

Division 5: General Terms

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Chapter 9.51 Use Classifications

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9.51.010 Purpose and Applicability

Use classifications describe one or more uses of land having similar characteristics but do not list every use or activity that may appropriately be within the classification. The Director shall determine whether a specific use shall be deemed to be within one or more use classifications or not within any classification in this Chapter. The Director may determine that a specific use shall not be deemed to be within a classification, whether or not named within the classification, if its characteristics are substantially incompatible with those typical of uses named within the classification.

9.51.020 Residential Use Classifications

A. Residential Use Classifications

1. Residential Types

- a. **Single-Unit Dwelling.** A dwelling unit that is designed for occupancy by one household, located on a single parcel that does not contain any other dwelling unit (except a second dwelling unit, where permitted), and not attached to another dwelling unit on an abutting parcel. This classification includes individual manufactured housing units installed on a foundation system pursuant to Section 18551 of the California Health and Safety Code.
- b. **Second Dwelling Unit.** A dwelling unit providing complete independent living facilities for one or more persons that is located on a parcel with another primary, single-unit dwelling as defined by State law. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-unit dwelling's location. A second unit may be within the same structure as the primary unit, in an attached structure, or in a separate structure on the same parcel. This use is distinguished from a duplex. See Division 3, Section 9.31.300, Second Dwelling Units, for further details.
- c. **Duplex.** A single building that contains two dwelling units or two single unit dwellings on a single parcel. This use is distinguished from a Second Dwelling Unit, which is an accessory residential unit as defined by State law and this Ordinance.
- d. **Multiple-Unit Dwelling.** Two or more dwelling units within a single building or within two or more buildings on a site or parcel. Types of multiple-unit dwellings include garden apartments, senior housing developments, and multi-story apartment and condominium buildings. This classification includes transitional housing in a

multiple-unit format. The classification is distinguished from group residential facilities.

i. **Senior Citizen Multiple-Unit Residential.** A multiple-unit development in which occupancy of individual units is restricted to one or more persons 62 years of age or older, or a person at least 55 years of age who meets the qualifications found in Civil Code Section 51.3.

ii. **Single-Room Occupancy Housing.** Multiple-unit residential buildings containing housing units that may have kitchen and/or bathroom facilities and are guest rooms or efficiency units as defined by the State Health and Safety Code. Each housing unit is occupied by no more than two persons and is offered on a monthly rental basis or longer. See Division 3, Section 9.31.330, Single Room Occupancy Structures, for further details.

e. **Group Residential.** Shared living quarters without separate kitchen or bathroom facilities wherein two or more rooms are rented to individuals under separate rental agreements or leases, either written or oral, whether or not an owner, agent, or rental manager is in residence, offered for rent for permanent or semi-transient residents for periods generally of at least 30 days. This classification includes rooming and boarding houses, dormitories, fraternities, convents, monasteries, and other types of organizational housing, and private residential clubs, but excludes extended stay hotels intended for long-term occupancy (30 days or more; see Hotel and Motel), and Residential Facilities. Group Residential includes but is not limited to the following:

i. **Congregate Housing.** A residential facility with shared kitchen facilities, deed-restricted or restricted by an agreement approved by the City for occupancy by low- or moderate-income households, designed for occupancy for periods of six months or longer, providing services that may include meals, housekeeping and personal care assistance as well as common areas for residents of the facility. See Division 3, Section 9.31.110, Congregate and Transitional Housing, for further details.

ii. **Senior Group Residential.** A residential facility that provides residence for a group of senior citizens [as defined in Health and Safety Code Section 1569.2(k)] with a central kitchen and dining facilities and a separate bedroom or private living quarters. See Division 3, Section 9.31.310 Senior Group Residential, for further details.

2. **Corporate Housing.** Rental housing which has the following attributes:

a. The housing is designed for use by individuals who will reside on the property for a minimum stay of at least 30 consecutive days, but who otherwise intend their occupancy to be temporary.

b. The housing is intended for use by persons who will maintain or obtain a permanent place of residence elsewhere.

c. The housing includes two or more of the following amenities:

i. Maid and linen service

- ii. Health club, spa, pool, tennis courts, or memberships to area facilities
 - iii. Business service centers
 - iv. Meeting rooms
 - v. Fully furnished units including a combination of some but not necessarily all of the following: furniture, appliances, housewares, bed linens, towels, artwork, televisions, entertainment systems, and computer equipment
 - vi. Valet parking
3. **Elderly and Long-Term Care.** Establishments that provide 24-hour medical, convalescent or chronic care to individuals who, by reason of advanced age, chronic illness or infirmity, are unable to care for themselves, and is licensed as a skilled nursing facility by the State of California, including but not limited to, rest homes, nursing homes, and convalescent hospitals, but not Residential Care, Hospitals, or Clinics.
4. **Emergency Shelter.** A temporary, short-term residence providing housing with minimal supportive services for homeless families or individual persons where occupancy is limited to six months or less, as defined in Section 50801 of the California Health and Safety Code. Medical assistance, counseling, and meals may be provided. See Division 3, Section 9.31.130, Emergency Shelters, for further details.
5. **Family Day Care.** A day-care facility licensed by the State of California that is located in a dwelling unit where a resident of the dwelling provides care and supervision for children under the age of 18 for periods of less than 24 hours a day.
- a. **Small.** A facility that provides care for up to six children including children who reside at the home and are under the age of 10, or up to eight children in accordance with Health and Safety Code Section 1597.44, or any successor thereto.
 - b. **Large.** A facility that provides care for up to 12 children, including children who reside at the home and are under the age of 10, or up to 14 children in accordance with Health and Safety Code Section 1597.465, or any successor thereto. See Division 3, Section 9.31.140, Family Day Care, Large, for further details.
6. **Mobile Home Park.** Any area or tract of land where two or more lots are rented or leased, or held out for rent or lease, to accommodate mobile homes used for human habitation in accordance with Health and Safety Code Section 18214, or any successor thereto.
7. **Residential Facility.** Facilities that provide permanent living accommodations and 24-hour primarily non-medical care and supervision for persons in need of personal services, supervision, protection, or assistance for sustaining the activities of daily living. Living accommodations are shared living quarters with or without separate kitchen or bathroom facilities for each room or unit. This classification includes facilities that are operated for profit as well as those operated by public or not-for-profit institutions, including group homes for minors, persons with disabilities, people in recovery from alcohol or drug addictions, and hospice facilities. See Division 3, Section 9.31.270, Residential Care Facilities, for further details.
- a. **Residential Care, General.** A Residential Facility licensed by the State of California and providing care for more than six persons.

- b. **Residential Care, Limited.** A Residential Facility licensed by the State of California providing care for six or fewer persons.
 - c. **Residential Care, Senior.** A housing arrangement chosen voluntarily by the resident, the resident's guardian, conservator or other responsible person, where residents are 60 years of age or older and where varying levels of care and supervision are provided as agreed to at the time of admission or as determined necessary at subsequent times of reappraisal. This classification includes continuing care retirement communities and life care communities licensed for residential care by the State of California.
 - d. **Hospice, General.** A facility that provides residential living quarters for more than six terminally ill persons.
 - e. **Hospice, Limited.** A facility that provides residential living quarters for up to six terminally ill persons.
8. **Supportive Housing.** Housing which meets the definition of Health and Safety Code Section 50675.14 with no limit on length of stay that are occupied by the target population as defined in subdivision (d) of Section 53260 of the California Health and Safety Code, and that are linked to onsite or offsite services that assist supportive housing residents in retaining the housing, improving their health status, and maximizing their ability to live and, where possible, work in the community. Supportive housing as defined by Subdivision (b) of Section 50675.14 may be provided in a multiple-unit structure or group residential facility. Facilities may operate as licensed or unlicensed facilities subject to applicable State requirements.
9. **Transitional Housing.** Dwelling units with a limited length of stay that are operated under a program requiring recirculation to another program recipient at some future point in time. Transitional housing may be designated for homeless or recently homeless individuals or families transitioning to permanent housing as defined in subdivision (h) of Section 50675.2 of the California Health and Safety Code. Facilities may be linked to onsite or offsite supportive services designed to help residents gain skills needed to live independently. Transitional housing may be provided in a variety of residential housing types (e.g., multiple-unit dwelling, single-room occupancy, group residential, single unit dwelling). This classification includes domestic violence shelters. See Division 3, Section 9.31.110, Congregate and Transitional Housing, for further details.

