the table.

“MUP” designates use classifications that are permitted after review and approval of a Minor Use Permit.

“CUP” designates use classifications that are permitted after review and approval of a Conditional Use Permit.

“—” designates uses that are not permitted.

Land uses are defined in Chapter 9.51 (“Use Classifications”) of Article 9 of the Santa Monica Municipal code (“Zoning Ordinance”). Use classifications and sub-classifications not listed in the table are prohibited. Accessory uses are permissible when they are determined by the Zoning Administrator to be necessary and customarily associated with and appropriate, incidental, and subordinate to, the principal uses and which are consistent and not more disturbing or disruptive than permitted uses. The table also notes additional use regulations that apply to various uses. Section numbers in the right-hand column refer to other Sections of this Ordinance.

<b>TABLE 9.11.020: LAND USE REGULATIONS MIXED-USE AND COMMERCIAL-DISTRICTS</b>					
<i>Use Classification</i>	<i>MUBL</i>	<i>MUB</i>	<i>GC</i>	<i>NC</i>	<i>Additional Regulations</i>
<b>Residential Uses</b>					
Residential Dwelling Types					
Accessory Dwelling Unit	P	P	P	P	Section 9.31.025, Accessory Dwelling Units and Junior Accessory Dwelling Units
Junior Accessory Dwelling Unit	P	P	P	P	Section 9.31.025, Accessory Dwelling Units and Junior Accessory Dwelling Units
Multiple-Unit Dwelling	P	P	P	L(1)	Section 9.31.195, Multiple-Unit Dwelling Projects
<i>Senior Citizen Multiple-Unit Dwelling</i>	P	P	P	L(1)	Section 9.31.195, Multiple-Unit Dwelling Projects
Housing Types for Specific Uses					
Congregate Housing	P	P	P	P	Section 9.31.110, Congregate Housing
Elderly and Long-Term Care	P	P	P	–	
Emergency Shelters	L(3)/CUP	L(3)/CUP	L(3)/CUP	L(3)/CUP	Section 9.31.130, Emergency Shelters
Family Day Care	<i>See sub-classifications below.</i>				
<i>Large</i>	P	P	P	P	Section 9.31.140, Family Day Care, Large
<i>Small</i>	P	P	P	P	
Group Residential	MUP	MUP	MUP	MUP	Section 9.31.155, Group Residential
<i>Senior Group Residential</i>	P	P	P	P	Section 9.31.155, Group Residential
Low Barrier Navigation Centers	P	P	P	P	Section 9.31.175, Low Barrier Navigation Centers
Residential Facilities	<i>See sub-classifications below.</i>				
<i>Residential Care, General</i>	P	P	P	P	Section 9.31.270, Residential Care Facilities
<i>Residential Care, Limited</i>	P	P	P	P	Section 9.31.270, Residential Care Facilities
<i>Residential Care, Senior</i>	P	P	P	P	Section 9.31.270, Residential Care Facilities
<i>Hospice, General</i>	P	P	P	P	Section 9.31.270, Residential Care Facilities
<i>Hospice, Limited</i>	P	P	P	P	Section 9.31.270, Residential Care Facilities
Single-Room Occupancy Housing	P	P	P	P	Section 9.31.330, Single Room Occupancy Structures
Supportive Housing	P	P	P	P	
Transitional Housing	P	P	P	P	
<b>Public and Semi-Public Uses</b>					
Adult Day Care	P	P	P	L(2)/CUP	
Child Care and Early Education Facilities	P	P	P	L(2)/CUP	Section 9.31.120, Child Care and Early Education Facilities
Colleges and Trade Schools, Public or Private	CUP	CUP	P	CUP	
Community Assembly	L(18)/CUP	L(18)/CUP	L(18)/CUP	L(18)/CUP	Section 9.31.100, Community Assembly
Community Gardens	P	P	P	P	
Cultural Facilities	P	P	P	L(2)/CUP	
Hospitals and Clinics	–	P	CUP	–	

<b>TABLE 9.11.020: LAND USE REGULATIONS MIXED-USE AND COMMERCIAL-DISTRICTS</b>					
<i>Use Classification</i>	<i>MUBL</i>	<i>MUB</i>	<i>GC</i>	<i>NC</i>	<i>Additional Regulations</i>
<i>Community Clinic</i>	L(22)	L(22)	L(22)	L(22)	
Park and Recreation Facilities, Public	P	P	P	P	
Public Safety Facilities	P	P	P	CUP	
Schools, Public or Private	P	CUP	CUP	P	
Social Service Centers	P	P	P	P	Section 9.31.350, Social Service Centers
<b>Commercial Uses</b>					
Animal Care, Sales, and Services	<i>See sub-classifications below.</i>				
<i>Grooming and Pet Stores</i>	L(19)/CUP	L(19)/CUP	L(19)/CUP	L(2)/CUP	No more than 10 dogs or cats may be kept overnight
<i>Pet Day Care Services</i>	MUP	MUP	MUP	MUP	
<i>Veterinary Services</i>	MUP	MUP	MUP	MUP	
Automobile/Vehicle Sales and Service	<i>See sub-classifications below.</i>				
<i>Alternative Fuels and Recharging Facilities</i>	CUP	CUP	CUP	CUP	
<i>Automobile Rental</i>	CUP	MUP	MUP	–	Section 9.31.050, Automobile Rental
<i>Automobile Storage Use</i>	L(4)/CUP	–	–	–	Section 9.31.070, Automobile/Vehicle Sales, Leasing, and Storage
<i>New Automobile/Vehicle Sales and Leasing</i>	–	–	CUP(6)	–	Section 9.31.070, Automobile/Vehicle Sales, Leasing, and Storage
<i>Additions 7,500 square feet or less to Automobile/Vehicle Sales and Leasing buildings existing as of 07/06/2010</i>	L(5)/MUP	L(5)/MUP	L(5)/MUP	–	Section 9.31.070, Automobile/Vehicle Sales, Leasing, and Storage
<i>Additions larger than 7,500 square feet to Automobile/Vehicle Sales and Leasing buildings existing as of 07/06/2010</i>	CUP (5)	CUP (5)	CUP (5)	–	Section 9.31.070, Automobile/Vehicle Sales, Leasing, and Storage
<i>Automobile/Vehicle Repair, Major</i>	–	–	CUP	–	Section 9.31.060, Automobile/Vehicle Repair, Major and Minor
<i>Automobile/Vehicle Service and Repair, Minor</i>	CUP	–	CUP	–	Section 9.31.060, Automobile/Vehicle Repair, Major and Minor
<i>Automobile/Vehicle Washing</i>	–	–	CUP	–	Section 9.31.080, Automobile/Vehicle Washing
<i>Service Station</i>	CUP	CUP	MUP	–	Section 9.31.320, Service Stations
<i>Towing and Impound</i>	–	–	CUP	–	
Banks and Financial Institutions	<i>See sub-classifications below.</i>				
<i>Banks and Credit Unions</i>	L(2)/CUP	L(2)/CUP	L(2)/CUP	L(2)/CUP	
<i>Check Cashing Businesses</i>	–	–	–	–	
Business Services	L(19)/CUP	L(19)/CUP	L(19)/CUP	L(2)/CUP	
Commercial Entertainment and Recreation	<i>See sub-classifications below.</i>				
<i>Cinemas</i>	L(7)	–	–	L(7)	
<i>Theaters</i>	L(8)/CUP	L(8)/CUP	L(8)/CUP	L(8)/CUP	
<i>Convention and Conference Centers</i>	–	CUP	CUP	–	
<i>Large-Scale Facility</i>	CUP	CUP	CUP	–	
<i>Small-Scale Facility</i>	L(9)/CUP	L(9)/CUP	L(9)/CUP	CUP (16)	Section 9.31.340, Small-Scale Facility, Game Arcades
<i>Fortunetelling</i>	P	P	P	P	
Eating and Drinking Establishments	<i>See sub-classifications below.</i>				

TABLE 9.11.020: LAND USE REGULATIONS MIXED-USE AND COMMERCIAL-DISTRICTS					
Use Classification	MUBL	MUB	GC	NC	Additional Regulations
<i>Bars/Nightclubs/Lounges</i>	CUP	CUP	CUP	-	Section 9.31.040, Alcoholic Beverage Sales
<i>Restaurants, Full-Service, Limited Service &amp; Take-Out (2,500 square feet and smaller, including Outdoor Dining and Seating)</i>	P	P	P	P	Section 9.31.040, Alcoholic Beverage Sales Section 9.31.280, Restaurants, Limited Service and Take-Out Only Section 9.31.290, Restaurants With Entertainment Section 9.31.200, Outdoor Dining and Seating
<i>Restaurants, Full-Service, Limited Service &amp; Take-Out (2,501 – 5,000 square feet, including Outdoor Dining and Seating)</i>	P	P	P	P	Section 9.31.040, Alcoholic Beverage Sales Section 9.31.280, Restaurants, Limited Service and Take-Out Only Section 9.31.290, Restaurants With Entertainment Section 9.31.200, Outdoor Dining and Seating
<i>Restaurants, Full-Service, Limited Service &amp; Take-Out (greater than 5,000 square feet, including Outdoor Dining and Seating)</i>	CUP	CUP	CUP	CUP (10)(11)	Section 9.31.040, Alcoholic Beverage Sales Section 9.31.280, Restaurants, Limited Service and Take-Out Only Section 9.31.290, Restaurants With Entertainment Section 9.31.200, Outdoor Dining and Seating
<i>Food Hall (up to 175 seats)</i>	CUP	CUP	CUP	CUP	
Equipment Rental	–	L(19)/CUP	L(19)/CUP	–	
Food and Beverage Sales	See sub-classifications below.				
<i>Convenience Market</i>	CUP	CUP	CUP	CUP	Section 9.31.040, Alcoholic Beverage Sales
<i>Farmers Markets</i>	CUP	CUP	CUP	CUP	
<i>General Market</i>	L(12)/CUP	L(12)/CUP	L(12)/CUP	L(12)/CUP	Section 9.31.040, Alcoholic Beverage Sales
<i>Liquor Stores</i>	CUP	CUP	CUP	CUP	Section 9.31.040, Alcoholic Beverage Sales
Funeral Parlors and Mortuaries	–	CUP	CUP	–	
Instructional Services	L(19)/CUP	L(19)/CUP	L(19)/CUP	L(17)/CUP	
Live-Work	L(14)	L(14)	L(14)	L(14)	Section 9.31.170, Live-Work
Lodging	See sub-classifications below.				
<i>Bed and Breakfast</i>	MUP	MUP	MUP	MUP	Section 9.31.090, Bed and Breakfasts
<i>Hotels and Motels</i>	CUP	CUP	CUP	–	
Maintenance and Repair Services	L(19)/CUP	L(19)/CUP	L(19)/CUP	L(2)/CUP	
Nurseries and Garden Centers	L(19)/CUP	L(19)/CUP	L(19)/CUP	L(17)/CUP	Section 9.31.220, Outdoor Retail Display and Sales
Offices	See sub-classifications below.				
<i>Business and Professional</i>	L(21)/CUP	L(21)/CUP	L(21)/CUP	L(21)/CUP	
<i>Creative</i>	L(21)/CUP	L(21)/CUP	L(21)/CUP	L(21)/CUP	
<i>Medical and Dental</i>	L(21)/CUP	L(21)/CUP	L(21)/CUP	L(21)/CUP	
<i>Walk-In Clientele</i>	L(21)/CUP	L(21)/CUP	L(21)/CUP	L(21)/CUP	
Outdoor Newsstands	MUP	MUP	MUP	MUP	Section 9.31.210, Outdoor

<b>TABLE 9.11.020: LAND USE REGULATIONS MIXED-USE AND COMMERCIAL-DISTRICTS</b>					
<i>Use Classification</i>	<i>MUBL</i>	<i>MUB</i>	<i>GC</i>	<i>NC</i>	<i>Additional Regulations</i>
					Newsstands
Parking, Public or Private	CUP	CUP	CUP	CUP	
Personal Services	<i>See sub-classifications below.</i>				
<i>General Personal Services</i>	L(19)/CUP	L(19)/CUP	L(19)/CUP	L(2)/CUP	Section 9.31.230, Personal Service
<i>Personal Services, Physical Training</i>	L(19)(20)	L(19)(20)	L(19)(20)	L(2)(20)/CUP	
<i>Tattoo or Body Modification Parlor</i>	P	P	P	P	Section 9.31.230, Personal Service
Retail Sales	<i>See sub-classifications below.</i>				
<i>Building Materials Sales and Services</i>	–	–	CUP	–	Section 9.31.220, Outdoor Retail Display and Sales
<i>General Retail Sales, Small-Scale</i>	L(19)/CUP	L(19)/CUP	L(19)/CUP	L(2)/CUP	Section 9.31.220, Outdoor Retail Display and Sales
<i>General Retail Sales, Medium-Scale</i>	CUP	CUP	L(19)/CUP	–	Section 9.31.220, Outdoor Retail Display and Sales
<i>General Retail Sales, Large-Scale</i>	–	–	CUP	–	Section 9.31.220, Outdoor Retail Display and Sales
<i>Medical Marijuana Dispensaries Cannabis Retailers</i>	CUP(15)P	CUP(15)P	CUP(15)P	–P	Section 9.31.185, Medical Marijuana Dispensaries 9.31.095 Cannabis Retailers
<i>Pawn Shops</i>	–	–	–	–	
<i>Swap Meets</i>	–	–	CUP	–	Section 9.31.360, Swap Meets
<b>Industrial Uses</b>					
Artist's Studio	P	P	P	P	
Commercial Kitchens	–	–	CUP	–	
Media Production	<i>See sub-classifications below.</i>				
<i>Support Facilities</i>	L(21)/CUP	L(21)/CUP	L(21)/CUP	L(21)/CUP	
<b>Transportation, Communication, and Utilities Uses</b>					
Bus/Rail Passenger Stations	P	P	P	P	
City Bikeshare Facility	P	P	P	P	
Communication Facilities	<i>See sub-classifications below.</i>				
<i>Antennas and Transmission Towers</i>	–	–	CUP	–	Chapter 9.32, Personal Wireless Service Facilities
<i>Equipment within Buildings</i>	–	–	P	–	
Light Fleet-Based Services	–	–	CUP	–	
Utilities, Major	–	L(13)	L(13)	–	
Utilities, Minor	P	P	P	P	
<b>Specific Limitations:</b>					
(1) Limited to the upper floors and areas not subject to the Active Use Requirement set forth in Section 9.11.030(A) for parcels located on Main Street, Montana Avenue, Pico Boulevard, and Ocean Park Boulevard. Permitted on all floors for all other parcels.					
(2) Limitation shall only apply to new construction and alterations to existing buildings that result in a combination or enlargement of tenant spaces: Limited to facilities with no more than 7,500 square feet of floor area and/or 40 linear feet of ground floor street frontage; greater area and/or width requires approval of a Conditional Use Permit.					
(3) Limited to shelters containing less than 55 beds; Conditional Use Permit required for emergency shelters with 55 or more beds.					
(4) Limited to automobile storage use associated with existing automobile dealerships selling new vehicles; otherwise, requires Conditional Use Permit.					
(5) Auto dealerships existing as of July 6, 2010 are considered permitted uses. Expansions to existing dealerships conforming to the Urban Auto Dealership Format standards in Section 9.31.070, Automobile/Vehicle Sales, Leasing, and Storage are permitted. Expansions to existing dealerships that do not conform to the Urban Auto Dealership Format standards shall require a MUP or CUP.					

