

ATTACHMENT A

Use Regulations & Classifications Module

Zoning Ordinance Update

Santa Monica Zoning Ordinance Update



Use Regulations and Classifications Module



City of
Santa Monica

Prepared by:

DYETT & BHATIA
Urban and Regional Planners

DECEMBER 2012

Santa Monica Zoning Ordinance Update

**Use Regulations and Classifications
Module**

Prepared for

The City of Santa Monica

By

DYETT & BHATIA
Urban and Regional Planners

December 2012

Table of Contents

1	Introduction	1
	District Purpose Statements	3
	District Use Regulations	3
	Standards For Specific Uses	4
	Use Classifications	5
	Key Policy Questions	7
2	District Use Regulations.....	13
	Single Unit and Duplex Residential Districts	13
	Purpose	13
	Land Use Regulations	13
	Residential Multi-Family Districts	15
	Purpose	15
	Land Use Regulations	16
	Ocean Park Neighborhood Districts	20
	Purpose	20
	Land Use Regulations	21
	Mixed-Use Corridor Districts	24
	Purpose	24
	Land Use Regulations	25
	Employment Districts	32
	Purpose	32
	Land Use Regulations	33
3	Use Classifications	39
	Residential Use Classifications	39
	Public and Semi-Public Use Classifications	42
	Commercial Use Classifications.....	43
	Industrial Use Classifications	52
	Transportation, Communication, and Utilities Use Classifications	54
4	Selected Supplemental Regulations for Specific Uses and Activities	57

Tables

Table 1: LUCE Land Use Classifications and Zoning Districts	2
Table 2: Land use Regulations—RS and RD Districts	14
Table 3: Land Use Regulations—Residential Multi-Family Districts	17
Table 4: Land Use Regulations—Ocean Park neighborhood Districts.....	22
Table 5: Land Use Regulations—MU-BL, MU-B, GC, AND NC Districts.....	26
Table 6: Land use Regulations—Employment Districts	33

1 Introduction

The 2010 adoption of the Land Use and Circulation Element (LUCE) of the General Plan requires a revision of the Santa Monica Zoning Ordinance. The Zoning Ordinance Update process provides an opportunity to re-examine the City's zoning framework with an eye toward achieving the LUCE's vision of protecting and preserving Santa Monica's unique neighborhoods and enhancing mixed-use corridors and activity centers.

The LUCE establishes 17 land use designations. In some cases, it calls out specific land uses that should be promoted or restricted in an area. In addition, citywide policies in the LUCE, particularly the citywide policies related to economic development, call attention to particular land uses that should be promoted in Santa Monica. It is important to ensure that the land use classifications and definitions in the updated Zoning Ordinance provide an adequate basis for carrying out these LUCE policies.

The table on the following page lists the LUCE land use classifications with the corresponding existing and proposed zoning districts. These districts have been designed to implement the land use and development policies established in the LUCE. This module presents purpose statements and a complementary set of land use regulations for each of the new districts consistent with the recommendations contained in the districting framework and use regulations issue papers that the Planning Commission ("Commission") reviewed and discussed in July (*Districting Framework Issues Paper*, June 2012 and *Use Regulation: Issues and Options Paper*, June 2012). The proposed purpose statements and use regulations are based on an analysis of LUCE policies, existing regulations, the issue papers, and staff and stakeholder comments, as well as comments from the Commission and public at the July meeting.

Purpose statements provide a link between the LUCE's policies and the regulations that implement them, including use regulations and development standards. Use regulations establish permitted land uses in each district and should reflect the intended purposes of each district. The updated use regulations of this module are intended to serve as a streamlined, user-friendly set of regulations. The purpose of this document is to obtain feedback on the draft use regulations, including:

- Whether the district purposes accurately reflect LUCE policies and provide a sound basis for guiding decisions about the regulation of uses in each district;
- Whether the allowed uses in each district are appropriate to implement the community's vision and LUCE policies; and
- Whether the proposed level of review for these uses is appropriate.

This document identifies a number of key questions and issues that will help guide the final drafting of these regulations.

TABLE 1: LUCE LAND USE CLASSIFICATIONS AND ZONING DISTRICTS			
<i>Proposed Zoning District</i>		<i>LUCE Land Use Designation</i>	<i>Existing Zoning</i>
Residential Low Density Districts			
RS	Single Family Residential	Single Family Housing	R-1
RD	Duplex Residential	Low Density Housing	R2R
Residential Multi-family Districts			
RL	Low Density Residential	Low Density Housing	R2, R2B, RMH
RM	Medium Density Residential	Medium Density Housing	R3R, R-3
RH	High Density Residential	High Density Housing	R-4
Ocean Park Neighborhood Districts			
OP-RS	Ocean Park Single Family Residential	Single Family Housing	OP-1
OP-RL	Ocean Park Low Density Residential	Low Density Housing	OP Duplex, OP-2
OP-RM	Ocean Park Medium Density Residential	Medium Density Housing	OP-3
OP-RH	Ocean Park High Density Residential	High Density Housing	OP-4
Downtown Districts			
DC-I	Downtown Core Interim	Downtown Core	BSC, C-3, C3C, RVC, M1
		Mixed-Use Boulevard	C-3, C-4
Mixed-Use Corridor Districts			
MU-BL	Mixed-Use Boulevard Low	Mixed-Use Boulevard Low	C-2, C-4, CM-3, CM-4, BCD, LMSD, M-1
MU-B	Mixed-Use Boulevard	Mixed-Use Boulevard	C-3, C-4, C-6, CC, NC Overlay
GC	General Commercial	General Commercial	C-4
NC	Neighborhood Commercial	Neighborhood Commercial	C-2, C-4, CM-2
Commercial and Mixed-Use Center Districts			
HMX	Healthcare Mixed-Use	Healthcare Mixed-Use	CP-3, CP-5
MU-C	Mixed-Use Creative	Mixed-Use Creative	LMSD, RMH
TV	Transit Village	Transit Village	LMSD
Employment Districts			
IC	Industrial Conservation	Industrial Conservation	LMSD, M-1
OC	Office Campus	Office Campus	C-5
Beach and Oceanfront Districts			
O	Oceanfront	Oceanfront	RVC
Public and Semi-Public Districts			
CC	Civic Center	Institutional/Public Lands	CC
P	Public	Institutional/Public Lands	PL Overlay
A	Airport	Institutional/Public Lands	Airport
PK	Park	Parks and Open Space	DP, BP