9.51.030 Non-Residential 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 non-profit 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 non-profit 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, non-profit, or governmental facility for keeping, boarding, training, breeding or maintaining four 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, non-profit, or governmental facility for keeping four 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 two or fewer fleet vehicles on-site. (For three 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 and 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, health clubs, yoga studios, dance halls, small tennis club facilities, poolrooms, and amusement arcades.

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, but where limited table service is provided. 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. ***With Drive-Through Facility.*** Establishments providing food and beverage services to patrons remaining in automobiles. Includes drive-up service.
 - e. ***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 four 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 non-profit), 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 offering martial arts, physical exercise, yoga training and similar types of instruction to classes and groups of five or less persons. 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 five persons.
 - c. **Tattoo or Body Modification Parlor.** An establishment whose principal business activity is one or more of the following: 1) 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 2) 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 percent of the floor area.
- e. **Medical Marijuana Dispensary.** Any facility, building, structure, or fixed location where one or more qualified patients and/or persons with identification cards and/or primary caregivers cultivate, distribute, sell, dispense, transmit, process, exchange, give away, or otherwise make available marijuana for medical purposes. The terms “primary caregiver”, “qualified patient”, and “person with an identification card” shall be as defined in California Health and Safety Code Section 11362.5 et seq.
 - i. A Medical Marijuana Dispensary shall not include the following uses, as long as the location of such uses are otherwise regulated by applicable law and as long as any such use complies strictly with applicable law including, but not limited to, California Health and Safety Code Section 11362.5 et seq:
 - (1) A clinic licensed pursuant to Chapter 1 of Division 2 of the California Health and Safety Code.

- (2) A health care facility licensed pursuant to Chapter 2 of Division 2 of the California Health and Safety Code.
 - (3) A residential care facility for persons with chronic life-threatening illness licensed pursuant to Chapter 3.01 of Division 2 of the California Health and Safety Code.
 - (4) A residential care facility for the elderly licensed pursuant to Chapter 3.2 of Division 2 of the California Health and Safety Code.
 - (5) A residential hospice, or a home health agency licensed pursuant to Chapter 8 of the California Health and Safety Code.
- ii. A Medical Marijuana Dispensary shall also not include any dwelling unit where qualified patients or persons with an identification card permanently reside and collectively or cooperatively cultivate marijuana on-site for their own personal medical use and does not include the provision, cultivation, or distribution of medical marijuana at this dwelling unit by primary caregivers for the personal medical use of the qualified patients or persons with an identification card who have designated the individual(s) as a primary caregiver, in accordance with California Health and Safety Code Sections 11362.5 and 11362.7 et seq.
- 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 for off-site consumption. 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 cafes.
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 wireless telecommunication towers and facilities, radio towers, television towers, telephone exchange/microwave relay towers, and cellular telephone transmission/personal communications systems towers. See Division 3, Chapter 9.41, Telecommunications Facilities, for further details.
 - 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 three 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, non-emergency 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 two 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.

Chapter 9.52 Terms and Definitions

Sections:

- 9.52.010 List of Terms
- 9.52.020 Definitions

9.52.010 List of Terms

30% Income Household
50% Income Household
60% Income Household
80% Income Household
100% Affordable Housing Project
Abandoned, Abandonment
Abutting, Adjoining, or Adjacent
Access
Accessory Building
Accessory Food Service
Accessory Structure
Accessory Use
Act of Nature
Affordable Rent
Alley
Alteration
Arcade
Area Median Income (AMI)
Artist
Attic
Awning
Balcony
Base District
Base Height
Basement
Bathroom
Bay Window
Bedroom
Block
Building
Building, Accessory
Building, Principal
Building Code
Building Face
Building Envelope
Building Footprint
Building Height
Building Site
Build-to Line
Buffer, Buffering
California Department of Alcoholic Beverage Control (ABC)
California Environmental Quality Act (CEQA)
Canopy
Car Sharing
Carport
Change of Use
Clerestory
City
City Council
City Engineer
City-Designated Contributing Building or Structure
City-Designated Historic Resource
City-Designated Landmark
City-Designated Structure of Merit
County
Conditionally Permitted
Construction
Corner Build-to Area
Courtyard
Cripple Wall
Curb Cut
Daylight Plane
Deck
Demising Wall
Demolition
Development
Development Agreement
Director
Disability
Discretionary Permit

District
Domestic Violence Shelter
Driveway
Dwelling
Dwelling Unit
Easement
Effective Date
Emergency
Entrance
Environmental Review
Environmental Impact Report (EIR)
Erect
Excavation
Façade
Façade, Street-Facing
Feasible
Fee
Fence
Floor Area
Floor Area Ratio
Footprint
Frontage, Street
Garage
Semi-subterranean Garage
Subterranean Garage
Garage Sales
General Plan
Glare
Government Code
Grade
Average Natural Grade
Existing Grade
Finished Grade
Segmented Average Natural Grade
Theoretical Grade
Ground Floor
Ground Floor Street Frontage
Habitation
Hazardous Materials
Height
Historic Resource
Historic Resources Inventory
Home Occupation
Household
Illegal Use
Intensity of Use
Intersection, Street

Kitchen
Landscape
Automatic Controller
Backflow Prevention Device
Groundcover
Hedge
Irrigation System
Landscaping
Moisture Sensing Device
Mulch
Plant Area
Lighting
Foot-Candle
Light Fixture
Shielded Fixture
Lightwell
Living Quarters
Loading Space
Loft
Lot
Maintenance and Repair
Manufactured Housing
Mezzanine
Mixed-Use Development
Mobile Home Park
Natural Disaster
Nonconforming Building
Nonconforming Structure
Nonconforming Use
Open Space
Open Space, Common
Open Space, Private
Open Space, Usable
Outdoor Sales, Temporary and Seasonal
Outdoor Storage
Overlay District
Parapet
Parcel
Parcel, Corner
Parcel, Flag
Parcel, Key
Parcel, Reversed Corner
Parcel, Through
Parcel Area
Parcel Depth
Parcel Frontage
Parcel Line

Parcel Line, Front

Parcel Line, Rear

Parcel Line, Side

Parcel Width

Parking Facility

Accessory Parking

Long-Term Parking

Parking, Bicycle

Long-Term Bicycle Parking

Short-Term Bicycle Parking

Parking Space, Off-Street

Accessible Parking

Car Share Parking

Independently-Accessible Parking

Shared Parking

Stacked Parking

Tandem Parking

Unbundled Parking

Valet Parking

Parking Structure

Semi-Subterranean

Subterranean

Patio

Paving

Permit

Permitted Use

Person

Person with a Disability

Planning Commission

Plaza

Podium

Port Cochere

Pre-Existing

Primary Use

Private Tennis Court

Project

Public Land

Public Resources Code

Qualified Applicant

Ramp

Reasonable Accommodation

Residential Use

Review Authority

Right-of-Way

Roof

Barrel Roof

Gambrel Roof

Hip Roof

Mansard Roof

Pitched Roof

Shed Roof

Roof Deck

Screening

Security Grate or Grilles

Senior Citizen

Setback

Setback, Front

Setback, Rear

Setback, Side

Setback, Street Side

Sexually-Oriented Business

Shrub

Sidewalk

Sidewalk Café

Sign-Related Definitions

Site

Skylight

Solar Energy System

State Historical Building Code

Story

Street

Street Tree

Street Wall

Structural Alterations

Structure

Structure, Accessory

Structure, Main

Structure, Subterranean

Structure, Temporary

Subdivision

Swimming Pool

Temporary Structure

Trailer

Trash Screen/Enclosure

Unit

Use

Use, Accessory

Use, Primary

Use Classification

Use Permit

Use Type

Utilities

Vibration

View Corridor

Wall
Window

Primary Room Window
Secondary Room Window

Yard
Zoning Administrator
Zoning District

9.52.020 Definitions

The following words or phrases as used in this Ordinance shall have the following meanings:

- 9.52.020.0010 30% Income Household.** A household whose gross income does not exceed the 30% income limits applicable to the Los Angeles-Long Beach Primary Metropolitan Statistical Area, adjusted for household size, as published and periodically updated by HUD.
- 9.52.020.0020 50% Income Household.** A household whose gross income does not exceed 50% of the area median income, adjusted for household size, as published and periodically updated by HUD. 50% income households include 30% income households.
- 9.52.020.0030 60% Income Household.** A household whose gross income does not exceed 60% of the area median income, adjusted for household size, as published and periodically updated by HUD. 60% income households include 50% income households.
- 9.52.020.0040 80% Income Household.** A household whose gross income does not exceed 80% of the area median income, adjusted for household size, as published and periodically updated by HUD. 80% income households include 60% income households.
- 9.52.020.0050 100% Affordable Housing Project.** Housing projects with a minimum of 25 percent of the units deed restricted or restricted by an agreement approved by the City for occupancy by 60% Income Households or less and the remainder of the housing units are deed restricted or restricted by an agreement approved by the City for occupancy by 80% Income Households or less. Such projects may include non-residential uses not to exceed 33% of the project's total floor area.
- 9.52.020.0060 Abandoned, Abandonment.** When, for a continuous period of one year or more, a nonconforming building, parcel, or use ceases. Resumption of a use after abandonment is a change of use. See Division 3, Section 9.27.050(B), Nonconforming Uses, Structures, and Parcels, for additional regulations.
- 9.52.020.0070 Abutting, Adjoining, or Adjacent.** Having a common property line or district line or separated only by an alley, path, private street, or easement.
- 9.52.020.0080 Access.** The place, or way through which pedestrians and/or vehicles shall have safe, adequate and usable ingress and egress to a property or use as required by this ordinance.
- 9.52.020.0090 Accessory Building.** See Building, Accessory.
- 9.52.020.0100 Accessory Food Service.** Establishments where food is located on the same parcel as or within a primary permitted use and is clearly incidental to the primary permitted use that is not an eating and drinking establishment. Food service that is more extensive than these provisions will cause this use to be considered an eating and drinking establishment subject to all of the applicable regulations. See Division 3, Section 9.31.030, Accessory Food Service, for further details.
- 9.52.020.0110 Accessory Structure.** See Structure, Accessory.
- 9.52.020.0120 Accessory Use.** See Use, Accessory.
- 9.52.020.0130 Act of Nature.** A natural occurrence such as an earthquake, flood, tidal wave, hurricane, superstorm, meteor, or tornado which causes substantial damage to buildings or property.

9.52.020.0135 Affordable Rent. Affordable rent shall mean the following:

- A. For 30% income households, the product of 30 percent times 30 percent of the area median income adjusted for household size appropriate for the unit.
- B. For 50% income households, the product of 30 percent times 50 percent of the area median income adjusted for household size appropriate for the unit.
- C. For 80% income households whose gross incomes exceed the maximum incomes for 50% income households, the product of 30 percent times 60 percent of the area median income adjusted for household size appropriate for the unit.
- D. For moderate income households, the product of 30 percent times 110 percent of the area median income adjusted for household size appropriate for the unit.

For purposes herein, affordable rent shall be adjusted as necessary to be consistent with pertinent Federal or State statutes and regulations governing Federal or State assisted housing.

9.52.020.0140 Alley. A public way permanently reserved for access to the rear or side of properties otherwise abutting on a street.

9.52.020.0150 Alteration. Any change, addition or modification that changes the exterior architectural appearance or materials of a structure or object. Alteration includes changes in exterior surfaces, changes in materials, additions, remodels, demolitions, and relocation of buildings or structures, but excludes ordinary maintenance and repairs.

9.52.020.0160 Arcade. A public passageway or colonnade open along at least one side, except for structural supports, usually covered by a canopy or permanent roofing.

9.52.020.0165 Area Median Income (AMI). The median family income published from time to time by HUD for the Los Angeles-Long Beach Metropolitan Statistical Area.

9.52.020.0170 Artist. An individual who is recognized by critics and peers; has verifiable training, credentials, and/or reputation in the field; and works in one or more of the following areas:

- A. A person who works in or is skilled in any of the fine arts, including but not limited to painting, drawing, sculpture, book arts, and print making;
- B. A person who creates imaginative works of aesthetic value, including but not limited to literature, poetry, play writing, film, video, digital media works, literature, costume design, photography, architecture, music composition, and conceptual art;
- C. A person who creates functional art, including but not limited to jewelry, rugs, decorative screens and grates, furniture, pottery, toys, and quilts;
- D. A performer, including but not limited to singers, musicians, dancers, actors, and performance artists.

9.52.020.0180 Attic. The area less than seven feet in height, located above the ceiling of the top story and below the roof that is not usable as habitable or commercial space and is not accessible via a permanent access structure. An attic shall not be considered a story. City-designated landmarks may adapt attics to be habitable so long as they are within the historic building

envelope and result in no change to the roofline. Such an adoption will also not be considered a story.

- 9.52.020.0190 Awning.** An architectural projection that provides weather protection, identity or decoration and is wholly supported by the building to which it is attached. An awning is typically constructed of non-rigid materials on a supporting framework which projects from and is supported by the exterior wall of a building.
- 9.52.020.0200 Balcony.** A platform that projects from the wall of a building 30 inches or more above grade that is accessible from the building's interior, is not accessible from the ground and is not enclosed by walls on more than two sides. See also Deck.
- 9.52.020.0210 Base District.** See Zoning District.
- 9.52.020.0220 Base Height.** The maximum height to which a building or structure may be built by right pursuant to the Land Use and Circulation Element (LUCE) of the General Plan. This is also called the Tier 1 height.
- 9.52.020.0230 Basement.** The level(s) of a structure located below Average Natural Grade, Segmented Average Natural Grade, or Theoretical Grade, in which no portion of the level directly below Average Natural Grade, Segmented Average Natural Grade, or Theoretical Grade projects more than three feet above Average Natural Grade, Segmented Average Natural Grade, or Theoretical Grade. Up to four wall surfaces of the level directly below Average Natural Grade, Segmented Average Natural Grade, or Theoretical Grade may be exposed above Finished Grade, so long as this exposure does not exceed 40% of each of these wall surface areas. Each wall surface area is calculated by multiplying the height by the length of the wall. In addition, the visible wall surface height of these walls shall not exceed three feet above Finished Grade, except for an entrance to a garage, which must be designed to the minimum feasible width and not exceed the maximum size requirements set forth in Chapter 9.28, or for any light well or emergency egress as required by the Building Code. A basement shall not be considered a story.
- 9.52.020.0240 Bathroom.** A room containing a sink, a toilet, and a shower and/or bathtub.
- 9.52.020.0250 Bay Window.** An angular or curved window that projects from the building surface.
- 9.52.020.0260 Bedroom.** Any habitable space in a dwelling unit or accessory structure other than a kitchen or living room that is intended for or capable of being used for sleeping, is at least 70 square feet in area, is separated from other rooms by a door, and is accessible to a bathroom without crossing another bedroom.
- 9.52.020.0270 Block.** Property bounded on all sides by a public right-of-way.
- 9.52.020.0280 Building.** Any structure having a roof supported by columns or walls and intended for the shelter, housing or enclosure of any individual, animal, process, equipment, goods or materials.
- 9.52.020.0290 *Building, Accessory.*** A detached building located on the same parcel as the principal building, which is incidental and subordinate to the principal building in terms of both size and use. A building will be considered part of the principal building if located less than six feet from the principal building or if connected to it by fully enclosed space.