TABLE 9.11.020: LAND USE REGULATIONS MIXED-USE AND COMMERCIAL-DISTRICTS					
Use Classification	MUBL	MUB	GC	NC	Additional Regulations
(6)	New auto dealerships may be allowed, subject to approval of a Conditional Use Permit, only on sites with frontage on Santa Monica Boulevard between Lincoln Boulevard and 20 <sup>th</sup> Street on Lincoln Boulevard between Interstate 10 and Santa Monica Boulevard. In other locations, new automobile dealerships are not permitted.				
(7)	Limited to existing cinema buildings. New cinemas are not permitted.				
(8)	Limited to theaters with 75 or fewer seats. Theaters with more than 75 seats require Conditional Use Permit.				
(9)	Limited to exercise facilities (e.g., yoga, Pilates, martial arts, and dance studios) and arts instruction facilities. Other small-scale commercial recreation uses require approval of a Conditional Use Permit.				
(10)	Limited to restaurants with 50 or fewer seats.				
(11)	Limited to 2 restaurants greater than 5,000 square feet per block along Main Street. A block is defined as both sides of Main Street and the adjacent sides of adjoining side streets. Portions of Main Street to be designated a "block" for the purpose of this Section are as follows: Block 1: South City limits to Marine Street. Block 2: Marine Street to Pier Avenue. Block 3: Pier Avenue to Ashland Avenue. Block 4: Ashland Avenue to Hill. Block 5: Hill to Ocean Park Boulevard. Block 6: Ocean Park Boulevard to Hollister Avenue (total of four restaurants and bars permitted in this block). Block 7: Hollister Avenue to Strand. Block 8: Strand to Pacific. Block 9: Pacific to Bicknell. Block 10: Bicknell to Bay. Block 11: Bay to Pico Boulevard.				
(12)	General markets greater than 15,000 square feet require a Conditional Use Permit. In the Neighborhood Commercial District, establishments shall not exceed 25,000 square feet of floor area.				
(13)	Limited to electric distribution substations.				
(14)	If the commercial use requires a MUP or CUP, an application shall be required in accordance with Chapter 9.41. Even if the commercial use would otherwise be permitted, no such use shall be approved where, given the design or proposed design of the live-work unit, there would be the potential for adverse health impacts from the proposed use on the people residing in the unit. An example of a potential health impact is the potential for food contamination from uses that generate airborne particulates in a unit with an unenclosed kitchen.				
(15)	Medical marijuana dispensaries are limited to the following locations: • MUB District along Wilshire Boulevard between Lincoln Boulevard and Centinela Avenue; • GC District along Santa Monica Boulevard between Lincoln Boulevard and 20 <sup>th</sup> Street; and • MUBL District along Santa Monica Boulevard between 23 <sup>rd</sup> Street and Centinela Avenue.				
(16)	Limited to facilities of no more than 3,000 square feet of floor area.				
(17)	Limitation shall only apply to new construction and alterations to existing buildings that result in a combination or enlargement of tenant spaces: No individual tenant space in the NC District shall occupy more than 7,500 square feet of floor area and/or exceed 50 linear feet of ground floor street frontage without the approval of a Conditional Use Permit.				
(18)	Any community assembly facility abutting a residential district shall require a Conditional Use Permit.				
(19)	Limitation shall only apply to new construction and alterations to existing buildings that result in a combination or enlargement of tenant spaces: No individual tenant space in the MUBL, MUB, and GC Districts shall occupy more than 12,500 square feet of floor area and/or exceed 75 linear feet of ground floor street frontage without the approval of a Conditional Use Permit.				
(20)	Youth-serving personal services, physical training requires review and approval of a passenger loading and drop-off plan by the Director.				
(21)	Permitted if within buildings existing as of July 24, 2015, subject to the active use requirement set forth in Section 9.11.030(A)(1), except: • All new construction, including new additions of 50% or more additional square footage to an existing building at any one time, or incrementally, after the effective date of this Ordinance, requires approval of a Conditional Use Permit. • In the NC District, ground floor, street-fronting, tenant space occupied by non-media production, support facility uses shall not be changed to an individual office use or media production, support facility use occupying more than 12,500 square feet of floor area and/or exceeding 75 linear feet of street frontage without the approval of a Conditional Use Permit. • In the NC District, no non-medical or non-dental office use tenant space shall be changed to an individual medical or dental office use anywhere in an existing building occupying more than 7,500 square feet of floor area and/or exceeding 50 linear feet of ground floor street frontage without the approval of a Conditional Use Permit. • In the MUBL, MUB, and GC Districts, no non-medical or non-dental office use tenant space shall be changed to an individual medical or dental office use anywhere in an existing building occupying more than 12,500 square feet of floor area and/or exceeding 75 linear feet of ground floor street frontage without approval of a Conditional Use Permit.				
(22)	Permitted if all objective planning standards set forth in Government Code Section 65914.900 are met.				



### 9.11.030 Development Standards

Table 9.11.030.A, Development Standards for All Projects, Except Housing Projects, prescribes the development standards for all projects, except housing projects, as defined by Section 9.52.020.1125, in Mixed-Use and Commercial Districts. Additional regulations are denoted with Section numbers in the right-hand column or with individual letters in parentheses. Section numbers refer to other Sections of this Article, while individual letters in parentheses refer to subsections that directly follow the table.

<b>TABLE 9.11.030.A: DEVELOPMENT STANDARDS FOR ALL PROJECTS, EXCEPT HOUSING PROJECTS — MIXED-USE AND COMMERCIAL-DISTRICTS</b>								
<i>Standard</i>	<i>MUBL</i>	<i>MUB</i>	<i>GC (Santa Monica Blvd)</i>	<i>GC (Lincoln &amp; Pico Blvds)</i>	<i>NC</i>	<i>NC (Main St)</i>	<i>NC (Ocean Park Blvd &amp; Montana Ave)</i>	<i>Additional Regulations</i>
<b>Parcel and Intensity Standards</b>								
Minimum Parcel Size (sq. ft.)	7,500	7,500	7,500	7,500	5,000	5,000	5,000	See (F), Consolidation of Parcels
Minimum Parcel Width (ft.)	50	50	50	50	50	50	50	
Minimum Parcel Depth (ft.)	150	150	150	150	100	100	100	
Maximum FAR								Section 9.04.090, Determining Floor Area Ratio in Non-Residential Zoning Districts
<i>Tier 1 — Base Standard</i>	1.25	1.25	1.0	1.25	1.25	0.75	0.75	
<i>Tier 1 — Projects Including On-Site Affordable Housing in Compliance with AHPP</i>	1.5	1.5	1.25	1.5	1.5	1.0	1.0	Chapter 9.64, Affordable Housing Production Program
<i>Tier 2 — With Provision of Community Benefits</i>	1.75	2.25	1.5	1.75 (2.0 if on-site affordable housing provided)	NA	NA	NA	Chapter 9.23, Community Benefits
<b>Building Form and Location</b>								
Maximum Building Height (stories/ft.)								Section 9.04.050, Measuring Height
<i>Tier 1 — Base Standard</i>	2/32'	2/32'	2/32'	2/32'	2/32'	2/27'	2/32'	
<i>Tier 1 — Projects Including On-Site Affordable Housing in Compliance with AHPP</i>	3/36'	3/39' if 100% residential above ground floor, 3/35' for all other projects	NA	3/36'	2/32'	2/27'	2/32'	Chapter 9.64, Affordable Housing Production Program

<b>TABLE 9.11.030.A: DEVELOPMENT STANDARDS FOR ALL PROJECTS, EXCEPT HOUSING PROJECTS — MIXED-USE AND COMMERCIAL DISTRICTS</b>								
<i>Standard</i>	<i>MUBL</i>	<i>MUB</i>	<i>GC (Santa Monica Blvd)</i>	<i>GC (Lincoln &amp; Pico Blvds)</i>	<i>NC</i>	<i>NC (Main St)</i>	<i>NC (Ocean Park Blvd &amp; Montana Ave)</i>	<i>Additional Regulations</i>
<i>Tier 2 —With Provision of Community Benefits</i>	3/36'	3/45'	2/35'	3/32' (3/36' if on-site affordable housing provided)	NA	NA	NA	Chapter 9.23, Community Benefits
<i>Tier 2— With Provision of Community Benefits and 100% Residential Above the Ground Floor</i>	No limit to stories/36'	No limit to stories/50'	No limit to stories/35'	No limit to stories/32' (36' if on-site affordable housing provided)	NA	NA	NA	Chapter 9.23, Community Benefits
Minimum Ground Floor Height (ft.)	11'	11'	11'	11'	11'	11'	11'	
Maximum Building Footprint (sq. ft.)								
<i>Tier 1</i>	25,000	25,000	25,000	15,000	10,000	10,000	10,000	
<i>Tier 2 —With Provision of Community Benefits</i>	35,000	35,000	35,000	20,000	15,000	15,000	15,000	Chapter 9.23, Community Benefits
Minimum Setbacks (ft.)								
<i>Interior Side and Rear— Adjacent to Residential District</i>	10	10	10	10	10	10 See (E)	10	Section 9.21.110, Projections from Buildings into Minimum Setbacks and Daylight Plane
Parking	See Sections 9.28.070, Location of Parking and 9.28.120, Parking Design and Development Standards							
Active Commercial Design	See (A)	See (A)	See (A)	See (A)	See (A)	See (A)	See (A)	
Pedestrian Oriented Design	See (B)	See (B)	See (B)	See (B)	See (B)	See (B)	See (B)	
Build-To Line, Nonresidential Uses	See (C)	See (C)	See (C)	See (C)	See (C)	See (C)	See (C)	
Minimum Upper-Story Stepbacks (ft.)—Required Above the Ground Floor								
<i>Street-Facing Façades</i>	5' average	5' average	5' average	5' average	5' average	5' average	5' average	
Daylight Plane Adjacent to Residential District—Interior Side and Rear	See (D)	See (D)	See (D)	See (D)	See (D)	See (D)	See (D)	Section 9.21.060, Height Projections
<b>Standards for Residential Uses</b>								
Minimum Outdoor Living Area (sq. ft./unit)—Sites with 3 or More Units (including private and common)	100	100	100	100	100	100	100	Section 9.21.090, Outdoor Living Area
<i>Minimum Amount Provided as Private Outdoor Living Area (sq. ft./unit)</i>	60	60	60	60	60	60	60	Section 9.21.090, Outdoor Living Area
<b>Additional Standards</b>								
Accessory Dwelling Units	Section 9.31.025, Accessory Dwelling Units and Junior Accessory Dwelling Units							
Accessory Food Service	Section 9.31.030, Accessory Food Service							
Accessory Structures	Section 9.21.020, Accessory Buildings and Structures							
Affordable Housing Production Program	Chapter 9.64, Affordable Housing Production Program							

<b>TABLE 9.11.030.A: DEVELOPMENT STANDARDS FOR ALL PROJECTS, EXCEPT HOUSING PROJECTS — MIXED-USE AND COMMERCIAL-DISTRICTS</b>								
<i>Standard</i>	<i>MUBL</i>	<i>MUB</i>	<i>GC (Santa Monica Blvd)</i>	<i>GC (Lincoln &amp; Pico Blvds)</i>	<i>NC</i>	<i>NC (Main St)</i>	<i>NC (Ocean Park Blvd &amp; Montana Ave)</i>	<i>Additional Regulations</i>
Automobile/ Vehicle Sales, Leasing, and Storage	Section 9.31.070, Automobile/Vehicle Sales, Leasing, and Storage							
Density Bonus	Chapter 9.22, Density Bonus							
Fences and Walls	Section 9.21.050, Fences, Walls, and Hedges							
Home Occupation	Section 9.31.160, Home Occupation							
Junior Accessory Dwelling Units	Section 9.31.025, Accessory Dwelling Units and Junior Accessory Dwelling Units							
Landscaping and Street Trees	Subsection 9.11.030(F), Chapter 9.26, Landscaping							
Lighting	Section 9.21.080, Lighting							
Multiple-Unit Dwelling Projects	Section 9.31.195, Multiple-Unit Dwelling Projects							
Multiple-Unit Dwelling Projects Located on Community Assembly Surface Parking Lots	Section 9.31.196, Multiple-Unit Dwelling Projects Located on Community Assembly Surface Parking Lots							
Off-Street Parking and Loading	Chapter 9.28, Parking, Loading, and Circulation							
Projections into Height Limits	Section 9.21.060, Height Projections							
Projections into Required Setbacks	Section 9.21.110, Projections from Buildings into Minimum Setbacks and Daylight Plane							
Refuse and Recycling Screening and Enclosure	Section 9.21.130, Resource Recovery and Recycling Standards							
Signs	Chapter 9.61, Signs							
Screening	Section 9.21.140, Screening							
Solar Energy Systems	Section 9.21.150, Solar Energy Systems							

Table 9.11.030.B, Development Standards For Housing Projects, prescribes the development standards for housing projects, as defined by Section 9.52.020.1125, in Mixed-Use and Commercial Districts. Additional regulations are denoted with Section numbers in the right-hand column or with individual letters in parentheses. Section numbers refer to other Sections of this Article, while individual letters in parentheses refer to subsections that directly follow the table.

TABLE 9.11.030.B: DEVELOPMENT STANDARDS FOR HOUSING PROJECTS — MIXED- USE AND COMMERCIAL DISTRICTS										
Standard	MUBL (N. of I-10)	MUBL (Pico Blvd)	MUBL (Lincoln Blvd & Main St)	MUB	GC (Santa Monica Blvd)	GC (Lincoln Blvd)	GC (Pico Blvd)	NC	NC (Main St, Ocean Park Blvd, & Montana Ave)	Additional Regulations
<b>Parcel and Intensity Standards</b>										
Minimum Parcel Size (sq. ft.)	7,500	7,500	7,500	7,500	7,500	7,500	7,500	5,000	5,000	See (F), Consolidation of Parcels
Minimum Parcel Width (ft.)	50	50	50	50	50	50	50	50	50	
Minimum Parcel Depth (ft.)	150	150	150	150	150	150	150	100	100	
Maximum FAR										Section 9.04.090, Determining Floor Area Ratio in Non- Residential Zoning Districts
Housing Projects	3.25	2.0 (2.5 west of Lincoln Blvd)	2.5	3.25	3.25	2.5	2.0	2.25	2.5	
100% Affordable Housing Projects	3.75	2.5 (3.0 west of Lincoln Blvd)	3.0	3.75	3.75	3.0	2.5	2.75	3.0	
<b>Building Form and Location</b>										
Maximum Building Height (ft.)										Section 9.04.050, Measuring Height
Housing Projects	70'	45' (55' west of Lincoln Blvd)	55'	70'	70'	55'	45'	50'	55'	
100% Affordable Housing Projects	80'	55' (65' west of Lincoln Blvd)	65'	80'	80'	65'	55'	60'	65'	
Minimum Ground Floor Height (ft.)	11'	11'	11'	11'	11'	11'	11'	11'	11'	
Maximum Building Footprint (sq. ft.)										
Housing Projects	35,000	35,000	35,000	35,000	35,000	20,000	20,000	15,000	15,000	
Minimum Setbacks (ft.)										
Interior Side and Rear — Adjacent to Residential District	10	10	10	10	10	10	10	10	10 See (E)	Section 9.21.110, Projections from Buildings into Minimum Setbacks and Daylight Plane
Active Commercial Design	See (A)	See (A)	See (A)	See (A)	See (A)	See (A)	See (A)	See (A)	See (A)	
Pedestrian Oriented Design	See (B)	See (B)	See (B)	See (B)	See (B)	See (B)	See (B)	See (B)	See (B)	
Build-To Line, Nonresidential Uses	See (C)	See (C)	See (C)	See (C)	See (C)	See (C)	See (C)	See (C)	See (C)	