- 9.52.020.0300 *Building, Principal.*** A building in which the principal use of the parcel on which it is located is conducted.
- 9.52.020.0310 *Building Code.*** Any ordinance of the City governing the type and method of construction of buildings, signs, and sign structures and any amendments thereto and any substitute therefore including, but not limited to, the California Building Code, the State Historic Building Code, other state-adopted uniform codes and the Minimum Building Security Standards Ordinance.
- 9.52.020.0320 *Building Face.*** The general outer surface of the structure or walls of a building. Where bay windows or pillars project beyond the walls, the outer surface of the windows or pillars shall be considered to be the face of the building.
- 9.52.020.0330 *Building Envelope.*** The aggregate of building mass and building bulk permitted on a parcel which is defined by height regulations, setbacks and other property development standards.
- 9.52.020.0340 *Building Footprint.*** See Footprint.
- 9.52.020.0350 *Building Height.*** See Height.
- 9.52.020.0360 *Building Site.*** A parcel or parcels of land occupied or to be occupied, by a main building and accessory buildings together with such open spaces as are required by the terms of this title and having its principal frontage on a street, road, highway, or waterway.
- 9.52.020.0370 *Build-to Line.*** A line parallel to the parcel line where the façade of the building is required to be located.
- 9.52.020.0380 *Buffer, Buffering.*** An area on a parcel which is designed to separate structures and uses from the general public and/or adjacent properties to reduce negative impacts. It may include landscaping, fences, and walls.
- 9.52.020.0390 *California Department of Alcoholic Beverage Control (ABC).*** The California state agency that regulates the permitting of alcohol beverage sales, including the sale of beer, wine, and distilled spirits.
- 9.52.020.0400 *California Environmental Quality Act (CEQA).*** Public Resources Code Section 21000 et seq. or any successor statute and associated guidelines (California Code of Regulations Section 15000 et seq.) that require public agencies to document and consider the environmental effects of a proposed action before a decision.
- 9.52.020.0410 *Canopy.*** A roofed shelter projecting over a sidewalk, driveway, entry, window, or similar area that may be wholly supported by a building or may be wholly or partially supported by columns, poles, or braces extending from the ground.
- 9.52.020.0420 *Car Sharing.*** A formal or informal membership organization that owns a variety of motor vehicles that are parked in a number of different areas. Members use the motor vehicles under the terms of their membership.

- 9.52.020.0430 Carport.** A permanently roofed structure providing space for parking or temporary storage of vehicles. It may or may not include sides, but will be considered a garage if all four sides are enclosed.
- 9.52.020.0440 Change of Use.** A discontinuance of an existing use and the substitution therefore of a use such that the new use represents a different use group (as defined in Chapter 9.51, Use Classifications) or is otherwise differently regulated by the zoning ordinance compared to the prior use. A change of ownership alone does not constitute a change of use. Resumption of a use after abandonment is a change of use.
- 9.52.020.0450 Clerestory.** A window or row of windows which typically run horizontally and are located at the upper portion of a wall to allow additional light and air into a room. A clerestory is not a skylight.
- 9.52.020.0460 City.** The City of Santa Monica.
- 9.52.020.0470 City Council.** The City Council of the City of Santa Monica.
- 9.52.020.0480 City Engineer.** The City Engineer of the City of Santa Monica.
- 9.52.020.0490 City-Designated Contributing Building or Structure.** A building or structure designated by the City as contributing to the designation of an area as a historic district pursuant to Section 9.56.130.
- 9.52.020.0500 City-Designated Historic Resource.** Any existing property or structure that is designated by the City as a Landmark, Structure of Merit, or a Contributor to a Designated Historic District.
- 9.52.020.0510 City-Designated Landmark.** An improvement designated by the City as appropriate for historic preservation pursuant to Section 9.56.120.
- 9.52.020.0520 City-Designated Structure of Merit.** An improvement designated by the City as appropriate for official recognition pursuant to Section 9.56.090.
- 9.52.020.0530 County.** The County of Los Angeles.
- 9.52.020.0540 Conditionally Permitted.** Permitted subject to approval of a Conditional Use Permit or Minor Use Permit.
- 9.52.020.0550 Construction.** Construction, erection, enlargement, alteration, conversion or movement of any building, structures, or land together with any scientific surveys associated therewith.
- 9.52.020.0560 Corner Build-to Area.** Area of a corner parcel where the façade of the building is required to be located.
- 9.52.020.0570 Courtyard.** An unroofed area that is completely or mostly enclosed by walls of a building.

- 9.52.020.0580 Cripple Wall.** The short wood stud walls that enclose a crawl space under the first floor used to support a dwelling between the concrete foundation and the ground floor of a building. It elevates the dwelling above ground to allow access to the utility lines or to level a dwelling built on a slope.
- 9.52.020.0590 Curb Cut.** A break in a curb allowing vehicle access from the roadway to a legal parking area within the parcel.
- 9.52.020.0600 Daylight Plane.** A setback or series of setbacks on new buildings which allows the flow of light and air to adjacent residential buildings and properties.
- 9.52.020.0610 Deck.** A platform, either freestanding or attached to a building that is used for outdoor space. It typically extends from the façade of a building and is supported by pillars or posts but may be located on a flat portion of a building, such as a roof or setback. It is distinct from a patio. See also Balcony.
- 9.52.020.0620 Demising Wall.** A partition wall that separates one tenant or owner's space from another or from the building hallway or other common area.
- 9.52.020.0630 Demolition.** The destruction, dismantling, or removal of a building or structure or substantial portion of a building or structure so that it constitutes demolition pursuant to the provisions of Section 9.25.030, Demolition Defined.
- 9.52.020.0640 Development.** Any manmade change to improved or unimproved real estate, including but not limited to the division of a parcel of land into two or more parcels; the construction, reconstruction, conversion, structural alteration, relocation, expansion, or enlargement of any structure; any mining, excavation, landfill or land disturbance; and any use or extension of the use of land.
- 9.52.020.0650 Development Agreement.** An agreement between the City and any person having a legal or equitable interest in real property for the development of such property and which complies with the applicable provisions of the Government Code Section 65864 et seq. and local law for such development agreements pursuant to Chapter 9.60, Development Agreements.
- 9.52.020.0660 Director.** The Director of Planning and Community Development of the City of Santa Monica or his/her designee.
- 9.52.020.0670 Disability.** Physical or mental impairment that substantially limits one or more of a person's major life activities or a record of having an impairment, but the term does not include current, illegal use of, or an addiction to, a controlled substance. Current users of illegal controlled substances, persons convicted with illegal manufacture or distribution of a controlled substance, sex offenders, and juvenile offenders are not considered disabled under the Fair Housing Act, by virtue of that status.
- 9.52.020.0680 Discretionary Permit.** A Development Review Permit, Major Modification, Variance, Minor Use Permit, or Conditional Use Permit, or any other appealable permit that requires findings to be made.

- 9.52.020.0690 District.** See Zoning District.
- 9.52.020.0700 Domestic Violence Shelter.** A residential facility that provides temporary accommodations to persons or families who have been the victims of domestic violence. Such a facility may also provide meals, counseling, and other services, as well as common areas for the residents of the facility.
- 9.52.020.0710 Driveway.** An accessway that provides vehicular access between a street and the parking or loading facilities located on an adjacent property.
- 9.52.020.0720 Dwelling.** A structure or portion thereof that is used principally for residential occupancy.
- 9.52.020.0730 Dwelling Unit.** One or more rooms designed, occupied or intended for occupancy as separate living quarters, with full cooking, sleeping and bathroom facilities for the exclusive use of a single household. A dwelling unit shall exceed 375 square feet in size.
- 9.52.020.0740 Easement.** A portion of land created by grant or agreement for specific purpose; an easement is the right, privilege, or interest which one party has in the land of another.
- 9.52.020.0750 Effective Date.** The date on which a permit or other approval becomes enforceable or otherwise takes effect, rather than the date it was signed or circulated.
- 9.52.020.0760 Emergency.** A sudden unexpected occurrence demanding immediate action to prevent or mitigate loss or damage to life, health, property or essential public services.
- 9.52.020.0770 Entrance.** An opening, such as a door, passage, or gate, that allows access to a place.
- 9.52.020.0780 Environmental Review.** An evaluation process pursuant to CEQA to determine whether a proposed project may have a significant impact on the environment.
- 9.52.020.0790 Environmental Impact Report (EIR).** An Environmental Impact Report as required under the California Environmental Quality Act.
- 9.52.020.0800 Erect.** To build, construct, attach, hang, place, suspend, or affix to or upon any surface.
- 9.52.020.0810 Excavation.** The removal of soils or other materials below grade to install habitable space, parking, utilities, or landscaping.
- 9.52.020.0820 Façade.** The face of the exterior wall of a building exposed to public view or that wall viewed by persons not within the building. The portion of any exterior elevation of a building extending vertically from the grade to the top of a parapet wall or eave and horizontally across the entire width of the building elevation.
- 9.52.020.0830 Façade, Street-Facing.** Any building façade whose exterior wall faces or is within 45 degrees of parallel to an adjacent street, right-of-way, or public park, plaza, or open space.
- 9.52.020.0840 Feasible.** Capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors.

- 9.52.020.0850 Fee.** A payment to the City for the processing of a permit or license application by a City Agency or Department.
- 9.52.020.0860 Fence.** An artificially-constructed barrier of any material or combination of materials erected to enclose or screen an area of land. Fences may also be walls, hedges and screen planting.
- 9.52.020.0870 Floor Area.** See Division 1, Section 9.04.080, Determining Floor Area, for rules for calculating floor area.
- 9.52.020.0880 Floor Area Ratio.** The ratio of the total floor area of all buildings on a parcel to the total area of the parcel. See Division 1, Section 9.04.090, Determining Floor Area Ratio, for rules for calculating floor area ratio.
- 9.52.020.0890 Footprint.** The horizontal area, as seen in plan view, of a building or structure, measured from the outside of exterior walls and supporting columns, and excluding eaves and subterranean and semi-subterranean levels.
- 9.52.020.0900 Frontage, Street.** That portion of a parcel that borders a public street. “Street frontage” shall be measured along the common parcel line separating said parcel or parcel of land from the public street, highway, or parkway.
- 9.52.020.0910 Garage.** A building or portion thereof, containing accessible and usable enclosed space designed, constructed and maintained for the parking or storage of one or more motor vehicles.
- 9.52.020.0920 *Semi-subterranean Garage.*** A structure located partly underground used for parking and storage of vehicles.
- 9.52.020.0930 *Subterranean Garage.*** A structure entirely underground, except for openings for ingress and egress.
- 9.52.020.0940 Garage Sales.** The sale or offering for sale to the general public of over five items of personal property on a portion of a parcel in a residentially zoned district, whether inside or outside any building.
- 9.52.020.0950 General Plan.** The City of Santa Monica General Plan.
- 9.52.020.0960 Glare.** The effect produced by a light source within the visual field that is sufficiently brighter than the level to which the eyes are adapted, such as to cause annoyance, discomfort or loss of visual performance and ability.
- 9.52.020.0970 Government Code.** The Government Code of the State of California.
- 9.52.020.0980 Grade.** The location of the ground surface.
- 9.52.020.0990 *Average Natural Grade.*** See Division 1, Section 9.04.050(A)(1).

- 9.52.020.1000** *Existing Grade.* The elevation of the ground at any point on a parcel as shown on the required survey submitted in conjunction with an application for a building permit or grading permit. Existing grade also may be referred to as natural grade.
- 9.52.020.1010** *Finished Grade.* The finished surface of the ground, paving, lawn, or other improved surface between the building and the parcel line.
- 9.52.020.1020** *Segmented Average Natural Grade.* See Division 1, Section 9.04.050(A)(2).
- 9.52.020.1030** *Theoretical Grade.* See Division 1, Section 9.04.050(A)(3).
- 9.52.020.1040** **Ground Floor.** The lowest floor of a building other than a basement that is closest to finished grade.
- 9.52.020.1050** **Ground Floor Street Frontage.** The first level of a building, other than a basement, that borders a public street.
- 9.52.020.1060** **Habitation.** Regular and exclusive use of a space or structure for shelter and other residential purposes in a manner that is private and separate from another residence on the same parcel.
- 9.52.020.1070** **Hazardous Materials.** Any material, including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a substantial present or potential hazard to human health, safety, property, or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.
- 9.52.020.1080** **Height.** The vertical distance from a point on the ground below a structure to a point directly above. See also Division 1, Section 9.04.050, Measuring Height.
- 9.52.020.1090** **Historic Resource.** Any existing property or structure that is designated as a City Landmark, Structure of Merit, or a Contributor to a Designated Historic District, or is listed on either the California Register of Historical Resources or the National Register of Historic Places.
- 9.52.020.1100** **Historic Resources Inventory (HRI).** A database containing building descriptions and evaluations of properties that exhibit potential historic, architectural, or cultural significance in Santa Monica. Each property listed on the HRI has been evaluated by professionals using nationwide standards and criteria. The HRI is used to identify properties of potential historic significance, and properties on the HRI are eligible to apply the State Historical Building Code.
- 9.52.020.1110** **Home Occupation.** A commercial use conducted on residential property by the inhabitants of the subject residence, which is incidental and secondary to the residential use of the dwelling. See Section 9.31.160, Home Occupation.
- 9.52.020.1120** **Household.** One or more persons living together in a single dwelling unit, with access to and use of all common living and eating areas and all common areas and facilities for the

preparation and storage of food and who maintain a single mortgage, lease, or rental agreement for all members of the household.

- 9.52.020.1130** **Illegal Use.** Any use of land or building that does not have the currently required permits and was originally constructed and/or established without permits or approvals required for the use at the time it was brought into existence.
- 9.52.020.1140** **Intensity of Use.** The extent to which a particular use or the use in combination with other uses affects the natural and built environment in which it is located, the demand for services, and persons who live, work, and visit the area. Measures of intensity include but are not limited to requirements for water, gas, electricity, or public services; number of automobile trips generated by a use; parking demand; number of employees on a site; hours of operation; the amount of noise, light or glare generated; the number of persons attracted to the site, or, in eating establishments, the number of seats.
- 9.52.020.1150** **Intersection, Street.** The area common to two or more intersecting streets.
- 9.52.020.1160** **Kitchen.** A room or space within a building with appliances used for cooking or preparing food.
- 9.52.020.1170** **Landscape.** The following terms are related to Division 3, Chapter 9.26, Landscaping.
- 9.52.020.1180** **Automatic Controller.** An automatic timing device used to remotely control valves that operate an irrigation system.
- 9.52.020.1190** **Backflow Prevention Device.** A safety device used to prevent pollution or contamination of the water supply due to the reverse flow of water from the irrigation system.
- 9.52.020.1200** **Groundcover.** A low growing woody or herbaceous plant with low, compact growth habits which normally crawls or spreads, and which forms a solid mat or dense cover over the ground within two years of installation. Mature heights of groundcover will usually range from three inches to three feet.
- 9.52.020.1210** **Hedge.** A boundary or barrier of plant material formed by a row or series of shrubs, bushes, trees, or other similar vegetation that enclose, divide, or protect an area or that prevent a person from passing between any combination of individual shrubs, bushes, trees, or other similar vegetation.
- 9.52.020.1220** **Irrigation System.** Any system, excluding water features, for distribution of water through a pressurized system within the landscape area, including, but not limited to, any system in which any portion is installed below grade or affixed to any structure.
- 9.52.020.1230** **Landscaping.** The planting, configuration and maintenance of trees, ground cover, shrubbery and other plant material, decorative natural and structural features (walls, fences, hedges, trellises, fountains, sculptures), earth patterning and bedding

materials, and other similar site improvements that serve an aesthetic or functional purpose. See Section 9.26.060.