TABLE 9.11.030.B: DEVELOPMENT STANDARDS FOR HOUSING PROJECTS — MIXED- USE AND COMMERCIAL DISTRICTS										
Standard	MUBL (N. of I-10)	MUBL (Pico Blvd)	MUBL (Lincoln Blvd & Main St)	MUB	GC (Santa Monica Blvd)	GC (Lincoln Blvd)	GC (Pico Blvd)	NC	NC (Main St, Ocean Park Blvd, & Montana Ave)	Additional Regulations
Minimum Upper-Story Stepbacks (ft.)—Required Above the Ground Floor										
Street-Facing Façades	5' average	5' average	5' average	5' average	5' average	5' average	5' average	5' average	5' average	
Daylight Plane Adjacent to Residential District—Interior Side and Rear	See (D)	See (D)	See (D)	See (D)	See (D)	See (D)	See (D)	See (D)	See (D)	Section 9.21.060, Height Projections
<b>Standards for Residential Uses</b>										
Minimum Outdoor Living Area (sq. ft./unit)—Sites with 3 or More Units (including private and common)	100	100	100	100	100	100	100	100	100	Section 9.21.090, Outdoor Living Area
Minimum Amount Provided as Private Outdoor Living Area (sq. ft./unit)	60	60	60	60	60	60	60	60	60	Section 9.21.090, Outdoor Living Area
<b>Additional Standards</b>										
Accessory Dwelling Units	Section 9.31.025, Accessory Dwelling Units and Junior Accessory Dwelling Units									
Accessory Food Service	Section 9.31.030, Accessory Food Service									
Accessory Structures	Section 9.21.020, Accessory Buildings and Structures									
Affordable Housing Production Program	Chapter 9.64, Affordable Housing Production Program									
Automobile/ Vehicle Sales, Leasing, and Storage	Section 9.31.070, Automobile/Vehicle Sales, Leasing, and Storage									
Density Bonus	Chapter 9.22, Density Bonus									
Fences, Walls, and Hedges	Section 9.21.050, Fences, Walls, and Hedges									
Home Occupation	Section 9.31.160, Home Occupation									
Junior Accessory Dwelling Units	Section 9.31.025, Accessory Dwelling Units and Junior Accessory Dwelling Units									
Landscaping and Street Trees	Subsection 9.11.030(F), Chapter 9.26, Landscaping									
Lighting	Section 9.21.080, Lighting									
Multiple-Unit Dwelling Projects	Section 9.31.195, Multiple-Unit Dwelling Projects									
Multiple-Unit Dwelling Projects Located on Community Assembly Surface Parking Lots	Section 9.31.196, Multiple-Unit Dwelling Projects Located on Community Assembly Surface Parking Lots									
Off-Street Parking and Loading	Chapter 9.28, Parking, Loading, and Circulation									
Projections into Height Limits	Section 9.21.060, Height Projections									
Projections into Required Setbacks	Section 9.21.110, Projections from Buildings into Minimum Setbacks and Daylight Plane									
Refuse and Recycling Screening and Enclosure	Section 9.21.130, Resource Recovery and Recycling Standards									
Signs	Chapter 9.61, Signs									
Screening	Section 9.21.140, Screening									
Solar Energy Systems	Section 9.21.150, Solar Energy Systems									

A. **Active Ground Floor Use and Design.**

1. **Active Use Requirement.** Except as exempted in subsection A(3), below, the ground-floor street frontage of buildings on defined Commercial Boulevards, within LUCE-designated Activity Centers, and within Neighborhood Commercial Districts on Main Street and Montana Avenue shall be required to have active use areas that accommodate commercial uses, subject to the following:

a. Active use areas are required to have a minimum average depth of 40 feet, but no less than 25 feet, for a minimum of 60% of the ground-floor frontage, to the maximum extent feasible.

b. Within LUCE-designated Activity Centers established pursuant to Chapter 9.18 and Neighborhood Commercial Districts on Main Street and Montana Avenue, uses within these active use areas shall be limited to the following:

- i. Cultural facilities;
- ii. Food and beverage sales;
- iii. Eating and drinking establishments;
- iv. Grooming and pet stores;
- v. Banks and credit unions;
- vi. Business services;
- vii. Commercial entertainment, recreation, and instructional services;
- viii. General personal services and personal physical training;
- ix. General retail sales and cannabis retailers; and
- x. Childcare facilities.

c. In other commercial districts not identified in subsection (A)(1)(b), above, the following uses are prohibited within these active use areas:

i. Offices, with the following exceptions:

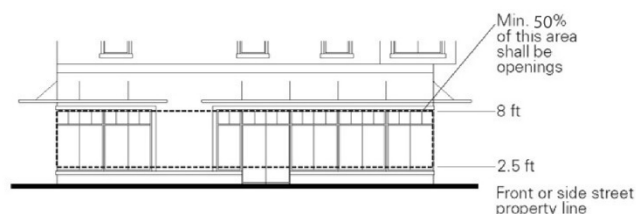
(1) Creative offices or offices with walk-in clientele, and

(2) Offices within a structure that was designed, approved, and continuously used with office at the ground level, facing the street.

2. **Active Commercial Design.** Where an active use is required for new buildings, the ground-floor street frontage shall be designed to accommodate commercial uses and activities, subject to the following:

a. **Street Facing Facades.** A minimum of 50% of each street facing façade shall be transparent and include windows, doors, and other openings between 2.5 and 8 feet above finished grade. Openings fulfilling this requirement shall have transparent glazing or openings that provide views into work areas, display areas, sales areas, lobbies, or similar active spaces, or into window displaying merchandise or other items other than signs that are at least 3 feet deep. This requirement may be modified by the Architectural Review Board if it can be demonstrated that the fulfillment of this requirement materially interferes with the project's ability to meet the requirements of Municipal Code Chapter 8.36 – Energy Code.

**FIGURE 9.11.030.A: STREET-FACING FAÇADES**



b. A minimum of one pedestrian entrance facing the Commercial Boulevard.

3. ***Exemptions for Certain Housing Projects.***

a. *100% Affordable Housing Projects.* 100% Affordable Housing Projects are exempt from the provision of subsection A, except that 100% Affordable Housing Projects within the Neighborhood Commercial Districts on Main Street and Montana Avenue shall be subject to subsections (A)(1) (a) and (b).

b. *All Other Housing Projects.* Except as provided below, Housing Projects on defined Commercial Boulevards are exempt from the provisions of subsection (A).

i. Housing Projects located within the Neighborhood Commercial Districts on Pico Boulevard and Ocean Park Boulevard are subject to subsection (A)(1)(a).

ii. Housing Projects on defined Commercial Boulevards shall be subject to the limitation on office use set forth in subsection (A)(1)(c).

B. **Pedestrian-Oriented Design.**

1. No more than 20 feet or 40% of a building's ground floor façade, whichever is less, may be continuous blank or featureless linear street-level frontage.

2. New development shall incorporate the following design elements at the ground floor level:

a. *Street-Facing Facades.*



i. Articulated façades at the ground floor street frontage, which may include, but not necessarily require, such measures as indentation in plane, change of materials in a complimentary manner, sensitive composition and juxtaposition of openings and solid wall and/or building frame and projecting elements such as awnings and marquees to provide shade and shelter;

ii. Exterior lighting which provides for a secure nighttime pedestrian environment by reinforcing entrances, public sidewalks and open areas with a safe level of illumination which avoids off-site glare.

b. *Ground-Floor Street Frontages Along Commercial Boulevards.* The finished ground floor level along the Commercial Boulevard shall not exceed 18 inches lower or higher than the finished grade of the adjacent sidewalk.

c. *Sloped Ground-Floor Street Frontages Along Commercial Boulevards.* On parcels with a grade change of 10% or more along the length of the parcel line adjacent to the Commercial Boulevard, the finished ground floor level along the Commercial Boulevard shall not exceed 18 inches lower or 3 feet higher than the finished grade of the adjacent sidewalk.

3. Residential uses at the ground floor street frontage shall incorporate planted areas, porches, front stairs, and/or other elements that contribute to a pedestrian environment. Pedestrian-oriented design elements may also include street furniture or other seating surfaces on private property and design amenities scaled to the pedestrian such as awnings, drinking fountains, paseos, arcades, colonnades, plazas, noncommercial community bulletin boards, public or private art, and alternative paving materials in areas of pedestrian access.

4. When provided, storefront security grates or grilles shall be located inside exterior windows, shall be retractable into pockets or overhead cylinders, and shall be completely concealed when retracted.

5. Alternatives to the requirements of this Section 9.11.030(B) may be approved if the Review Authority finds that the proposed use has unique operational characteristics with which providing the required windows and openings is incompatible, and street-facing building walls will exhibit architectural relief and detail and be enhanced with landscaping in such a way as to create visual interest at the pedestrian level.

C. **Build-To Line, Nonresidential Uses.** Buildings with nonresidential uses on the ground floor and not facing a residential district shall be constructed no farther than 10 feet from the street facing property line(s) for 70% of linear street frontage. This requirement may be waived or modified subject to a discretionary approval upon finding that:

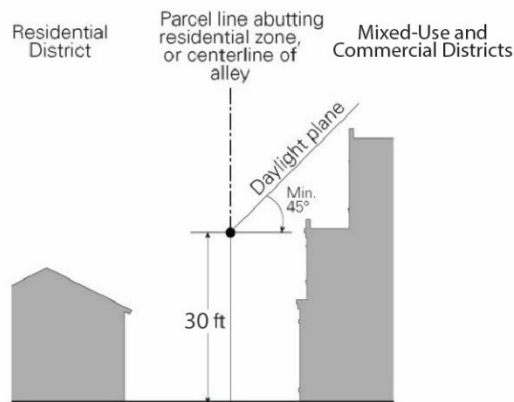
1. An alternative configuration can be approved based on the findings in Chapter 9.43, Modifications and Waivers, and the objectives of the Design Guidelines; and

2. Entry courtyards, plazas, small parks, entries, outdoor eating and display areas, or other uncovered areas designed and accessible for public use are located between the build-to line and building, provided that the buildings are built to the edge of the courtyard, plaza, small park, or dining area; and

3. The building incorporates an alternative entrance design that creates a pedestrian-oriented entry feature facing the street.

D. **Daylight Plane Adjacent to Residential Districts.** Buildings shall not extend above a plane starting at 30 feet in height directly above the parcel line abutting any residentially-zoned parcel, or where there is an alley, the centerline of the alley, and from that point, extending in at a 45-degree angle from vertical toward the interior of the site. The 30-foot height measurement shall be taken from the same reference grade as determined for the subject site pursuant to Section 9.04.050.

**FIGURE 9.11.030.D: DAYLIGHT PLANE ADJACENT TO RESIDENTIAL DISTRICTS—MIXED-USE AND COMMERCIAL DISTRICTS**



E. **Parcels in the NC—Main Street District.**

1. **Use of Rear Setback.** Commercial use in the required rear setback is not permitted. Noncommercial uses and parking are permitted in the rear setback to the rear property line on the ground level.

2. **Use of Roof in Rear Setback.** No portion of the first-floor roof within 15 feet of the rear property line may be used for any purpose other than access for building

maintenance and repair. The remaining setback area may be privately used (not open to the public) if enclosed with a solid 6-foot barrier.

F. **Consolidation of Parcels – NC Zoning District.** Except for parcels identified on the 6<sup>th</sup> Cycle 2021-2029 Housing Element Suitable Sites Inventory, limits on the consolidation of parcels in the Neighborhood Commercial zoning districts shall apply to the following:

1. **Montana Avenue, Ocean Park Boulevard, and Pico Boulevard.** Parcels shall not be consolidated nor shall parcels be tied if such consolidation or parcel tie results in a parcel that exceeds 15,000 square feet in size.

2. **Main Street.** Parcels shall not be consolidated nor shall parcels be tied if such consolidation or parcel tie results in a parcel that exceeds the following:

a. For Housing Projects north of Ocean Park Boulevard, 15,000 square feet in size.

b. For Housing Projects south of Ocean Park Boulevard, 11,000 square feet in size.

c. For all other projects, 6,000 square feet in size.

G. **Planting Areas.** The following areas shall be landscaped:

1. **Setback Areas Adjoining Streets.** All visible portions of a required setback area adjoining a street that are not used for driveways or walks shall consist of planting areas, landscape, or pedestrian amenities such as entry courtyards, plazas, entries, outdoor eating and display areas, or other uncovered areas designed and accessible for public use.

2.     ***Interior and Rear Setback Areas.*** At least 50% of each required interior side and rear setback area shall be a planting area. The required planting area may be reduced to less than 50% of the setback area but no less than 3 feet in width in one side or rear setback area adjoining a driveway or when an approved nonresidential accessory structure occupies a portion of the rear setback area.

3.     ***Adjoining R1 and R2 Districts.*** A continuous planting area with a minimum width of 5 feet shall be provided along interior parcel lines when a Mixed-Use and Commercial Districts adjoins an R1 or R2 District and is not separated by a public or private thoroughfare.

## **CHAPTER 9.12     BERGAMOT DISTRICTS**

### **9.12.020     Land Use Regulations**

Table 9.12.020 prescribes the land use regulations for Bergamot Districts. The regulations for each district are established by letter designations below. These designations apply strictly to the permissibility of land uses; applications for buildings or structures may require discretionary review.

“P” designates permitted uses.

“L(#)” designates limited uses, which are permitted by right, provided they comply with specific limitations listed at the end of the table.

“MUP” designates use classifications that are permitted after review and approval of a Minor Use Permit.

“CUP” designates use classifications that are permitted after review and approval of a Conditional Use Permit.

“—” designates uses that are not permitted.

Land uses are defined in Chapter 9.51 (“Use Classifications”) of Article 9 of the Santa Monica Municipal code (“Zoning Ordinance”). Use classifications and sub-classifications not listed in the table are prohibited. Accessory uses are permissible when they are determined by the Zoning Administrator to be necessary and customarily associated with and appropriate, incidental, and subordinate to, the principal uses and which are consistent and not more disturbing or disruptive than permitted uses. The table also notes additional use regulations that apply to various uses. Section numbers in the right-hand column refer to other Sections of this Ordinance.

TABLE 9.12.020: LAND USE REGULATIONS— BERGAMOT DISTRICTS					
<i>Use Classification</i>	<i>BTv</i>	<i>MUC</i>	<i>CAC</i>	<i>CCS</i>	<i>Additional Regulations</i>
<b>Residential Uses</b>					
Residential Dwelling Types					
Accessory Dwelling Unit	P	P	P	P	Section 9.31.025, Accessory Dwelling Units and Junior Accessory Dwelling Units
Junior Accessory Dwelling Unit	P	P	P	P	Section 9.31.025, Accessory Dwelling Units and Junior Accessory Dwelling Units
Multiple-Unit Dwelling	P	P	P	P	Section 9.31.195, Multiple-Unit Dwelling Projects
<i>Senior Citizen Multiple-Unit Dwelling</i>	P	P	P	P	Section 9.31.195, Multiple-Unit Dwelling Projects
Housing Types for Specific Needs					
Congregate Housing	P	P	CUP	CUP	Section 9.31.110, Congregate Housing
Elderly and Long-Term Care	P	P	CUP	CUP	
Emergency Shelters	P	P	CUP	CUP	Section 9.31.130, Emergency Shelters
Family Day Care	<i>See sub-classifications below.</i>				
<i>Large</i>	P	P	P	P	Section 9.31.140, Family Day Care, Large
<i>Small</i>	P	P	P	P	
Group Residential	P	P	MUP	MUP	Section 9.31.155, Group Residential
<i>Senior Group Residential</i>	P	P	P	P	Section 9.31.155, Group Residential
Low Barrier Navigation Centers	P	P	P	P	Section 9.31.175, Low Barrier Navigation Centers
Mobile Home Park	-	P	-	-	
Residential Facilities	<i>See sub-classifications below.</i>				
<i>Residential Care, General</i>	P	P	MUP	MUP	Section 9.31.270, Residential Care Facilities
<i>Residential Care, Limited</i>	P	P	P	P	Section 9.31.270, Residential Care Facilities
<i>Residential Care, Senior</i>	P	P	L(4)/MUP	L(4)/MUP	Section 9.31.270, Residential Care Facilities
<i>Hospice, General</i>	P	P	MUP	MUP	Section 9.31.270, Residential Care Facilities
<i>Hospice, Limited</i>	P	P	P	P	Section 9.31.270, Residential Care Facilities
Single-Room Occupancy Housing	P	P	P	P	Section 9.31.330, Single Room Occupancy Structures
Supportive Housing	P	P	P	P	
Transitional Housing	P	P	P	P	
<b>Public and Semi-Public Uses</b>					
Adult Day Care	P	P	-	P	
Child Care and Early Education Facilities	P	P	-	P	Section 9.31.120, Child Care and Early Education Facilities
Colleges and Trade Schools, Public or Private	CUP	CUP	CUP	-	
Community Assembly	CUP	CUP	CUP	CUP	Section 9.31.100, Community Assembly
Community Gardens	P	P	P	P	
Cultural Facilities	P	P	P	P	