- 9.52.020.1240** *Moisture Sensing Device.* A device that measures the amount of water in the soil. The device may also suspend or initiate an irrigation event.
- 9.52.020.1250** *Mulch.* Any organic material such as leaves, bark, straw, compost, or inorganic mineral materials such as rocks, gravel, and decomposed granite left loose and applied to the soil surface for the beneficial purposes of reducing evaporation, suppressing weeds, moderating soil temperature, and preventing soil erosion.
- 9.52.020.1260** *Plant Area.* The portion of a parcel that is dedicated to the installation of landscaping.
- 9.52.020.1270** **Lighting.** The following terms are related to Section 9.21.080, Lighting.
- 9.52.020.1280** *Foot-Candle.* A quantitative unit of measure for luminance. One foot-candle is equal to the amount of light generated by one candle shining on one square foot surface located one foot away. Equal to one lumen uniformly distributed over an area of one square foot.
- 9.52.020.1290** *Light Fixture.* The assembly that holds a lamp and may include an assembly housing, a mounting bracket or pole socket, a lamp holder, a ballast, a reflector or mirrors, and a refractor or lens.
- 9.52.020.1300** *Shielded Fixture.* Outdoor light fixtures shielded or constructed so that light rays emitted by the lamp are projected below the horizontal plane passing through the lowest point on the fixture from which light is emitted.
- 9.52.020.1310** **Lightwell.** The portion of buildable area that is reserved as open space for light and air, usually enclosed by building walls on the subject property or adjacent property and extends for one or more floors.
- 9.52.020.1320** **Living Quarters.** A structure or portion thereof that is used principally for human habitation.
- 9.52.020.1330** **Loading Space.** An off-street space or berth on the same parcel with a building for the temporary parking of a vehicle while loading or unloading of goods.
- 9.52.020.1340** **Loft.** See Mezzanine.
- 9.52.020.1350** **Lot.** See Parcel.
- 9.52.020.1360** **Maintenance and Repair.** The repair or replacement of nonbearing walls, fixtures, wiring, roof or plumbing that restores the character, scope, size or design of a structure to its previously existing, authorized, and undamaged condition.

- 9.52.020.1370 Manufactured Housing.** A structure as defined by Health and Safety Code Section 18007, or any successor thereto.
- 9.52.020.1380 Mezzanine.** An intermediate floor within a building interior without walls, partitions, closets, screens or other complete enclosing interior walls or partitions that is open to the floor below and has a floor area that is no greater than one-third of the total area of the overlooked room below. When the total floor area of a mezzanine exceeds one-third of the total area of the overlooked room below it constitutes an additional story and is no longer considered a mezzanine. Mezzanines shall be concealed within the building and shall not appear as an additional story on the exterior building façade. See Story.
- 9.52.020.1390 Mixed-Use Development.** The development of a parcel or building with two or more different land uses such as, but not limited to, a combination of residential, office, manufacturing, retail, public or entertainment in a single or physically integrated group of structures.
- 9.52.020.1400 Mobile Home Park.** Any area or tract of land where two or more lots are rented or leased, or held out for rent or lease, to accommodate mobile homes used for human habitation in accordance with Health and Safety Code Section 18214, or any successor thereto.
- 9.52.020.1410 Natural Disaster.** See Act of Nature.
- 9.52.020.1420 Nonconforming Building.** See Nonconforming Structure.
- 9.52.020.1430 Nonconforming Structure.** A building or structure that was erected in compliance with the standards and requirements in effect when it was constructed but does not comply with all of the applicable provisions of this Ordinance including, but not limited to, density, floor area, height, setback, usable open space, and other development standards. See Chapter 9.27, Nonconforming Uses and Structures.
- 9.52.020.1440 Nonconforming Use.** An occupancy or activity that was established in compliance with the standards and requirements in effect at the time it commenced and has not been abandoned within the same structure or on the same parcel since that date but does not comply with all of the applicable provisions of this Ordinance including, but not limited to, permitted use, location, intensity, operational characteristics, performance standards or hours of operation. See Chapter 9.27, Nonconforming Uses and Structures.
- 9.52.020.1450 Open Space.**
- 9.52.020.1460 *Open Space, Common.*** Any outdoor area, not dedicated for public use, which is designed and intended for the common use and enjoyment of the residents and guests of more than one dwelling unit.
 - 9.52.020.1470 *Open Space, Private.*** Open areas for outdoor living and recreation that are adjacent and directly accessible to a single dwelling unit, reserved for the exclusive use of residents of the dwelling unit and their guests.

- 9.52.020.1480** *Open Space, Usable.* Outdoor areas that provide for outdoor living and/or recreation for the use of residents.
- 9.52.020.1490** **Outdoor Sales, Temporary and Seasonal.** The sale or offering for sale to the general public of merchandise outside of a permanent structure on property owned or leased by the person, firm, or corporation. These sales are of a limited duration and conducted on an occasional basis, and are secondary or incidental to the principal permitted use or structure existing on the property.
- 9.52.020.1500** **Outdoor Storage.** The keeping, in an unroofed area, of any goods, junk, material, merchandise or vehicles in the same place for more than 72 hours except for the keeping of building materials reasonably required for construction work on the premises pursuant to a valid and current Building Permit issued by the City.
- 9.52.020.1510** **Overlay District.** A zoning designation specifically delineated on the Districting Map establishing land use requirements that govern in addition to the standards set forth in the underlying base district.
- 9.52.020.1520** **Parapet.** A low wall or railing extending above the roof and along its perimeter.
- 9.52.020.1530** **Parcel.** A single unit of land separated from other units of land by legal description, the boundaries of which are shown on a parcel map or final map, described in a deed, or for which a certificate of compliance has been issued pursuant to the Subdivision Map Act. [Parcel shall also include two or more parcels where the owner(s) have recorded a covenant with the Office of the County Recorder that states the intention of the owner(s) to combine and use the parcels as a single unit of land in compliance with City regulations.]
- 9.52.020.1540** *Parcel, Corner.* A parcel of land abutting two or more streets at their intersection, or upon two parts of the same street forming an interior angle of less than 135 degrees.
- 9.52.020.1550** *Parcel, Flag.* A parcel not fronting on or abutting a public road and where access is from a public road by a narrow right-of-way or driveway.
- 9.52.020.1560** *Parcel, Key.* The first interior parcel to the rear of a reversed corner parcel and not separated therefrom by an alley.
- 9.52.020.1570** *Parcel, Reversed Corner.* A corner parcel, the side street line of which is substantially a continuation of the front parcel line of the first parcel to its rear.
- 9.52.020.1580** *Parcel, Through.* A parcel which fronts on two parallel streets or which fronts upon two streets which do not intersect at the boundaries of the parcel.
- 9.52.020.1590** **Parcel Area.** The total area within the property lines of a parcel, excluding any street or alley right-of-way.
- 9.52.020.1600** **Parcel Depth.** The longest perpendicular length between a front and rear parcel line or an imaginary extension of a rear parcel line as necessary for non-rectilinear parcels.

- 9.52.020.1610 Parcel Frontage.** The width of the front parcel line measured at the street right-of-way.
- 9.52.020.1620 Parcel Line.** A line of record bounding a parcel that divides one parcel from another parcel or from a public or private street or any other public space.
- 9.52.020.1630 Parcel Line, Front.** The parcel line separating a parcel from a street right-of-way. In the case of a corner parcel, the line separating the narrowest street frontage of the parcel from the street shall be considered the front. For corner parcels with equal street frontage dimensions, the front of the parcel is the street frontage that is consistent with the prevailing street frontage orientations along the block where the corner parcel is located. For parcels between a walk street and an alley, the front of the parcel is considered along the walk street. For through parcels between a walk street and a street with vehicular access, the front of the parcel is considered along the street with vehicular access.
- 9.52.020.1640 Parcel Line, Rear.** The parcel line opposite and most distant from the front parcel line; or in the case of triangular or otherwise irregularly shaped parcel, a line ten feet in length entirely within the parcel, parallel to, and at a maximum distance from the front parcel line.
- 9.52.020.1650 Parcel Line, Side.** Any parcel line other than a front or rear parcel line.
- 9.52.020.1660 Parcel Width.** For rectilinear parcels, the distance between the side parcel lines determined by the length of a straight line drawn at right angles to to the side parcel lines and parallel with both the front and rear parcel lines. For non-rectilinear parcels, a series of measurements based on the location of the side parcel lines shall be required to determine varying parcel widths at any given locations on the parcel.
- 9.52.020.1670 Parking Facility.** An area of a parcel, structure, or any other area, including driveways, which is designed for and the primary purpose of which is to provide for the temporary storage of operable motor vehicles.
- 9.52.020.1680 Accessory Parking.** An area of a parcel, structure, or any other area, which is designed, reserved for, and the primary purpose of which is to provide off-street parking to serve a building or use that is the primary or main use of the parcel.
- 9.52.020.1690 Long-Term Parking.** An area designed for employee or parking when a vehicle is not normally moved during the period of an employee's work shift, as opposed to customer or visitor parking.
- 9.52.020.1700 Parking, Bicycle.** A covered or uncovered area equipped with a rack or other device designed and useable for the secure, temporary storage of bicycles.
- 9.52.020.1710 Long-Term Bicycle Parking.** Bicycle parking that is designed to serve employees, students, residents, commuters, and others who generally stay at a site for three hours or longer.