<b>TABLE 9.12.020: LAND USE REGULATIONS— BERGAMOT DISTRICTS</b>					
<i>Use Classification</i>	<i>BTV</i>	<i>MUC</i>	<i>CAC</i>	<i>CCS</i>	<i>Additional Regulations</i>
Hospitals and Clinics	L(11)	L(11)	-	MUP, L(12)	
<i>Community Clinic</i>	L(5)	L(5)	L(5)	L(5)	
Park and Recreation Facilities, Public	P	P	P	P	
Public Safety Facilities	P	P	L(3)	P	
School, Public or Private	CUP	CUP	CUP	-	
Social Service Centers	P	P	-	-	Section 9.31.350, Social Service Centers
<b>Commercial Uses</b>					
Animal Care, Sales, and Services	<i>See sub-classifications below.</i>				
<i>Grooming and Pet Stores</i>	P	P	P	L(2)	
<i>Pet Day Care Services</i>	MUP	MUP	-	MUP	
<i>Veterinary Services</i>	MUP	MUP	-	MUP	
Automobile/Vehicle Sales and Service	<i>See sub-classifications below.</i>				
<i>Alternative Fuels and Recharging Facilities</i>	-	-	-	-	
<i>Automobile Rental</i>	-	-	-	-	
<i>Automobile Storage Use</i>	-	-	-	-	
<i>New Automobile/Vehicle Sales and Leasing</i>	-	-	-	-	
<i>Additions 7,500 square feet or less to Automobile/Vehicle Sales and Leasing buildings existing as of 07/06/2010</i>	-	-	-	-	
<i>Additions larger than 7,500 square feet to Automobile/Vehicle Sales and Leasing buildings existing as of 07/06/2010</i>	-	-	-	-	
<i>Automobile/Vehicle Repair, Major</i>	-	-	-	-	
<i>Automobile/Vehicle Service and Repair, Minor</i>	-	-	-	-	
<i>Automobile/Vehicle Washing</i>	-	-	-	-	
<i>Service Station</i>	-	-	-	-	
<i>Towing and Impound</i>	-	-	-	-	
Banks and Financial Institutions	<i>See sub-classifications below.</i>				
<i>Banks and Credit Unions</i>	L(9)/CUP	L(9)/CUP	L(9)/CUP	L(9)/CUP	
<i>Check Cashing Businesses</i>	-	-	-	-	
Business Services	P	P	P	P	
Commercial Entertainment and Recreation	<i>See sub-classifications below.</i>				
<i>Cinemas &amp; Theaters, up to 99 seats</i>	P	P	P	P	
<i>Cinemas &amp; Theaters, more than 99 seats</i>	CUP	-	-	-	
<i>Convention and Conference Centers, less than 25,000 sf</i>	CUP	CUP	CUP	-	
<i>Convention and Conference Centers, 25,000 sf or greater</i>	CUP	-	-	-	
<i>Large-Scale Facility</i>	L(10)/CUP	L(10)/CUP	L(10)/CUP	L(10)/CUP	
<i>Small-Scale Facility</i>	MUP	MUP	MUP	MUP	Section 9.31.340, Small-Scale Facility, Game Arcades
<i>Fortunetelling</i>	P	P	P	P	
Eating and Drinking Establishments	<i>See sub-classifications below.</i>				
<i>Bars/Nightclubs/Lounges</i>	CUP	CUP	MUP	CUP	Section 9.31.040, Alcoholic Beverage Sales
<i>Restaurants, Full-Service, Limited Service &amp; Take-Out (2,500 square feet and</i>	P	P	P	P	Section 9.31.040, Alcoholic Beverage Sales



TABLE 9.12.020: LAND USE REGULATIONS— BERGAMOT DISTRICTS					
Use Classification	BTV	MUC	CAC	CCS	Additional Regulations
<i>smaller, including Outdoor Dining and Seating)</i>					Section 9.31.280, Restaurants, Limited Service and Take-Out Only Section 9.31.200, Outdoor Dining and Seating Section 9.31.290, Restaurants With Entertainment
<i>Restaurants, Full-Service, Limited Service &amp; Take-Out (2,501 – 5,000 square feet, including Outdoor Dining and Seating)</i>	P	P	P	MUP	Section 9.31.040, Alcoholic Beverage Sales Section 9.31.280, Restaurants, Limited Service and Take-Out Only Section 9.31.200, Outdoor Dining and Seating Section 9.31.290, Restaurants With Entertainment
<i>Restaurants, Full-Service, Limited Service &amp; Take-Out (greater than 5,000 square feet, including Outdoor Dining and Seating)</i>	P	P	P	MUP	Section 9.31.040, Alcoholic Beverage Sales Section 9.31.280, Restaurants, Limited Service and Take-Out Only Section 9.31.200, Outdoor Dining and Seating Section 9.31.290, Restaurants With Entertainment
Equipment Rental	MUP	MUP	-	MUP	
Food and Beverage Sales	See sub-classifications below.				
<i>Convenience Market</i>	L(2)/CUP	L(2)/CUP	L(2)/CUP	L(2)CUP	Section 9.31.040, Alcoholic Beverage Sales
<i>Farmers Markets</i>	CUP	CUP	CUP	CUP	
<i>General Market</i>	L(3)/CUP	L(3)/CUP	L(3)/CUP	L(3)/CUP	Section 9.31.040, Alcoholic Beverage Sales
<i>Liquor Stores</i>	CUP	CUP	CUP	CUP	Section 9.31.040, Alcoholic Beverage Sales
Funeral Parlors and Mortuaries	—	-	-	—	
Instructional Services	P	P	P	P	
Live-Work	P	P	P	P	Section 9.31.170, Live-Work
Lodging	See sub-classifications below.				
<i>Bed and Breakfast</i>	-	-	-	-	Section 9.31.090, Bed and Breakfasts
<i>Hotels and Motels</i>	CUP	CUP	CUP	—	
Maintenance and Repair Services	MUP, L(12)	MUP, L(12)	-	MUP, L(12)	
Nursery and Garden Center	P	P	-	-	Section 9.31.220, Outdoor Retail Display and Sales
Offices	See sub-classifications below.				
<i>Business and Professional</i>	L(12)/CUP	L(12)/CUP	-	-	
<i>Creative</i>	P	P	P	P	
<i>Medical and Dental</i>	CUP	CUP	-	CUP	
<i>Walk-In Clientele</i>	P	P	-	-	
Outdoor Newsstands	MUP	MUP	MUP	MUP	Section 9.31.210, Outdoor Newsstands
Parking, Public or Private	CUP	CUP	CUP	-	
Personal Services	See sub-classifications below.				
<i>General Personal Services</i>	P	P	-	P	Section 9.31.230, Personal

<b>TABLE 9.12.020: LAND USE REGULATIONS— BERGAMOT DISTRICTS</b>					
<i>Use Classification</i>	<i>BTV</i>	<i>MUC</i>	<i>CAC</i>	<i>CCS</i>	<i>Additional Regulations</i>
					Service
<i>Personal Services, Physical Training</i>	P	P	P	P	
<i>Tattoo or Body Modification Parlor</i>	P	P	P	P	Section 9.31.230, Personal Service
Retail Sales	<i>See sub-classifications below.</i>				
<i>Building Materials Sales and Services</i>	–	–	-	–	Section 9.31.220, Outdoor Retail Display and Sales
<i>General Retail Sales, Small-Scale</i>	P	P	P	P	Section 9.31.220, Outdoor Retail Display and Sales
<i>General Retail Sales, Medium-Scale</i>	CUP	CUP	CUP	–	Section 9.31.220, Outdoor Retail Display and Sales
<i>General Retail Sales, Large-Scale</i>	CUP	CUP	-	-	Section 9.31.220, Outdoor Retail Display and Sales
<i>Medical Cannabis Retailer-Cannabis Retailers</i>	-P	-P	-P	-P	Section 9.31.185, Medical Marijuana Dispensaries Section 9.31.095 Cannabis Retailers
<i>Pawn Shops</i>	–	–	–	–	
<i>Swap Meets</i>	CUP	CUP	CUP	–	Section 9.31.360, Swap Meets
<b>Industrial Uses</b>					
Artist's Studio	P	P	P	P	
Commercial Kitchens	CUP	CUP	-	L(1)/CUP	
Industry, General	-	-	-	-	
Industry, Limited	P	P	L(2)	L(2)	
Recycling Facility	<i>See sub-classifications below.</i>				
<i>Recycling Collection Facility</i>	CUP, L(12)	CUP, L(12)	-	-	
Research and Development	P	P	L(2)	L(2)	
Media Production	<i>See sub-classifications below.</i>				
<i>Full-Service Facility</i>	P	P	P	P	
<i>Support Facilities</i>	P	P	-	P	
<b>Transportation, Communication, and Utilities Uses</b>					
Bus/Rail Passenger Stations	P	P	P	P	
City Bikeshare Facility	P	P	P	P	
Communication Facilities	<i>See sub-classifications below.</i>				
<i>Antennas and Transmission Towers</i>	MUP	MUP	-	–	Chapter 9.32, Personal Wireless Service Facilities
<i>Equipment within Buildings</i>	CUP	CUP	-	–	
Light Fleet-Based Services	–	–	-	–	
Utilities, Major	–	-	-	–	
Utilities, Minor	P	P	P	P	
<b>Specific Limitations:</b> (1) Not allowed on the ground floor for the first 35 feet of lot depth. (2) Limited to 4,000 sq. ft. or less. (3) Limited to 15,000 sq. ft. or less. (4) Facilities for 6 or fewer residents are permitted by right. Facilities for more than 6 residents require an MUP. (5) Permitted if all objective planning standards set forth in Government Code Section 65914.900 are met. (6) (Reserved) (7) (Reserved) (8) (Reserved) (9) Limitation shall only apply to new construction and alterations to existing buildings that result in a combination or enlargement of tenant spaces: Limited to facilities with no more than 7,500 square feet of floor area and/or 40 linear feet of ground floor street frontage; greater area and/or width requires approval of a Conditional Use Permit. (10) Fitness facilities and gymnasiums permitted, all other uses require a CUP.					

<b>TABLE 9.12.020: LAND USE REGULATIONS— BERGAMOT DISTRICTS</b>					
<i>Use Classification</i>	<i>BTV</i>	<i>MUC</i>	<i>CAC</i>	<i>CCS</i>	<i>Additional Regulations</i>
(11)	Hospitals and clinics of 5,000 sf or less require an MUP. Hospitals and clinics greater than 5,000 sf or greater require a CUP.				
(12)	Limited to 5,000 sf or less.				

## **CHAPTER 9.13      EMPLOYMENT DISTRICTS**

### **9.13.020          Land Use Regulations**

Table 9.13.020 prescribes the land use regulations for the Employment Districts. The regulations for each district are established by letter designations below. These designations apply strictly to the permissibility of land uses; applications for buildings or structures may require discretionary review.

“P” designates permitted uses.

“L(#)” designates limited uses, which are permitted by right, provided they comply with specific limitations listed at the end of the table.

“MUP” designates use classifications that are permitted after review and approval of a Minor Use Permit.

“CUP” designates use classifications that are permitted after review and approval of a Conditional Use Permit.

“—” designates uses that are not permitted.

Land uses are defined in Chapter 9.51 (“Use Classifications”) of Article 9 of the Santa Monica Municipal code (“Zoning Ordinance”). Use classifications and sub-classifications not listed in the table are prohibited. Accessory uses are permissible when they are determined by the Zoning Administrator to be necessary and customarily associated with and appropriate, incidental, and subordinate to, the principal uses and which are consistent and not more disturbing or disruptive than permitted uses. The table also notes additional use regulations that apply to various uses. Section numbers in the right-hand column refer to other Sections of this Ordinance.

<b>TABLE 9.13.020: LAND USE REGULATIONS—EMPLOYMENT DISTRICTS</b>				
<i>Use Classification</i>	<i>IC</i>	<i>OC</i>	<i>HMU</i>	<i>Additional Regulations</i>
<b>Residential Uses</b>				
Residential Dwelling Types				
Accessory Dwelling Unit	P	P	P	Section 9.31.025, Accessory Dwelling Units and Junior Accessory Dwelling Units
Junior Accessory Dwelling Unit	P	P	P	Section 9.31.025, Accessory Dwelling Units and Junior Accessory Dwelling Units
Multiple-Unit Dwelling	P	P	P	Section 9.31.195, Multiple-Unit Dwelling Projects
<i>Senior Citizen Multiple-Unit Dwelling</i>	P	P	P	Section 9.31.195, Multiple-Unit Dwelling Projects
Housing Types for Specific Needs				
<i>Congregate Housing</i>	P	P	P	Section 9.31.110, Congregate Housing
Elderly and Long-Term Care	–	P	P	
Emergency Shelters	L(2)/CUP	L(2)/CUP	L(2)/CUP	Section 9.31.130, Emergency Shelters
Family Day Care	<i>See sub-classifications below.</i>			
<i>Large</i>	P	P	P	Section 9.31.140, Family Day Care, Large
<i>Small</i>	P	P	P	
Group Residential	MUP	MUP	P	Section 9.31.155, Group Residential
<i>Senior Group Residential</i>	MUP	MUP	P	Section 9.31.155, Group Residential
Low Barrier Navigation Centers	P	P	P	Section 9.31.175, Low Barrier Navigation Centers
Residential Facilities	<i>See sub-classifications below.</i>			
<i>Residential Care, General</i>	P	P	P	Section 9.31.270, Residential Care Facilities
<i>Residential Care, Limited</i>	P	P	P	Section 9.31.270, Residential Care Facilities
<i>Residential Care, Senior</i>	P	P	P	Section 9.31.270, Residential Care Facilities
<i>Hospice, General</i>	P	P	P	Section 9.31.270, Residential Care Facilities
<i>Hospice, Limited</i>	P	P	P	Section 9.31.270, Residential Care Facilities
Single-Room Occupancy Housing	P	P	P	Section 9.31.330, Single Room Occupancy Structures
Supportive Housing	P	P	P	
Transitional Housing	P	P	P	
<b>Public and Semi-Public Uses</b>				
Adult Day Care	MUP	P	P	
Child Care and Early Education Facilities	MUP	P	P	Section 9.31.120, Child Care and Early Education Facilities
Colleges and Trade Schools, Public or Private	–	CUP	–	
Community Assembly	CUP	CUP	CUP	Section 9.31.100, Community Assembly
Community Gardens	P	P	P	

<b>TABLE 9.13.020: LAND USE REGULATIONS—EMPLOYMENT DISTRICTS</b>				
<i>Use Classification</i>	<i>IC</i>	<i>OC</i>	<i>HMU</i>	<i>Additional Regulations</i>
Cultural Facility	–	–	CUP	
Hospitals and Clinics	–	–	P	
<i>Community Clinic</i>	L(11)	L(11)	L(11)	
Park and Recreation Facilities, Public	P	P	P	
Public Safety Facilities	MUP	MUP	P	
Schools, Public or Private	L(3)/CUP	L(3)/CUP	P	
Social Service Centers	MUP	MUP	P	Section 9.31.350, Social Service Centers
<b>Commercial Uses</b>				
Animal Care, Sales, and Services	<i>See sub-classifications below.</i>			
<i>Kennels</i>	CUP	–	–	
<i>Pet Day Care Services</i>	MUP	–	–	
<i>Veterinary Services</i>	P	–	–	
Automobile/Vehicle Sales and Service	<i>See sub-classifications below.</i>			
<i>Alternative Fuels and Recharging Facilities</i>	L(5)/CUP	CUP	–	
<i>Automobile Rental</i>	L(4)	P	–	Section 9.31.050, Automobile Rental
<i>Automobile Storage Use</i>	CUP	CUP	–	Section 9.31.070, Automobile/Vehicle Sales, Leasing, and Storage
<i>Automobile/Vehicle Sales and Leasing</i>	CUP	CUP	–	Section 9.31.070, Automobile/Vehicle Sales, Leasing, and Storage
<i>Automobile/Vehicle Repair, Major</i>	L(5)/CUP	–	–	Section 9.31.060, Automobile/Vehicle Repair, Major and Minor
<i>Automobile/Vehicle Service and Repair, Minor</i>	L(5)/CUP	–	–	Section 9.31.060, Automobile/Vehicle Repair, Major and Minor
<i>Automobile/Vehicle Washing</i>	CUP	–	–	Section 9.31.080, Automobile/Vehicle Washing
<i>Large Vehicle and Equipment Sales, Service, and Rental</i>	CUP	–	–	
<i>Service Station</i>	L(5)/CUP	CUP	–	Section 9.31.320, Service Stations
<i>Towing and Impound</i>	L(5)/CUP	–	–	
Banks and Financial Institutions	<i>See sub-classifications below.</i>			
<i>Banks and Credit Unions</i>	L(15)	L(15)	CUP	
Business Services	P	L(6)	P	
Commercial Entertainment and Recreation	<i>See sub-classifications below.</i>			
<i>Cinemas</i>	–	–	–	
<i>Theaters</i>	L(7)/CUP	–	–	
<i>Convention and Conference Centers</i>	–	CUP	–	
<i>Large-Scale Facility</i>	L(16)	L(16)	-	
<i>Small-Scale Facility</i>	L(8)/CUP	MUP (6)	CUP	Section 9.31.340, Small-Scale Facility, Game Arcades
Eating and Drinking Establishments	<i>See sub-classifications below.</i>			

<b>TABLE 9.13.020: LAND USE REGULATIONS—EMPLOYMENT DISTRICTS</b>				
<i>Use Classification</i>	<i>IC</i>	<i>OC</i>	<i>HMU</i>	<i>Additional Regulations</i>
<i>Restaurants, Full-Service, Limited Service &amp; Take-Out, With Entertainment, With Outdoor Eating Areas (2,500 SF and smaller)</i>	P	P	P	Section 9.31.040, Alcoholic Beverage Sales Section 9.31.280, Restaurants, Limited-Service and Take Out Section 9.31.290, Restaurants with Entertainment Section 9.31.200, Outdoor Dining and Seating
<i>Restaurants, Full-Service, Limited Service &amp; Take-Out, With Entertainment, With Outdoor Eating Areas (2,501 – 5,000 SF)</i>	P	P	P	Section 9.31.040, Alcoholic Beverage Sales Section 9.31.280, Restaurants, Limited-Service and Take Out Section 9.31.290, Restaurants with Entertainment Section 9.31.200, Outdoor Dining and Seating
<i>Restaurants, Full-Service, Limited Service &amp; Take-Out, With Entertainment, With Outdoor Eating Areas (Greater than 5,000 SF)</i>	P	P	P	Section 9.31.040, Alcoholic Beverage Sales Section 9.31.280, Restaurants, Limited-Service and Take Out Section 9.31.290, Restaurants with Entertainment Section 9.31.200, Outdoor Dining and Seating
<i>Food Hall (up to 175 seats)</i>	CUP	CUP	CUP	
Equipment Rental	P	–	P	
Food and Beverage Sales	<i>See sub-classifications below.</i>			
<i>Convenience Markets</i>	L(6)	L(6)	P	Section 9.31.040, Alcoholic Beverage Sales
<i>Farmers Markets</i>	CUP	–	–	
<i>General Markets</i>	L(17)/CUP	L(17)/CUP	-	Section 9.31.040, Alcoholic Beverage Sales
Funeral Parlor and Mortuary	–	–	CUP	
Instructional Services	L(18)/CUP	L(18)/CUP	-	
Live-Work	L (14)	CUP	L (14)	Section 9.31.170, Live-Work
Offices	<i>See sub-classifications below.</i>			
<i>Business and Professional</i>	L (9)	P	P	
<i>Creative</i>	P	P	–	
<i>Medical and Dental</i>	–	P	P	
<i>Walk-In Clientele</i>	L (10)	L (6)	L (10)	
Parking, Public or Private	CUP	CUP	CUP	
Personal Services	<i>See sub-classifications below.</i>			
<i>General Personal Services</i>	P	P	P	Section 9.31.230, Personal Service
<i>Personal Services, Physical Training</i>	P	P	CUP	
<i>Tattoo or Body Modification Parlor</i>	P	P	P	Section 9.31.230, Personal Service
Retail Sales	<i>See sub-classifications below.</i>			
<i>Building Materials Sales and Services</i>	P	–	–	Section 9.31.220, Outdoor Retail Display and Sales
<i>Firearms and Ammunition Sales</i>	–	–	–	

<b>TABLE 9.13.020: LAND USE REGULATIONS—EMPLOYMENT DISTRICTS</b>				
<i>Use Classification</i>	<i>IC</i>	<i>OC</i>	<i>HMU</i>	<i>Additional Regulations</i>
<i>General Retail Sales, Small-Scale</i>	P	P	P	Section 9.31.220, Outdoor Retail Display and Sales
<i>General Retail Sales, Medium-Scale</i>	CUP	CUP	-	Section 9.31.220, Outdoor Retail Display and Sales
<del><i>Medical Marijuana Dispensaries Cannabis Retailers</i></del>	<del>P</del>	<del>P</del>	<del>CUP</del>	Section 9.31.095, <del>Medical Marijuana Dispensaries Cannabis Retailers</del>
<b>Industrial Uses</b>				
Artist's Studio	P	P	P	
Commercial Kitchens	P	–	–	
Industry, General	P	CUP (12)	–	
Research and Development	P	CUP (12)	P	
Industry, Limited	P	CUP (12)	–	
Media Production	P	P	–	
Recycling Facility	<i>See sub-classifications below.</i>			
<i>Recycling Collection Facility</i>	P	–	–	Section 9.31.260, Recycling Facilities
<i>Recycling Processing Facility</i>	P	–	–	Section 9.31.260, Recycling Facilities
Warehousing, Storage, and Distribution	<i>See sub-classifications below.</i>			
<i>Indoor Warehousing and Storage</i>	P	–	–	
<i>Outdoor Storage</i>	CUP (13)	–	–	
<i>Personal Storage</i>	P	CUP	–	Section 9.31.240, Personal Storage
<i>Wholesaling and Distribution</i>	P	–	–	
<b>Transportation, Communication, and Utilities Uses</b>				
Bus/Rail Passenger Stations	P	P	P	
City Bikeshare Facility	P	P	P	
Communication Facilities	<i>See sub-classifications below.</i>			
<i>Antennas and Transmission Towers</i>	CUP	–	CUP	Chapter 9.32, Personal Wireless Service Facilities
<i>Facilities within Buildings</i>	CUP	P	CUP	
Light Fleet-Based Services	CUP	–	–	
Utilities	<i>See sub-classifications below.</i>			
<i>Utilities, Major</i>	P	P	–	
<i>Utilities, Minor</i>	P	P	P	



TABLE 9.13.020: LAND USE REGULATIONS—EMPLOYMENT DISTRICTS				
<i>Use Classification</i>	<i>IC</i>	<i>OC</i>	<i>HMU</i>	<i>Additional Regulations</i>
<b>Specific Limitations:</b>				
(1)	Limited to 100% affordable housing projects. For senior citizen multiple-unit dwelling projects in the Office Campus District that are not 100% affordable approval of a Conditional Use Permit is required.			
(2)	Homeless shelters with less than 55 beds are permitted by right. Homeless shelters with 55 beds or more may be permitted with application for and approval of a Conditional Use Permit.			
(3)	Permitted if existing. New uses require approval of a Conditional Use Permit.			
(4)	Limited to accessory automobile rental facilities located within automobile/vehicle repair use.			
(5)	Permitted if located 100 ft. or more from any residential use or district. Conditional Use Permit required if located within 100 ft. of a residential use or district.			
(6)	Conditionally permitted as businesses that provide goods and services to employees on the premises. No more than 25% of the total square footage of a development may be devoted to such businesses.			
(7)	Limited to theaters with 99 seats or less and 10,000 sq. ft. or less. Larger theaters require a Conditional Use Permit.			
(8)	Exercise facilities (e.g., yoga, Pilates, martial arts, and dance studios) permitted by right. Other small-scale commercial recreation uses require a Conditional Use Permit.			
(9)	Permitted if existing or accessory to a primary permitted use on the same site and not exceeding 25 percent of the gross floor area of the primary permitted use.			
(10)	Permitted if existing. New uses are not permitted.			
(11)	Permitted if all objective planning standards set forth in Government Code Section 65914.900 are met.			
(12)	Such uses must be conducted within an enclosed building or an open enclosure screened from public view. In order to approve a Conditional Use Permit, the review authority must make a finding that proposed uses are compatible with office and advanced technological uses.			
(13)	Limited to outdoor storage of fleet vehicles if such vehicles are directly related to the primary operation on the site.			
(14)	If the commercial use requires a MUP or CUP, an application shall be required in accordance with Chapter 9.41. Even if the commercial use would otherwise be permitted, no such use shall be approved where, given the design or proposed design of the Live-Work unit, there would be the potential for adverse health impacts from the proposed use on the people residing in the unit. An example of a potential health impact is the potential for food contamination from uses that generate airborne particulates in a unit with an unenclosed kitchen.			
(15)	Limitation shall only apply to new construction and alterations to existing buildings that result in a combination or enlargement of tenant spaces: Limited to facilities with no more than 7,500 square feet of floor area and/or 40 linear feet of ground floor street frontage			
(16)	Limited to indoor exercise facilities and bowling alleys.			
(17)	General markets greater than 15,000 square feet require a Conditional Use Permit.			
(18)	Limitation shall only apply to new construction and alterations to existing buildings that result in a combination or enlargement of tenant spaces: No individual tenant space shall occupy more than 12,500 square feet of floor area and/or exceed 75 linear feet of ground floor street frontage without the approval of a Conditional Use Permit.			

## **CHAPTER 9.14      OCEANFRONT DISTRICT**

### **9.14.020          Land Use Regulations**

Table 9.14.020 prescribes the land use regulations for the Oceanfront District. The regulations for each district are established by letter designations listed below. These designations apply strictly to the permissibility of land uses; applications for buildings or structures may require discretionary review.

“P” designates permitted uses.

“L(#)” designates limited uses, which are permitted by right, provided they comply with specific limitations listed at the end of the table.

“CUP” designates use classifications that are permitted after review and approval of a Conditional Use Permit.

“MUP” designates use classifications that are permitted after review and approval of a Minor Use Permit.

“–” designates uses that are not permitted.

Land uses are defined in Chapter 9.51, Use Classifications. Use classifications and sub-classifications not listed in the table are prohibited. Accessory uses are permissible when they are determined by the Zoning Administrator to be necessary and customarily associated with and appropriate, incidental, and subordinate to, the principal uses and which are consistent and not more disturbing or disruptive than permitted uses. The table also notes additional use regulations that apply to various uses. Section numbers in the right-hand column refer to other Sections of this Ordinance.

<b>TABLE 9.14.020: LAND USE REGULATIONS—OCEANFRONT DISTRICT</b>		
<i>Use Classification</i>	<i>OF</i>	<i>Additional Regulations</i>
<b>Residential Uses</b>		
Residential Dwelling Types		
Accessory Dwelling Unit	P	Section 9.31.025, Accessory Dwelling Units and Junior Accessory Dwelling Units
Junior Accessory Dwelling Unit	P	Section 9.31.025, Accessory Dwelling Units and Junior Accessory Dwelling Units
Multiple-Unit Dwelling	P	Section 9.31.195, Multiple-Unit Dwelling Projects
<i>Duplex</i>	P	Section 9.31.195, Multiple-Unit Dwelling Projects
<i>Senior Citizen Multiple-Unit Dwelling</i>	P	Section 9.31.195, Multiple-Unit Dwelling Projects
Single-Unit Dwelling	P	
Housing Types for Specific Uses		
Congregate Housing	P	Section 9.31.110, Congregate Housing
Elderly and Long-Term Care	P	
Emergency Shelters	CUP	Section 9.31.130, Emergency Shelters
Employee Housing	P	
Family Day Care	<i>See sub-classifications below.</i>	
<i>Large</i>	P	Section 9.31.140, Family Day Care, Large
<i>Small</i>	P	
Group Residential	MUP	Section 9.31.155, Group Residential
<i>Senior Group Residential</i>	P	Section 9.31.155, Group Residential
Low Barrier Navigation Centers	P	Section 9.31.175, Low Barrier Navigation Centers
Residential Facilities	<i>See sub-classifications below.</i>	
<i>Residential Care, General</i>	P	Section 9.31.270, Residential Care Facilities
<i>Residential Care, Limited</i>	P	Section 9.31.270, Residential Care Facilities
<i>Residential Care, Senior</i>	P	Section 9.31.270, Residential Care Facilities
Single-Room Occupancy Housing	P	Section 9.31.330, Single Room Occupancy Structures
Supportive Housing	P	
Transitional Housing	P	
<b>Public and Semi-Public Uses</b>		
Adult Day Care	CUP	
Child Care and Early Education Facilities	CUP	Section 9.31.120, Child Care and Early Education Facilities
Cultural Facilities	CUP	
Community Clinic	L(6)	
Park and Recreations Facilities, Public	P	
Schools	P	
<b>Commercial Uses</b>		
Automobile/Vehicle Sales and Service	<i>See sub-classifications below.</i>	
<i>Automobile Rental</i>	MUP	Section 9.31.050, Automobile Rental

<b>TABLE 9.14.020: LAND USE REGULATIONS—OCEANFRONT DISTRICT</b>		
<i>Use Classification</i>	<i>OF</i>	<i>Additional Regulations</i>
Commercial, Entertainment, and Recreation	<i>See sub-classifications below.</i>	
<i>Theaters</i>	L(1)	
<i>Convention and Conference Centers</i>	P	
<i>Small-Scale Facility</i>	P	Section 9.31.340, Small-Scale Facility, Game Arcades
<i>Large-Scale Facility</i>	L(2)/CUP	
<i>Fortunetelling</i>	P	
Eating and Drinking Establishments	<i>See sub-classifications below.</i>	
<i>Bars/Nightclubs/Lounges</i>	L(3)/CUP	Section 9.31.040, Alcoholic Beverage Sales
<i>Restaurants, Full-Service including Outdoor Dining and Seating</i>	P	Section 9.31.040, Alcoholic Beverage Sales Section 9.31.280, Restaurants, Limited Service and Take-Out Only Section 9.31.290, Restaurants With Entertainment Section 9.31.200, Outdoor Dining and Seating Chapter 9.20, Beach Overlay District
<i>Restaurants, Limited Service and Take-Out Only including Outdoor Dining and Seating</i>	P	Section 9.21.040, Alcoholic Beverage Sales Section 9.31.280, Restaurants, Limited-Service and Take Out Only Section 9.31.290, Restaurants With Entertainment Section 9.31.200, Outdoor Dining and Seating Chapter 9.20, Beach Overlay District
<i>Food Hall (up to 175 seats)</i>	CUP	
Food and Beverage Sales	<i>See sub-classifications below.</i>	
<i>Convenience Markets</i>	P	Section 9.31.040, Alcoholic Beverage Sales
<i>Farmers Markets</i>	MUP	
<i>General Markets</i>	L(4)	Section 9.31.040, Alcoholic Beverage Sales
<i>Liquor Stores</i>	CUP	Section 9.31.040, Alcoholic Beverage Sales
Lodging	<i>See sub-classifications below.</i>	
<i>Bed and Breakfast</i>	CUP	Within Designated Landmarks only. Section 9.31.090, Bed and Breakfasts
Offices	<i>See sub-classifications below.</i>	
<i>Business and Professional</i>	L(5)/CUP	
<i>Creative</i>	L(5)/CUP	
<i>Walk-In Clientele</i>	L(5)/CUP	
Parking, Public or Private	CUP	
General Personal Services	MUP	
Retail Sales	<i>See sub-classifications below.</i>	
<i>General Retail Sales, Small-Scale</i>	P	Section 9.31.220, Outdoor Retail Display and Sales
<i>Cannabis Retailers</i>	<u>P</u>	<u>Section 9.31.095, Cannabis Retailers</u>
<b>Transportation, Communication, and Utilities Uses</b>		
City Bikeshare Facility	P	

TABLE 9.14.020: LAND USE REGULATIONS—OCEANFRONT DISTRICT		
<i>Use Classification</i>	<i>OF</i>	<i>Additional Regulations</i>
<b>Specific Limitations:</b> (1) Limited to theaters for live performances. (2) Existing large-scale commercial, entertainment, and recreation facilities existing as of the date of this Ordinance are permitted. Any new large-scale commercial, entertainment, and recreation facilities require approval of a Conditional Use Permit. (3) Bars, nightclubs, and lounges are only permitted on the Pier, on Oceanfront Walk, and within hotels. (4) Limited to establishments with no more than 2,500 sq. ft. of floor area. (5) Office uses on the ground floor street frontage may not exceed 25% of the parcel width or 1,000 sq. ft, whichever is less. (6) Permitted if all objective planning standards set forth in Government Code Section 65914.900 are met.		