- 9.52.020.1720** *Short-Term Bicycle Parking.* Bicycle parking that is designed to serve shoppers, customers, messengers, guests, and other visitors to a site who generally stay for a period of less than four hours.
- 9.52.020.1730** *Parking Space, Off-Street.* An area, covered or uncovered, designed and usable for the temporary storage of a vehicle, which is paved and accessible by an automobile without permanent obstruction.
- 9.52.020.1740** *Accessible Parking.* Parking spaces that are designed and reserved for a vehicle(s) that is dedicated to persons with disabilities.
- 9.52.020.1750** *Car Share Parking.* Parking spaces that are dedicated for a vehicle(s) provided by a certified car-share organization for the purpose of providing a car-share-service to occupants of a building or the general public.
- 9.52.020.1760** *Independently-Accessible Parking.* Parking spaces that allow a vehicle to be accessed without having to move another vehicle under its own power. They shall include spaces accessed by automated garages, or car elevators, lifts or other space-efficient parking provided that no more than one car needs to be moved under its own power to access any one space.
- 9.52.020.1770** *Shared Parking.* The management of parking spaces so that they can be used by multiple users. This allows for the more efficient use of parking facilities. Parking may be shared between multiple users on the same parcel, between multiple users on different parcels, or in dedicated shared parking facilities such as public parking lots.
- 9.52.020.1780** *Stacked Parking.* Space-efficient parking in which vehicles are stored and accessed by mechanical stackers or lifts or other space-efficient means.
- 9.52.020.1790** *Tandem Parking.* Parking spaces that are placed one behind another and where a vehicle needs to be moved to access the desired parking space.
- 9.52.020.1800** *Unbundled Parking.* The practice of selling or leasing parking spaces separate from the purchase or lease of the commercial or residential use.
- 9.52.020.1810** *Valet Parking.* Stacked or valet parking is allowed if an attendant is present or an automated system is in place to move vehicles. The automated system may or may not be managed by an attendant.
- 9.52.020.1820** *Parking Structure.* A structure used for parking and storage of vehicles.
- 9.52.020.1830** *Semi-Subterranean.* A parking structure located partially underground.
- 9.52.020.1840** *Subterranean.* A parking structure located entirely underground, except for openings for ingress and egress.

- 9.52.020.1850 Patio.** An outdoor area, often paved, adjoining a building that is used for outdoor open space. It is not fully enclosed by walls and typically is located at grade or supported by minimal footings.
- 9.52.020.1860 Paving.** A type of material used over areas of a parcel such as driveways, parking spaces and areas, pathways, patios, and front setbacks used for access by vehicles and pedestrians.
- 9.52.020.1870 Permit.** Any Zoning Conformance, Conditional Use Permit, Minor Use Permit, Temporary Use Permit, Development Review Permit, Administrative Approval, Home Occupation, Building Permit, license, certificate, approval, or other entitlement for development and/or use of property as required by any public agency.
- 9.52.020.1880 Permitted Use.** Any use or structure that is allowed in a zoning district without a requirement for approval of a Use Permit, but subject to any restrictions applicable to that zoning district.
- 9.52.020.1890 Person.** Any natural person or other entity recognized by California law as such, including a firm, association, organization, partnership, business trust, company, or corporation.
- 9.52.020.1900 Person with a Disability.** A person who has a physical or mental impairment that limits one or more major life activities; anyone who is regarded as having that type of impairment; or anyone who has a record of that type of impairment
- 9.52.020.1910 Planning Commission.** The Planning Commission of the City of Santa Monica.
- 9.52.020.1920 Plaza.** An outdoor space set aside for gathering or congregating and commercial activities, typically surrounded by building frontages.
- 9.52.020.1930 Podium.** A continuous raised platform supporting a building or a large block of two or three stories beneath a multi-story block of smaller area.
- 9.52.020.1940 Porte Cochere.** A roofed structure through which a vehicle can pass, extending from the entrance of a building over an adjacent driveway, the purpose of which is to shelter persons entering and exiting a building.
- 9.52.020.1950 Pre-Existing.** In existence prior to the effective date of this Ordinance.
- 9.52.020.1960 Primary Use.** See Use, Primary.
- 9.52.020.1970 Private Tennis Court.** A tennis court which is used for noncommercial purposes by the owner(s) of the property or guests.
- 9.52.020.1980 Project.** Any proposal for a new or changed use or for new construction, alteration, or enlargement of any structure, that is subject to the provisions of this ordinance. This term includes, but is not limited to, any action that qualifies as a “project” as defined by the California Environmental Quality Act.

- 9.52.020.1990 Public Land.** Any government-owned land, including, but not limited to, public parks, beaches, playgrounds, trails, paths, schools, public buildings, and other recreational areas or public open spaces.
- 9.52.020.2000 Public Resources Code.** The Public Resources Code of the State of California.
- 9.52.020.2010 Qualified Applicant.** The property owner, the owner’s agent, or any person or other legal entity that has a legal or equitable interest in land that is the subject of a development proposal or is the holder of an option or contract to purchase such land or otherwise has an enforceable proprietary interest in such land.
- 9.52.020.2020 Ramp.** An access driveway leading from one parking level to another, or an access driveway from an entrance leading to parking at a different level.
- 9.52.020.2030 Reasonable Accommodation.** A type of discretionary permit that, if approved, would provide for persons with disabilities seeking equal access to housing under the California Fair Employment and Housing Act, the Federal Fair Housing Act, and the Americans with Disabilities Act (ADA) in the application of building and zoning laws and other land use policies, procedures, laws, rules, and regulations.
- 9.52.020.2040 Residential Use.** One or more rooms designed, occupied or intended for occupancy as primary living quarters in a building or portion thereof.
- 9.52.020.2050 Review Authority.** Body responsible for making decisions on zoning and related applications.
- 9.52.020.2060 Right-of-Way.** A strip of land acquired by reservation, dedication, forced dedication, prescription or condemnation and intended to be occupied or occupied by a road, railroad, electric transmission lines, oil or gas pipeline, water line, sanitary storm sewer or other similar use.
- 9.52.020.2070 Roof.** That portion of a building or structure above walls or columns that shelters the floor area or the structure below.
- 9.52.020.2080 Barrel Roof.** An arched roof with a semi-circular, half-cylindrical shape.
- 9.52.020.2090 Gambrel Roof.** A roof with two slopes on each of its two sides of which the lower is steeper than the upper slope.
- 9.52.020.2100 Hip Roof.** A four-sided roof with sloping ends and sides.
- 9.52.020.2110 Mansard Roof.** A roof with two sloping planes of different pitch on each of the four sides.
- 9.52.020.2120 Pitched Roof.** A roof with two sides that have at least one foot of vertical rise for every three feet of horizontal run.
- 9.52.020.2130 Shed Roof.** A roof with a single slope.