## CHAPTER 9.31 STANDARDS FOR SPECIFIC USES AND ACTIVITIES

### 9.31.095 Cannabis Retailers.

A. **Purpose.** The purpose of this Section is to ensure that the development of cannabis uses do not adversely impact adjacent parcels or the surrounding neighborhoods in which they are located and that they will be developed in a manner that protects the health, safety, and general welfare of nearby residents and businesses while providing for the needs of all segments of the community. Cannabis uses shall be permitted, located, developed, and operated consistent with the following development standards.

B. **Applicability.** Each cannabis use shall conform to the property development standards of the District in which it is to be located and this Section. Except as otherwise expressly provided, existing cannabis retailers shall be subject to those provisions of this Section as are hereafter specifically described.

C. **Definitions.** The definitions within Chapter 6.200, as may be amended, apply to cannabis uses. Any reference to California statutes includes any regulations promulgated thereunder and is deemed to include any successor or amended version of the referenced statute or regulatory provision.

D. **Permit Requirements.** No person shall engage in any commercial cannabis business or activity within the City of Santa Monica without:

1. Obtaining a valid Commercial Cannabis Business Permit;
2. Obtaining a valid State of California Seller's Permit; and

3. Compliance with all applicable state and local laws and regulations pertaining to the commercial cannabis business and activities, including the duty to obtain any required state licenses and requirements in accordance with Chapter 6.200.

**E. Location Requirements.**

1. Cannabis uses shall be permitted within Nonresidential Districts.

2. Permitted cannabis uses shall be prohibited within the following locations:

a. 600 feet from the following:

i. Schools, as defined in Section 9.51.030.

ii. A youth center that is in existence at the time a complete commercial cannabis business permit application is submitted.

iii. A day care center licensed by the state Department of Social Services that is in existence at the time a complete commercial cannabis business permit application is submitted.

b. 300 feet from another cannabis use.

c. On the same block as another cannabis use.

**F. Parking and Loading.** Any parking and loading provided shall comply with all development standards set forth in Chapter 9.28, Parking, Loading, and Circulation, and the requirements for the district in which the cannabis use is located.

**G. Operating Requirements.** Cannabis uses shall comply with the operational requirements within Chapter 6.200 of this Code, as may be amended.

**H. Existing Cannabis Retailers / Nonconforming Uses.** Notwithstanding anything to the contrary in a CUP that was issued for medicinal cannabis as of October 10, 2023,

Cannabis Retailers shall be permitted to deliver and sell adult-use cannabis and adult-use cannabis products in accordance with this Section.

I. **Cannabis Social Equity Program.** Permits shall be issued consistent with any Cannabis Social Equity Program adopted by the City.

J. **Review Authority.** Permits shall be approved in writing by the Director if the applicant agrees in writing to comply with all of the criteria and conditions in Chapter 6.200.

K. **Indemnification.** To the fullest extent permitted by law, the City will not assume any liability whatsoever with respect to issuing any permit pursuant to this Chapter or otherwise approving the operation of any Adult-Use Cannabis Business or Co-Located Cannabis Business. Prior to issuance of an Adult-Use Cannabis Business Permit, the applicant, or its legal representative, shall execute an agreement, on a form approved by the City Attorney, regarding the following:

1. The applicant will indemnify, defend (at applicant's sole cost and expense), and hold harmless the City, and its officers, officials, employees, representatives, and agents from any and all claims, losses, damages, injuries, liabilities or losses which arise out of, or which are in any way related to, the City's issuance of the Adult-Use Cannabis Business Permit, the City's decision to approve the applicant's operation of any commercial cannabis activity or any Commercial Cannabis Business operation, the process used by the City in making its decision, or the alleged violation of any federal, State, or local laws by the Adult-Use Cannabis Business applicant, permittee, or any of its officers, managers, employees, or agents; and



2. The applicant will agree to reimburse the City for all costs and expenses, including but not limited to attorney fees and costs, which the City may be required to pay as a result of any legal challenge related to the City's approval of the applicant's Adult-Use Cannabis Administrative Permit, or related to the City's approval of the applicant's commercial cannabis activity. The City may, at its sole discretion, participate at its own expense in the defense of any such action, but such participation shall not relieve any of the obligations imposed hereunder.

L. **Compliance with Laws.** This Chapter is not intended to interfere with, abrogate, or annul any other ordinance, resolution, regulation, statute, or other provision of law. Nothing in this Chapter shall be construed as authorizing any actions that violate state law or local law with respect to the operation of a commercial cannabis business. It shall be the responsibility of the permittees and responsible persons of a commercial cannabis business to ensure that a commercial cannabis business is, at all times, operating in a manner compliant with all applicable state and local laws, including for as long as applicable all state cannabis laws, any subsequently enacted state law or regulatory, licensing, or certification standards or requirements, and any specific, additional operating procedures or requirements which may be imposed as conditions of approval of the Cannabis Administrative Permit. In the event of any conflict between the provisions of this Chapter and any other applicable State or local law or regulation, the more restrictive provision shall control. All commercial cannabis businesses authorized by this Chapter shall comply with the applicable provisions of the Los Angeles County Public Health Code.

~~9.31.185 **Medicinal Cannabis Retailers.**~~

~~A. **Purpose.** The purpose of this Section is to ensure that the development of medicinal cannabis retailers does not adversely impact adjacent parcels or the surrounding neighborhoods in which they are located and that they will be developed in a manner that protects the health, safety, and general welfare of nearby residents and businesses while providing for the needs of all segments of the community. Medicinal cannabis retailers shall be permitted, located, developed, and operated consistent with the following development standards.~~

~~B. **Conditional Use Permit.** Each medicinal cannabis retailer shall be subject to the approval of a Conditional Use Permit by the Planning Commission, appealable to the City Council.~~

~~C. **Number and Location.** A maximum of 2 medicinal cannabis retailers no larger than 2,500 square feet shall be permitted. Medicinal cannabis retailers are prohibited within 600 feet of a child care and early education or family day care facility, park, school, library, social service center, or other medicinal cannabis retailer. The distance shall be established on the date of application for the Conditional Use Permit.~~

~~D. **Hours of Operation.** Medicinal cannabis retailers may be operated between the hours of 10:00 a.m. and 8:00 p.m. Monday through Saturday and 12:00 p.m. to 7:00 p.m. on Sundays.~~

~~E. **Recommendations.** No recommendations for medicinal cannabis shall be issued on site.~~

~~F. **Delivery.** Delivery of medicinal cannabis to patients or primary care givers as defined in **Health and Safety Code** Section 11362.5 et seq., is permitted.~~

~~G. **Source Requirement.** Only medicinal cannabis cultivated in California may be sold in a medicinal cannabis retailer.~~

~~H. **On-Site Requirement.** Only medicinal cannabis cultivated in California may be sold in a medicinal cannabis retailer.~~

~~I. **Litter.** Outdoor trash receptacles shall be available near the entrances to and exits from the establishment. The premises shall be continuously maintained in a safe, clean, and orderly condition with twice daily litter pick-up within 500 feet of the medicinal cannabis retailer.~~

~~J. **Inspections.** A medicinal cannabis retailer owner shall authorize reasonable City inspection of the property by Santa Monica Code enforcement and police staff or other agents or employees of the City to ensure compliance with the conditions of approval imposed by the City in approving this project and will bear the reasonable cost of these inspections as established by Santa Monica Municipal Code Section **2.72.010** and Resolution No. 9905(CCS) or any successor legislation thereto. These inspections shall be no more intrusive than necessary to ensure compliance with conditions of approval.~~

~~K. **Enforcement Cooperation.** A medicinal cannabis retailer, and all employees thereof, shall use best efforts to assist the police in investigating and prosecuting any violations of this Chapter consistent with constitutional provisions.~~

~~L. **Sale of Adult-Use Cannabis or Adult-Use Cannabis Products.** Notwithstanding anything to the contrary in this Section or Municipal Code, medicinal cannabis retailers that have been issued a Conditional Use Permit as of October 10, 2023 shall be permitted to deliver and sell adult-use cannabis or adult-use cannabis products, as licensed and regulated by **Business and Professions Code** Section 26000 *et seq.*, to persons 21~~

~~years of age and over, only if a regulatory permit for adult-use cannabis has been obtained by June 1, 2024. Only cannabis cultivated within California may be sold in accordance with this subsection. Cannabis shall not be consumed or used at the subject property. Conditions of a Conditional Use Permit issued to a medicinal cannabis retailer eligible to sell adult-use cannabis or adult-use cannabis products under this Subsection L that prohibit or otherwise interfere with the sale of adult-use cannabis or adult-use cannabis products shall not be enforced by the City in accordance with the permissions set forth in this Subsection L. All remaining Conditional Use Permit conditions shall be subject to enforcement and will apply equally to adult-use cannabis.~~

## CHAPTER 9.51 USE CLASSIFICATIONS

### § 9.51.030. Nonresidential Use Classifications.

#### A. Public and Semi-Public Use Classifications.

1. **Adult Day Care.** Establishments providing non-medical care for persons 18 years of age or older on a less than 24-hour basis licensed by the State of California.
2. **Cemetery.** Establishments primarily engaged in operating sites or structures reserved for the interment of human or animal remains, including mausoleums, burial places, and memorial gardens.
3. **Child Care and Early Education Facility.** Establishments providing non-medical care for persons less than 18 years of age on a less than 24-hour basis other than family day care (small and large). This classification includes commercial and nonprofit nursery schools, preschools, day care facilities for children, and any other day care facility licensed by the State of California. See Division 3, Section 9.31.120, Child Care and Early Education Facilities, for further details.
4. **College and Trade School.** Institutions of higher education providing curricula of a general, religious or professional nature, typically granting recognized degrees, including conference centers and academic retreats associated with such institutions. This classification includes junior colleges, business and computer schools, management training, technical and trade schools, but excludes personal instructional services such as music lessons.
5. **Community Assembly.** A facility for public or private meetings including community centers, banquet centers, religious assembly facilities, civic auditoriums, union halls, meeting halls for clubs and other membership organizations. This

classification includes functionally related facilities for the use of members and attendees such as kitchens, multi-purpose rooms, and storage. It does not include gymnasiums or other sports facilities, convention centers, or facilities, such as day care centers and schools that are separately classified and regulated. See Division 3, Section 9.31.100, Community Assembly, for further details.

6. **Community Garden.** An area of land managed and maintained by a public or nonprofit organization or a group of individuals to grow and harvest food crops and/or ornamental crops, such as flowers, for personal or group use, consumption, or donation. Community gardens may be divided into separate plots for cultivation by one or more individuals or may be farmed collectively by members of the group and may include common areas maintained and used by group members. Community gardens may be accessory to public or institutional uses such as parks, schools, community centers, or religious assembly uses. This classification does not include gardens that are on a property in residential use when access is limited to those who reside on the property. Community gardens do not include medical marijuana collectives.

7. **Cultural Facility.** Facilities engaged in activities to serve and promote aesthetic and educational interest in the community that are open to the public on a regular basis. This classification includes performing arts centers for theater, music, dance, and events; spaces for display or preservation of objects of interest in the arts or sciences; libraries; museums; historical sites; aquariums; art galleries; and zoos and botanical gardens. It does not include schools or institutions of higher education providing curricula of a general nature.

8.       **Hospitals and Clinics.** State-licensed public, private, and nonprofit facilities providing medical, surgical, mental health, or emergency medical services. This classification includes facilities for inpatient or outpatient treatment, including substance-abuse programs, as well as training, research, and administrative services for patients and employees. This classification excludes veterinary services and animal hospitals (see Animal Care, Sales, and Services).

      a.     *Hospital.* A facility providing medical, surgical, mental health, or services primarily on an in-patient basis, and including ancillary facilities for outpatient and emergency treatment, diagnostic services, training, research, administration, and services to patients, employees, or visitors.

      b.     *Clinic.* A facility providing medical, mental health, or surgical services exclusively on an out-patient basis, including emergency treatment, diagnostic services, administration, and related services to patients who are not lodged overnight. Services may be available without a prior appointment. This classification includes licensed facilities offering substance abuse treatment, blood banks, plasma, dialysis centers, and emergency medical services offered exclusively on an out- patient basis. This classification does not include private medical and dental offices that typically require appointments and are usually smaller scale (see Offices, Medical and Dental).

9.       **Park and Recreation Facility.** Parks, playgrounds, recreation facilities, trails, wildlife preserves, and related open spaces, which are open to the general public. This classification also includes playing fields, courts, gymnasiums, swimming pools, picnic facilities, tennis courts, golf courses, and botanical gardens, as well as related food

concessions or community centers within the facilities and restrooms within a primary structure or in an accessory structure on the same site.

10. **Public Safety Facility.** Facilities providing public-safety and emergency services, including police and fire protection and emergency medical services, with incidental storage, training and maintenance facilities.

11. **School.** Facilities for primary or secondary education, including public schools, charter schools, and private and parochial schools.

12. **Social Service Center.** Facilities providing a variety of supportive services for disabled and homeless individuals and other targeted groups on a less than 24-hour basis. Examples of services provided are counseling, meal programs, personal storage lockers, showers, instructional programs, television rooms, and meeting spaces. This classification is distinguished from licensed day care centers (see Adult Day Care and Child Care and Early Education Facility), clinics (see Clinic), and emergency shelters providing 24-hour or overnight care (see Emergency Shelter).

#### **B. Commercial Use Classifications.**

1. **Adult-Oriented Business.** See Sexually-Oriented Businesses.

2. **Animal Care, Sales and Services.** Retail sales and services related to the boarding, grooming, and care of household pets, including:

a. **Grooming and Pet Store.** Retail sales of animals and/or services, including grooming, for animals on a commercial basis. Typical uses include dog bathing and clipping salons, pet grooming shops, and pet stores and shops. This classification excludes dog walking and similar pet care services not carried out at



a fixed location, and excludes pet supply stores that do not sell animals or provide on-site animal services (see General Retail Sales).

*b. Kennel.* A commercial, nonprofit, or governmental facility for keeping, boarding, training, breeding or maintaining 4 or more dogs, cats, or other household pets not owned by the kennel owner or operator on a 24-hour basis. This classification includes animal shelters and animal hospitals that provide boarding-only services for animals not receiving services on the site but excludes the provision by shops and hospitals of 24-hour accommodation of animals receiving medical services on site. This classification also includes kennels that, in addition to 24-hour accommodation, provide pet care for periods of less than 24 hours but it does not include facilities that provide pet day care exclusively or predominantly.

*c. Pet Day Care Service.* A commercial, nonprofit, or governmental facility for keeping 4 or more dogs, cats, or other household pets not owned by the kennel owner or operator primarily for periods of less than 24 hours.

*d. Veterinary Service.* Veterinary services for domesticated animals. This classification allows 24-hour accommodation of animals receiving medical services but does not include kennels.

**3. Automobile/Vehicle Sales and Services.** Retail or wholesale businesses that sell, rent, and/or repair automobiles, boats, recreational vehicles, trucks, vans, trailers, and motorcycles, including the following:

*a. Alternative Fuels and Recharging Facility.* A facility offering motor vehicle fuels not customarily offered by commercial refueling stations (e.g., LPG)

as well as equipment to recharge electric-powered vehicles. This classification does not include facilities within public garages or other stations that are accessory to a permitted use.

b. *Automobile Rental.* Rental of automobiles. Typical uses include car rental agencies. See Division 3, Section 9.31.050, Automobile Rental, for further details.

c. *Automobile Storage Parcel.* Any property used for short- or long-term parking of vehicles for sale or lease at an automobile dealership or rental agency on a separate parcel from such agency or dealership.

d. *Automobile/Vehicle Sales and Leasing.* Sale or lease, retail or wholesale, of new or used automobiles, light trucks, motorcycles, motor homes, and trailers, together with associated repair services and parts sales for vehicles sold or leased by the manufacturer associated with the dealership. (For auto repair, see Automobile/ Vehicle Service and Repair, Major and Minor.) This classification includes on-site facilities for maintaining an inventory of vehicles for sale or lease but excludes buildings and property on a separate site that are used for storing vehicles (see Automobile Storage Parcel). Typical uses include automobile dealers and recreational vehicle sales agencies. This classification also includes minor on-site preparation, washing, buffing, waxing, and detailing of vehicles for sale or vehicles repaired at the facility. Any outdoor preparation, washing, buffing, waxing, and detailing of vehicles shall comply with the standards of Section 9.31.080(C), (D), (M), (N), (P), and (Q). This classification does not include automobile brokerage and other establishments that solely provide services of

arranging, negotiating, assisting, or effectuating the purchase of automobiles for others. See Division 3, Section 9.31.070, Automobile/Vehicle Sales, Leasing, and Storage, for further details.

e. *Automobile/Vehicle Repair, Major.* Repair of automobiles, trucks, motorcycles, motor homes, boats and recreational vehicles, including the incidental sale, installation, and servicing of related equipment and parts. This classification includes auto repair shops, body and fender shops, transmission shops, wheel and brake shops, auto glass services, vehicle painting, tire sales and installation, and installation of car alarms, sound, telecommunications, and navigation systems, but excludes vehicle dismantling or salvaging and tire retreading or recapping. See Division 3, Section 9.31.060, Automobile/Vehicle Repair, Major and Minor, for further details.

f. *Automobile/Vehicle Service and Repair, Minor.* The service and repair of automobiles, light-duty trucks, boats, and motorcycles, including the incidental sale, installation, and servicing of related equipment and parts. This classification includes the replacement of small automotive parts and liquids as an accessory use to a gasoline sales station or automotive accessories and supply store, as well as smog check quick-service oil, tune-up and brake and muffler shops where repairs are made or service provided in enclosed bays and no vehicles are stored overnight. This classification excludes disassembly, removal or replacement of major components such as engines, drive trains, transmissions or axles; automotive body and fender work, vehicle painting or other operations that generate excessive noise, objectionable odors or hazardous materials, and

towing services. It also excludes repair of heavy trucks, limousines or construction vehicles. See Division 3, Section 9.31.060, Automobile/Vehicle Repair, Major and Minor, for further details.

g. *Automobile/Vehicle Washing.* Washing, waxing, or cleaning of automobiles or similar light vehicles, that are the principal use of a building, structure, or site, including self-serve washing facilities. See Division 3, Section 9.31.080, Automobile/Vehicle Washing, for further details.

h. *Large Vehicle and Equipment Sales, Service, and Rental.* Sales, servicing, rental, fueling, and washing of large trucks, trailers, tractors, and other equipment used for construction, moving, agricultural, or landscape gardening activities. Includes large vehicle operation training facilities.

i. *Service Station.* Establishments primarily engaged in retailing automotive fuels or retailing these fuels in combination with activities, such as providing minor automobile/vehicle repair services; selling automotive oils, replacement parts, and accessories; and/or providing accessory food and retail services. See Division 3, Section 9.31.320, Service Stations, for further details.

j. *Towing and Impound.* Establishments primarily engaged in towing light or heavy motor vehicles, both local and long distance. These establishments may provide incidental services, such as vehicle storage and emergency road repair services (for automobile dismantling, see Salvage and Wrecking). This classification includes parcels used for storage of impounded vehicles.

#### 4. ***Banks and Financial Institutions.***

a. **Bank and Credit Union.** Financial institutions providing retail banking services. This classification includes only those institutions engaged in the on-site circulation of money, including credit unions, but excluding check-cashing businesses. For administration, headquarters, or other offices of banks and credit unions without retail banking services/on-site circulation of money (see Offices, Business and Professional).

b. **Check Cashing Business.** Establishments that, for compensation, engage in the business of cashing checks, warrants, drafts, money orders, or other commercial paper serving the same purpose. This classification also includes the business of deferred deposits, whereby the check casher refrains from depositing a personal check written by a customer until a specific date pursuant to a written agreement as provided in Civil Code 1789.33. Check Cashing Businesses do not include State or Federally chartered banks, savings associations, credit unions, or industrial loan companies. They also do not include retail sellers engaged primarily in the business of selling consumer goods, such as consumables to retail buyers that cash checks or issue money orders incidental to their main purpose or business.

5. **Bar.** See Eating and Drinking Establishments.

6. **Business Service.** Establishments providing goods and services to other businesses on a fee or contract basis, including printing and copying, blueprint services, mailbox services, equipment rental and leasing, office security, custodial services, film processing, model building, and delivery services with 2 or fewer fleet vehicles on-site. (For 3 or more fleet vehicles, see Light Fleet-Based Services.)

7. ***Commercial Entertainment and Recreation.*** Provision of participant or spectator entertainment. This classification may include restaurants, snack bars, and other incidental food and beverage services to patrons.

a. *Cinema.* Facilities for indoor display of films and motion pictures.

b. *Theater.* Facilities designed and used for entertainment, including plays, comedy, and music, which typically contain a stage upon which movable scenery and theatrical appliances or musical instruments and equipment are used.

c. *Convention and Conference Centers.* Facilities designed and used for conventions, conferences, seminars, trade shows, product displays, and other events in which groups gather to promote and share common interests. Convention centers typically have at least one auditorium and may also contain concert halls, lecture halls, meeting rooms, and conference rooms, as well as accessory uses such as facilities for food preparation and serving and administrative offices. For conference facilities accessory to hotels, see Hotel and Motel.

d. *Large-Scale Facility.* This classification includes large outdoor facilities such as amusement and theme parks, sports stadiums and arenas, racetracks, amphitheaters, drive-in theaters, driving ranges, and golf courses. It also includes indoor facilities with 5,000 square feet or more in building area such as fitness centers, gymnasiums, handball, racquetball, or large tennis club facilities; ice or roller skating rinks; swimming or wave pools; miniature golf courses; bowling alleys; archery or indoor shooting ranges; and riding stables.

e. *Small-Scale Facility.* This classification includes small, generally indoor facilities that occupy less than 5,000 square feet of building area, such as billiard parlors, card rooms, game arcades, dance halls, small tennis club facilities, poolrooms, and amusement arcades.

f. *Fortunetelling.* An establishment where a person or persons provide fortunetelling services and demand or receive, directly or indirectly, a fee or reward, or accept any donation for the exercise or exhibition of fortunetelling services, or give an exhibition of fortunetelling services at any place where a fee, donation or reward is charged or received, directly or indirectly as a condition of entry. Fortunetelling services shall include, but not be limited to, the telling of fortunes, forecasting of futures, or furnishing of any information not otherwise obtainable by the ordinary process of knowledge, by means of any occult or psychic power, faculty or force, psychic reading, occult reading, clairvoyance, clairaudience, cartomancy, psychometry, phrenology, spirits, mediumship, seership, prophecy, augury, astrology, palmistry, necromancy, mindreading, tarot card readings, tea leaves, telepathy or other craft, art, science, cards, talisman, charm, potion, magnetism, magnetized article or substance, crystal gazing, or magic of any kind or nature.

8. ***Eating and Drinking Establishments.*** Businesses primarily engaged in selling and serving prepared food and/or beverages for consumption on or off the premises.

a. *Bar/Night Club/Lounge.* Businesses that are licensed by the State to serve alcoholic beverages, including beer, wine and mixed drinks for consumption

on the premises from a liquor service facility that is physically separate from the dining area and may be operated during hours when food is not served. See Division 3, Section 9.31.040, Alcoholic Beverage Sales, for further details.

b. *Restaurant, Full-Service.* Restaurants providing food and beverage services to patrons who order and are served while seated and pay after eating. Takeout service may also be provided. See Division 3, Section 9.31.040, Alcoholic Beverage Sales, where applicable, for further details.

c. *Restaurant, Limited-Service and Take-Out.* Establishments where food and beverages may be consumed on the premises, taken out, or delivered. This classification includes cafes, cafeterias, coffee shops, delicatessens, fast-food restaurants, sandwich shops, limited-service pizza parlors, self-service restaurants, ice cream and frozen yogurt shops, and snack bars with indoor or outdoor seating for customers. This classification includes bakeries that have tables for on-site consumption of products. It excludes catering services that do not sell food or beverages for on-site consumption (see Commercial Kitchen). See Division 3, Sections 9.31.040, Alcoholic Beverage Sales, and 9.31.280, Restaurants, Limited Service and Take Out Only, where applicable, for further details.

d. *Food Hall.* Establishments consisting of three or more individually licensed businesses within an enclosed building where food and beverages may be consumed on the premises, taken out, or delivered, and may also include small retail venues. Patrons may be served while seated and pay after eating, or orders may be made at a walk-up window, counter, machine, or remotely, and payment made prior to food consumption. Characteristics of food halls include but are not



limited to: shared entrance/lobby areas, compartmentalized spaces for individually licensed businesses, shared eating areas, shared restrooms, and shared "back of house" areas (e.g., storage, dishwashing, food preparation). Each compartmentalized space may have access to the exterior of the building, along with outdoor dining and seating areas, which may be shared with other businesses within the establishment.

e. *With Drive-Through Facility.* Establishments providing food and beverage services to patrons remaining in automobiles. Includes drive-up service.

f. *With Outdoor Dining and Seating Area.* Provision of outdoor dining facilities on the same property or in the adjacent public right-of-way. See Division 3, Section 9.31.200, Outdoor Dining and Seating, for further details.

9. ***Equipment Rental.*** Establishments whose primary activity is the rental of equipment, such as medical and party equipment, to individuals and business, and whose activities may include storage and delivery of items to customers.

10. ***Food and Beverage Sales.*** Retail sales of food and beverages for off-site preparation and consumption. Typical uses include food markets, groceries, and liquor stores.

a. *Convenience Market.* Retail establishments that sell a limited line of groceries, prepackaged food items, tobacco, magazines, and other household goods, primarily for off-premises consumption. These establishments typically have long or late hours of operation and occupy a relatively small building. This classification includes small retail stores located on the same parcel as or operated in conjunction with a Service Station but does not include delicatessens or specialty

food shops. It excludes establishments that offer a sizeable assortment of fresh fruits and vegetables or fresh-cut meat (see General Market). See Division 3, Section 9.31.040, Alcoholic Beverage Sales, for further details.

b. *Farmers Market.* A location where the primary activity is the sale of agricultural products by producers and certified producers. Sales of ancillary products may occur at the location. An open air farmers market may only be operated by a local government agency.

c. *General Market.* Retail food markets of food and grocery items primarily for offsite preparation and consumption. Typical uses include supermarkets and specialty food stores such as retail bakeries; candy, nuts and confectionary stores; meat or produce markets; vitamin and health food stores; cheese stores; and delicatessens. This classification may include small-scale specialty food production with retail sales such as pasta shops. See Division 3, Sections 9.31.040, Alcoholic Beverage Sales, and 9.31.150, General Markets in Residential Districts, where applicable, for further details.

d. *Liquor Store.* Establishments primarily engaged in selling packaged alcoholic beverages for off-site consumption. See Division 3, Section 9.31.040, Alcoholic Beverage Sales, for further details.

11. ***Funeral Parlor and Mortuary.*** An establishment primarily engaged in the provision of services involving the care, preparation, or disposition of human remains and conducting memorial services. Typical uses include a crematory, columbarium, mausoleum, or mortuary.

12. **Home Occupation.** A use that is incidental and secondary to the primary residential use of a dwelling and compatible with surrounding residential uses. These uses include business, professional, and creative offices, food production, limited personal services, and urban agriculture. See Division 3, Section 9.31.160, Home Occupations for further details.

13. **Instructional Services.** Establishments that offer specialized programs in personal growth and development, typically in a classroom setting. Typical uses include classes or instruction in music, health, athletics, art, or academics. Instructional Services may include rehearsal studios as an accessory use. This use type excludes Colleges and Trade Schools and facilities that offer instructional services (see General Personal Services). This use type also excludes gyms, exercise clubs, or studios offering performing arts, martial arts, physical exercise, or yoga training and similar types of instruction. See Personal Services-Physical Training.

14. **Live-Work.** A unit that combines a work space and incidental residential space occupied and used by a single household in a structure that has been constructed for such use or converted from commercial or industrial use and structurally modified to accommodate residential occupancy and work activity in compliance with the Building Code. The working space is reserved for and regularly used by one or more occupants of the unit. See Division 3, Section 9.31.170, Live-Work Units, for further details.

15. **Lodging.** An establishment providing overnight accommodations to transient patrons who maintain a permanent place of residence elsewhere for payment for periods of 30 consecutive calendar days or less.

a. ***Bed and Breakfast.*** A residential structure that is in residential use in which the property owner or manager lives on site and within which up to 4 bedrooms are rented for overnight lodging and where meals may be provided. See Division 3, Section 9.31.090, Bed and Breakfasts, for further details.

b. ***Hotel and Motel.*** An establishment providing temporary lodging to transient patrons. These establishments may provide additional services, such as conference and meeting rooms, restaurants, bars, or recreation facilities available to guests or to the general public. This use classification includes motor lodges, motels, apartment hotels, hostels and tourist courts, but does not include rooming houses, boarding houses, or private residential clubs, single-room occupancy housing, or bed and breakfast establishments within a single-unit residence.

c. ***Vacation Rental.*** A property with a dwelling unit or guest house intended for permanent occupancy that is available for rent or hire for any person other than the primary owner for transient use for 30 days or less or is otherwise occupied or utilized on a transient basis for 30 days or less. Vacation rental does not include a Bed and Breakfast as defined above.

16. ***Maintenance and Repair Service.*** Establishments engaged in the maintenance or repair of office machines, household appliances, furniture, and similar items. This classification excludes maintenance and repair of motor vehicles or boats (see Automotive/Vehicle Sales and Services) and personal apparel (see Personal Services).

17. ***Mobile Food Truck Off-Street Venue.*** A location where the commercial vending of food occurs from parked vehicles.

18. ***Nursery and Garden Center.*** Establishments primarily engaged in retailing nursery and garden products—such as trees, shrubs, plants, seeds, bulbs, and sod—that are predominantly grown elsewhere. These establishments may sell a limited amount of a product they grow themselves. Fertilizer and soil products are stored and sold in packaged form only.