- 9.52.020.2140 Roof Deck.** A platform located on the flat portion of a roof or setback of a building that is used for outdoor space. It is distinct from a Patio.
- 9.52.020.2150 Screening.** Buffering of a building or activity from neighboring areas or from the street with a wall, fence, hedge, informal planting, or berm.
- 9.52.020.2160 Security Grate or Grilles.** A metal grate that rolls up over, or slides across, a window or door to provide protection against unwanted entry. It also can be a fixed metal fixture over window openings.
- 9.52.020.2170 Senior Citizen.** An individual sixty-two years of age or older unless otherwise expressly stated in this Ordinance.
- 9.52.020.2180 Setback.** The distance between the parcel line and a building, not including permitted projections, that must be kept clear or open. See also Section 9.04.040, Measuring Distances, Section 9.04.130, Determining Setbacks, and Section 9.21.110, Projections into Required Setbacks.
- 9.52.020.2190 Setback, Front.** A space extending the full width of the parcel between any building and the front parcel line, and measured perpendicularly to the building at the closest point to the front parcel line.
- 9.52.020.2200 Setback, Rear.** A space extending the full width of the parcel between the principal building and the rear parcel line measured perpendicularly from the rear parcel line to the closest point of the principal building. When a rear parcel line abuts an alley or walkstreet, the rear setback shall be measured from the center line of the alley or walkstreet.
- 9.52.020.2210 Setback, Side.** A space extending the full depth of the parcel between the principal building and the side parcel line measured perpendicularly from the side parcel line to the closest point of the principal building. For non-rectilinear parcels, a space extending the full depth of the parcel between the principal building and the side parcel line(s) measured using a series of measurements parallel to the front parcel line to determine varying parcel widths at any given locations on the parcel.
- 9.52.020.2220 Setback, Street Side.** A space extending the full depth of the parcel between the principal building and the side parcel line adjacent to a public street right-of-way measured perpendicularly from the side parcel line to the closest point of the principal building. For non-rectilinear parcels, a space extending the full depth of the parcel between the principal building and the side parcel line(s) adjacent to a public street right-of-way measured using a series of measurements parallel to the front parcel line to determine varying parcel widths at any given locations on the parcel.
- 9.52.020.2230 Sexually-Oriented Business.** See Chapter 9.59 Sexually-Oriented Businesses for details.

- 9.52.020.2240 Shrub.** A plant with a compact growth habit and branches coming from the base of the plant. Mature heights of shrubs may vary from one foot to fifteen feet depending on their species and landscape application.
- 9.52.020.2250 Sidewalk.** A paved, surfaced, or leveled area, paralleling and usually separated from the street, used as a pedestrian walkway.
- 9.52.020.2260 Sidewalk Cafe.** Any outdoor dining area located in or adjacent to any public sidewalk or right-of-way which is associated with a restaurant or other eating and drinking establishment on a contiguous adjacent parcel.
- 9.52.020.2270 Sign-Related Definitions:** All terms relating to signage are defined in Chapter 9.61, Signs.
- 9.52.020.2280 Site.** A parcel, or group of contiguous parcels, that is proposed for development in accordance with the provisions of this Ordinance and is in a single ownership or under unified control.
- 9.52.020.2290 Skylight.** That portion of a roof which is glazed to admit light, and the mechanical fastening required to hold the glazing, including a curb not exceeding ten inches in height, to provide a weatherproofing barrier.
- 9.52.020.2300 Solar Energy System.** Any solar collector or other solar energy device, certified pursuant to State law, along with its ancillary equipment, whose primary purpose is to provide for the collection, storage, and distribution of solar energy for space heating, space cooling, electric generation, or water heating, or any structural design feature of a building, whose primary purpose is to provide for the collection, storage, and distribution of solar energy for electricity generation, space heating or cooling, or for water heating.
- 9.52.020.2310 State Historical Building Code.** California Code of Regulations, Title 24, Part 8, or any successor thereto, which constitutes a special State-adopted building code for historic buildings allowing flexible approaches to their construction problems. This Code was developed to accommodate changes necessary for the continued use of historic buildings, while preserving their historic character and significant architectural features. Applicants may elect to use the State Historic Building Code as an alternative to standard construction codes such as the City's Building Code or Electrical Code.
- 9.52.020.2320 Story.** That portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the upper surface of the roof above. A mezzanine with a floor area that exceeds one third of the floor area of the overlooking room of the floor below constitutes a story. An Attic and Basement shall not be considered stories.
- 9.52.020.2330 Street.** A public or private thoroughfare which affords the access to a block and to abutting property. "Street" includes avenue, place, way, drive, boulevard, highway, road, and any other thoroughfare, except an alley as defined herein.

- 9.52.020.2340 Street Tree.** Trees that are located in the public right-of-way.
- 9.52.020.2350 Street Wall.** A wall or portion of a wall of a building facing a street.
- 9.52.020.2360 Structural Alterations.** Any physical change to or the removal of the supporting members of a structure or building, such as bearing walls, columns, beams, or girders including the creation, enlargement, or removal of doors or windows and changes to a roofline or roof shape.
- 9.52.020.2370 Structure.** Anything constructed or erected, which requires a fixed location on the ground, or is attached to a building or other structure having a fixed location on the ground.
- 9.52.020.2380 Structure, Accessory.** A detached subordinate structure, used only as incidental to the main structure on the same parcel.
- 9.52.020.2390 Structure, Main.** A structure housing the principal use of a site or functioning as the principal use.
- 9.52.020.2400 Structure, Subterranean.** A structure located entirely underground, except for openings for ingress and egress.
- 9.52.020.2410 Structure, Temporary.** A structure without any foundation or footings and which is intended to be removed when the designated time period, activity, or use for which the temporary structure was erected has ceased.
- 9.52.020.2420 Subdivision.** See Chapter 9.54, Land Divisions, for all subdivision definitions.
- 9.52.020.2430 Swimming Pool.** A pool, pond, or open tank capable of containing a large and deep enough body of water for people to use to swim.
- 9.52.020.2440 Temporary Structure.** See Structure, Temporary.
- 9.52.020.2450 Trailer.** A vehicle without motor power, designed to be drawn by a motor vehicle and to be used for human habitation or for carrying persons or property, including a mobile home, trailer coach or house trailer.
- 9.52.020.2460 Trash Screen/Enclosure.** A permanent, immobile structure, designed for the storage of a mobile resource recovery, recycling, or compost bin or container.
- 9.52.020.2470 Unit.** See Dwelling Unit.
- 9.52.020.2480 Use.** The purpose for which land or the premises of a building, structure, or facility thereon is designed, arranged, or intended, or for which it is or may be occupied or maintained.
- 9.52.020.2490 Use, Accessory.** A use that is customarily associated with, and is incidental and subordinate to, the primary use and located on the same parcel as the primary use.

- 9.52.020.2500** *Use, Primary.* A primary, principal or dominant use established, or proposed to be established, on a parcel. In a mixed-use building, there may be more than one primary use.
- 9.52.020.2510** **Use Classification.** A system of classifying uses into a limited number of use types on the basis of common functional, product, or compatibility characteristics. All use types are grouped into the following categories: residential; public and semi-public; commercial; industrial; and transportation, communication, and utilities. See Chapter 9.51, Use Classifications.
- 9.52.020.2520** **Use Permit.** A discretionary permit, such as a Minor Use Permit or Conditional Use Permit, which may be granted by the appropriate City authority to provide for the accommodation of land uses with special site or design requirements, operating characteristics, or potential adverse effects on surroundings, which are not permitted as of right but which may be approved upon completion of a review process and, where necessary, the imposition of special conditions of approval by the permit granting authority. See Chapter 9.41, Minor Use Permits & Conditional Use Permits.
- 9.52.020.2530** **Use Type.** A category which classifies similar uses based on common functional, product, or compatibility characteristics.
- 9.52.020.2540** **Utilities.** Equipment and associated features related to the mechanical functions of a building(s) and services such as water, electrical, telecommunications, and waste.
- 9.52.020.2550** **Vibration.** A periodic motion of the particles of an elastic body or medium in alternately opposite directions from the position of equilibrium.
- 9.52.020.2560** **View Corridor.** An area where there is a view of all or a portion of a panoramic subject, scene, or area.
- 9.52.020.2570** **Wall.** Any exterior surface of building or any part thereof, including windows.
- 9.52.020.2580** **Window.** An opening in a wall of a building that may be filled with glass or other material in a frame. They typically allow light and air into the interior of a building but also serve as vehicles for viewing merchandise in commercial properties.
- 9.52.020.2590** **Primary Room Window.** A glazed surface whose area is larger than any other glazed surface in a living room, dining room, family room, library, or similar such activity room in a dwelling unit.
- 9.52.020.2600** **Secondary Room Window.** A glazed surface serving a bedroom, bathroom, kitchen, stairway, corridor, or storage area in a dwelling unit, or a non-primary window in a primary space.
- 9.52.020.2610** **Yard.** See Setback.
- 9.52.020.2620** **Zoning Administrator.** The Director of the Department of Planning & Community Development, or their designee.

9.52.020.2630 Zoning District. A specifically delineated area or district in the City within which regulations and requirements uniformly govern the use, placement, spacing, and size of land and buildings.

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