19. ***Offices.*** Offices of firms, organizations (for-profit and nonprofit), and public agencies providing professional, executive, management, administrative or design services, such as accounting, architectural, computer software design, engineering, graphic design, interior design, investment, insurance, and legal offices, excluding banks and savings and loan associations with retail banking services (see Banks and Financial Institutions). This classification also includes offices where medical and dental services are provided by physicians, dentists, chiropractors, acupuncturists, optometrists, and similar medical professionals, including medical/dental laboratories within medical office buildings but excluding clinics or independent research laboratory facilities (see Research and Development) and hospitals (see Hospital and Clinic).

a. ***Business and Professional.*** Offices of firms, organizations, or agencies providing professional, executive, management, administrative, financial, accounting, or legal services, but excluding those that primarily provide direct services to patrons that visit the office (see Offices, Walk-In Clientele).

b. ***Creative.*** Offices, production spaces, and work spaces of establishments that are in the business of the development, publishing, production, or distribution of creative property, including, but not limited to, advertising, architectural services, broadcasting, communications, computer software design,

media content, entertainment, engineering, fashion design, film distribution, graphic design, interior design, internet content, landscape design, photography, and similar uses.

c. *Medical and Dental.* Offices providing consultation, diagnosis, therapeutic, preventive, or corrective personal treatment services by doctors and dentists; medical and dental laboratories that see patients; and similar practitioners of medical and healing arts for humans licensed for such practice by the State of California. Incidental medical and/or dental research within the office is considered part of the office use if it supports the on-site patient services.

d. *Walk-In Clientele.* Offices predominantly providing direct services to patrons or clients and do not require appointments. This use classification includes employment agencies, insurance agent offices, real estate offices, travel agencies, utility company offices, and offices for elected officials. It does not include banks or check-cashing facilities, which are separately classified and regulated (see Banks and Financial Institutions).

20. ***Parking, Public or Private.*** Structures and surface lots offering parking for a fee when such use is not incidental to another on-site activity.

21. ***Personal Service.***

a. *General Personal Services.* Provision of recurrently needed services of a personal nature. This classification includes barber shops and beauty salons, seamstresses, tailors, dry cleaning agents (excluding large-scale bulk cleaning plants), shoe repair shops, self-service laundries, video rental stores, photocopying and photo finishing services, and travel agencies mainly intended for the consumer.

This classification also includes massage establishments that are in full compliance with the applicable provisions of Chapter 6.104, Massage Regulations, of the Santa Monica Municipal Code, and in which all persons engaged in the practice of massage are certified pursuant to the California Business and Professions Code Section 4612. This classification does not include gyms, exercise clubs, or studios offering performing arts, martial arts, physical exercise, or yoga training and similar types of instruction. See Division 3, Section 9.31.230, Personal Service, for further details.

b. *Personal Services, Physical Training.* Gyms, exercise clubs, or studios less than 5,000 square feet offering martial arts, physical exercise, yoga training and similar types of instruction to classes and groups. This classification also includes exclusively youth-serving studios of less than 3,000 square feet offering performing arts, dance, martial arts, physical exercise, and similar types of instruction to classes and groups of more than 5 persons.

c. *Tattoo or Body Modification Parlor.* An establishment whose principal business activity is one or more of the following: (i) using ink or other substances that result in the permanent coloration of the skin through the use of needles or other instruments designed to contact or puncture the skin; or (ii) creation of an opening in the body of a person for the purpose of inserting jewelry or other decoration. See Division 3, Section 9.31.230, Personal Service, for further details.

## **22. Retail Sales.**

a. *Building Materials and Services.* Retail sales or rental of building supplies or equipment. This classification includes lumberyards, tool and equipment

sales or rental establishments, and includes establishments devoted principally to taxable retail sales to individuals for their own use. This definition does not include Construction and Material Yards, hardware stores less than 10,000 square feet or establishments engaged in the business of selling, leasing, or otherwise transferring any firearm or ammunitions.

b. *General Retail Sales, Small-Scale.* The retail sale or rental of merchandise not specifically listed under another use classification. This classification includes retail establishments with 25,000 square feet or less of sales area; including department stores, clothing stores, furniture stores, pet supply stores, small hardware and garden supply/nurseries stores (with 10,000 square feet or less of floor area), and businesses retailing goods including, but not limited to, the following: toys, hobby materials, handcrafted items, jewelry, cameras, photographic supplies and services (including portraiture and retail photo processing), medical supplies and equipment, pharmacies, electronic equipment, sporting goods, kitchen utensils, hardware, appliances, antiques, art galleries, art supplies and services, paint and wallpaper, carpeting and floor covering, office supplies, bicycles, video rental, and new automotive parts and accessories (excluding vehicle service and installation). Retail sales may be combined with other services such as office machine, computer, electronics, and similar small-item repairs. See Division 3, Sections 9.31.210, Outdoor Newsstands, and 9.31.220, Outdoor Retail Display and Sales, where applicable, for further details.

c. *General Retail Sales, Medium-Scale.* The retail sale or rental of merchandise not specifically listed under another use classification. This



classification includes retail establishments with more than 25,000 square feet but not more than 80,000 square feet of sales area.

d. *General Retail Sales, Large-Scale.* Retail establishments with over 80,000 square feet of sales area that sell merchandise and bulk goods for individual consumption, including membership warehouse clubs, where sales of grocery items do not occupy more than 25% of the floor area.

e. ~~*Medicinal Cannabis Retailer.*~~ A licensed premises which is a physical location from which retail ~~medicinal~~ cannabis or ~~medicinal~~ cannabis products are intended to be sold ~~for use, pursuant to the Compassionate Use Act of 1996 (Proposition 215), found at Section 11362.5 of the Health and Safety Code, by a medicinal cannabis patient in California who possesses a physician's recommendation.~~ The premises may be closed to the public; sales may be made exclusively by delivery. Subject to the provisions of SMMC Section 9.31.095 ~~9.31.185, medicinal-cannabis retailers that are licensed and regulated by Business and Professions Code Section 26000 et seq and as amended from time to time~~ shall be permitted to deliver, ~~cultivate,~~ or sell adult-use cannabis or adult-use cannabis products, ~~as licensed and regulated by Business and Professions Code Section 26000 et seq., and as amended from time to time,~~ to persons 21 years of age and over or medicinal cannabis or cannabis products to persons 18 years of age and over with a physician's recommendation.

f. *Pawn Shop.* Establishments engaged in the buying or selling of new or secondhand merchandise and offering loans in exchange for personal property.

g. **Swap Meet.** Any indoor or outdoor place, in an approved location, or for an approved activity where new or used goods or secondhand personal property is offered for sale or exchange to the general public by a multitude of individual licensed vendors, usually in compartmentalized spaces. The term swap meet is interchangeable with and applicable to: flea markets, auctions, open air markets, outdoor sales activities, or other similarly named or labeled activities; but does not include supermarket or department store retail operations. See Division 3, Sections 9.31.360, Swap Meets, and 9.31.220, Outdoor Retail Display and Sales, for further details.

23. **Restaurants.** See Eating and Drinking Establishments.

24. **Sexually-Oriented Business.** See Chapter 9.59, Sexually-Oriented Businesses, for details.

#### C. **Industrial Use Classifications.**

1. **Artist's Studio.** Work space for an artist or artisan, including individuals practicing one of the fine arts or performing arts, or an applied art or craft. This use may include incidental display and retail sales of items produced on the premises and instructional space for small groups of students. It does not include joint living and working units (see Live-Work).

a. **Studio-Light.** Small-scale art production that is generally of a low impact. Typical uses include painting, photography, jewelry, glass, textile, and pottery studios.

b. **Studio-Heavy.** Art production on a medium or large scale generally using heavy equipment. Typical uses include large-scale metal and woodworking studios.

2. **Commercial Kitchen.** Kitchens used for the preparation of food to be delivered and consumed off-site. Typical uses include catering facilities. This classification does not include businesses involved in the processing or manufacturing of wholesale food products (see Industry, Limited).

3. **Construction and Material Yard.** Storage of construction materials or equipment on a site other than a construction site.

4. **Industry, General.** Manufacturing of products from extracted or raw materials or recycled or secondary materials, or bulk storage and handling of such products and materials. This classification includes operations such as agriculture processing; biomass energy conversion; production apparel manufacturing; photographic processing plants; leather and allied product manufacturing; wood product manufacturing; paper manufacturing; chemical manufacturing; plastics and rubber products manufacturing; nonmetallic mineral product manufacturing; primary metal manufacturing; fabricated metal product manufacturing; and automotive and heavy equipment manufacturing.

5. **Industry, Limited.** Establishments engaged in light industrial activities taking place primarily within enclosed buildings and producing minimal impacts on nearby properties. This classification includes the manufacturing of finished parts or products primarily from previously prepared materials; commercial laundries and dry cleaning plants; monument works; printing, engraving, and publishing; sign painting shops;

machine and electrical shops; computer and electronic product manufacturing; furniture and related product manufacturing; and industrial services. It also includes the preparation, manufacturing, and/or packaging of food, medicinal cannabis, and medicinal cannabis products for off-site use or consumption using nonvolatile solvents, or no solvents. Typical food manufacturing uses include canners, roasters, breweries, wholesale bakeries, and frozen food manufacturers.

6. ***Media Production.*** Establishments engaged in the production of movies, video, music and similar forms of intellectual property. Typical facilities include movie and recording studios and production facilities, distribution facilities, editing facilities, catering facilities, printing facilities, post-production facilities, set construction facilities, sound studios, special effects facilities and other entertainment-related production operations. This classification does not include facilities for live audiences (see Commercial Entertainment and Recreation) or transmission and receiving equipment for radio or television broadcasting (see Communication Facility).

a. ***Support Facility.*** Administrative and technical production support facilities such as offices, editing and sound recording studios, film laboratories, and similar functions that occur entirely within a building.

b. ***Full-Service Facility.*** Indoor and outdoor production facilities, distribution facilities, post-production facilities, set construction facilities, sound stages, special effects facilities, and other media-related production operations.

7. ***Recycling Facility.*** A facility for receiving, temporarily storing, transferring and/or processing materials for recycling, reuse, or final disposal. This use classification does not include waste transfer facilities that operate as materials recovery, recycling,

and solid waste transfer operations and are classified as utilities (see Utilities, Major). See Division 3, Section 9.31.260, Recycling Facilities, for further details.

a. *Recycling Collection Facility.* An incidental use that serves as a neighborhood drop-off point for the temporary storage of recyclable materials but where the processing and sorting of such items is not conducted on site.

b. *Recycling Processing Facility.* A facility that receives, sorts, stores and/or processes recyclable materials.

8. ***Research and Development.*** A facility for scientific research and the design, development, and testing of electrical, electronic, magnetic, optical, pharmaceutical, chemical, and biotechnology components and products in advance of product manufacturing. This classification includes assembly of related products from parts produced off site where the manufacturing activity is secondary to the research and development activities.

9. ***Salvage and Wrecking.*** Storage and dismantling of vehicles and equipment for sale of parts, as well as their collection, storage, exchange or sale of goods, including, but not limited to any used building materials, used containers or steel drums, used tires, and similar or related articles or property.

10. ***Warehousing, Storage, and Distribution.*** Storage and distribution facilities without sales to the public on-site or direct public access except for public storage in small individual space exclusively and directly accessible to a specific tenant.

a. *Chemical, Mineral, and Explosives Storage.* Storage and handling of hazardous materials including, but not limited to: bottled gas, chemicals, minerals and ores, petroleum or petroleum-based fuels, fireworks, and explosives.

b. *Indoor Warehousing and Storage.* Storage within an enclosed building of commercial goods prior to their distribution to wholesale and retail outlets and the storage of industrial equipment, products and materials. This classification also includes cold storage, draying or freight, moving and storage, and warehouses. It excludes the storage of hazardous chemical, mineral, and explosive materials.

c. *Outdoor Storage.* Storage of vehicles or commercial goods or materials in open parcels.

d. *Personal Storage.* Facilities offering enclosed storage with individual access for personal effects and household goods, including mini-warehouses and mini- storage. This use excludes workshops, hobby shops, manufacturing, or commercial activity.

e. *Wholesaling and Distribution.* Indoor storage and sale of goods to other firms for resale; storage of goods for transfer to retail outlets of the same firm; or storage and sale of materials and supplies used in production or operation, including janitorial and restaurant supplies. Wholesalers are primarily engaged in business- to-business sales, but may sell to individual consumers through mail or internet orders. They normally operate from a warehouse or office having little or no display of merchandise, and are not designed to solicit walk-in traffic. This classification does not include wholesale sale of building materials (see Building Materials and Services).

**D. Transportation, Communication, and Utilities Use Classifications.**

1. ***Airports and Heliports.*** Facilities for the takeoff and landing of airplanes and helicopters, including runways, helipads, aircraft storage buildings, public terminal buildings and parking, air freight terminals, baggage handling facilities, aircraft hangar and public transportation and related facilities, including bus operations, servicing and storage. This classification also includes support activities such as fueling and maintenance, storage, airport operations and air traffic control, incidental retail sales, coffee shops and snack shops, and airport administrative facilities, including airport offices, terminals, operations buildings, communications equipment, buildings and structures, control towers, lights, and other equipment and structures required by the United States Government and/or the State for the safety of aircraft operations.

2. ***Bus/Rail Passenger Station.*** Facilities for passenger transportation operations. This classification includes rail and bus stations and terminals but does not include terminals serving airports or heliports. Typical uses include ticket purchasing and waiting areas out of the public right-of-way, restrooms, and accessory uses such as cafés.

3. ***City Bikeshare Facility.*** Land and equipment used for the operation or maintenance of a network of publicly-owned and publicly-available bicycles in a bikeshare system in the City of Santa Monica. These facilities may include stations, hubs, parking facilities, payment/customer service kiosks, map stands, and helmet vending.

4. ***Communication Facilities.*** Facilities for the provision of broadcasting and other information relay services through the use of electronic and telephonic mechanisms.

a. ***Antenna and Transmission Tower.*** Broadcasting and other communication services accomplished through electronic or telephonic mechanisms, as well as structures designed to support one or more reception or

transmission systems. Typical uses include radio towers and television towers. Notwithstanding the foregoing, facilities described in Chapter 9.32, including, without limitation, personal wireless service facilities and over-the-air reception devices ("OTARDs") shall not be considered antenna and transmission towers for purposes of this use classification and shall only be subject to the applicable provisions and permit requirements in Chapter 9.32, Personal Wireless Service Facilities.

b. *Equipment Within Buildings.* Indoor facilities containing primarily communication equipment and storage devices such as computer servers.

5. ***Freight/Truck Terminal and Warehouse.*** Facilities for freight, courier, and postal services by truck or rail. This classification does not include local messenger and local delivery services (see Light Fleet-Based Service).

6. ***Light Fleet-Based Service.*** Passenger transportation services, local delivery services, medical transport, and other businesses that rely on fleets of 3 or more vehicles with rated capacities less than 10,000 lbs. This classification includes parking, dispatching, and offices for taxicab and limousine operations, ambulance services, nonemergency medical transport, local messenger and document delivery services, home cleaning services, and similar businesses. This classification does not include towing operations (see Automobile/Vehicle Sales and Service, Towing and Impound) or taxi or delivery services with 2 or fewer fleet vehicles on site (see Business Services).

7. ***Utilities, Major.*** Generating plants, electric substations, and solid waste collection, including transfer stations and materials recovery facilities, solid waste



treatment and disposal, water or wastewater treatment plants, and similar facilities of public agencies or public utilities.

8. ***Utilities, Minor.*** Facilities necessary to support established uses involving only minor structures, such as electrical distribution lines, and underground water and sewer lines.

9. ***Waste Transfer Facility.*** A facility that operates as a materials recovery, recycling and solid waste transfer operation providing solid waste recycling and transfer services for other local jurisdictions and public agencies that are not located within the City. The facility sorts and removes recyclable materials (including paper, metal, wood, inert materials such as soils and concrete, green waste, glass, aluminum and cardboard) through separation and sorting technologies to divert these materials from the waste stream otherwise destined for landfill.