DISTRICT PURPOSE STATEMENTS

Purpose statements provide a link between the policies of the LUCE policies and the regulations the City employs to implement them. In the new Zoning Ordinance, purpose statements will be located the beginning of each chapter encompassing one or more zoning districts to clarify the purpose of the district(s). Proposed purpose statements are based on relevant LUCE policies and designations on the Land Use Diagram and should provide sufficient detail to distinguish among districts. They explain, in general language, the way each district is intended to be used and how it fits into the City’s land use policy. These statements serve as a guide for administration of district regulations, and can provide a basis for the findings required for architectural review and action on discretionary permits. They can also serve as specific reference criteria for rezoning to support the zone districts to implement LUCE policies.

DISTRICT USE REGULATIONS

The classification of land uses establishes the basis for regulation. The critical components of implementation, however, are the specific rules that govern the land uses in each zoning district. The regulation of uses ensures that the operation of permitted uses within a district will be consistent with the policies of the LUCE and the purposes of the district. The objective is to provide increased certainty to applicants and code-users alike.

The proposed use regulations are arranged in tables with extensive cross-references in order to present information in a logical, consistent, and easily navigable format. The tables present the use regulations for multiple zones side-by-side to facilitate comparisons between similar zones and to ease user navigation. The uses listed in each table are presented without definitions or limitations in order to prevent visual clutter and allow quick access to required information. Instead, the tables identify any limitations to uses as footnotes and, where appropriate, include cross-references to other sections of the Ordinance (e.g., the standards for specific uses) where additional regulations can be found. In order to streamline the document for readability, only uses that are permitted or conditionally permitted in one or more districts of a chapter are listed. Prohibited uses are not listed but will, instead, be covered by the general rule, now stipulated in the regulations for each zoning district (e.g., Section 9.04.08.02.060 (c), which states that any uses not specifically authorized are prohibited.

Generally, the new districts have maintained the uses permitted in corresponding existing districts, but updated to implement LUCE policies. The new use regulation tables contain five categories of uses:

<i>Category Designator</i>	<i>Category Description</i>
P	<i>Permitted uses, which require no discretionary review;</i>
L#	<i>Limited uses, which are permitted by right, provided they comply with specified standards; such as a limitation on floor area, indicated by a footnote in the use regulation tables; and</i>
MUP	<i>Minor conditional uses, which require approval of a Minor Use Permit based on discretionary review conducted by the Planning and Community Development Director.</i>
CUP	<i>Conditional uses, which require approval of a Conditional Use Permit based on discretionary review conducted by the Planning Commission.</i>
--	<i>Prohibited uses, which are not allowed in the district.</i>

The existing Ordinance includes another level of discretionary approval called a Performance Standards Permit (SMMC Part 9.04.20.08), which is applicable to a variety of uses that may be established if they conform to a specific set of standards or criteria intended to ensure compatibility with existing or potential uses in the surrounding area and any additional conditions that the Planning and Community Development Director imposes to ensure that a project complies with the ordinance's specific requirements. The updated Ordinance will carry forward and, in some cases, augment the current performance standards in Subchapter 9.04.12 and will replace this permit with a procedure called Zoning Conformance Review. The Administration modules will provide additional detail regarding the Zoning Conformance Review procedure, which Staff would conduct to ensure that any proposed project is consistent with applicable zoning regulations, including any special regulations for specific uses, including special performance standards.

In the draft regulations of this module, land uses that previously required a performance standard permit are listed in the tables as permitted (or limited, if they are permitted subject to specific limitations such as floor area thresholds). Special regulations applicable to the use are noted in the "Additional Regulations" column of each district table. Any of these uses would still be reviewed against applicable standards by staff through the Zoning Conformance Review process.

STANDARDS FOR SPECIFIC USES

Supplemental regulations for specific uses that warrant special standards will be included in a separate chapter of the Ordinance. These will include standards that apply to uses in some or all districts with little or no variation between districts. The regulations will come from a variety of sources. As explained above, some of these regulations will be retained from the existing Ordinance. Others will be consolidated from standards in the use lists of the existing Ordinance when these standards applied to several or all districts where the use is allowed. Additionally, some new standards will be developed in response to issues that emerged in the June 2012 *Use Regulation Issues and Options Paper*. The last section of this module includes proposed text for several of the new and significantly revised supplemental regulations for specific uses.

The use regulations tables for the districts will include cross-references to the appropriate section that includes standards for the specific use in addition to specifying the type of approval the Ordinance requires in the district. The proposed text for Standards for Specific Uses and Activities will include regulations for the following uses:

- Accessory Food Service
- Alcoholic Beverage Sales
- Automobile Rental
- Automobile/Vehicle Repair, Major and Automobile/Vehicle Service and Repair, Minor
- Automobile/Vehicle Sales and Leasing (including standards for the Urban Auto Dealership Format)
- Automobile/Vehicle Washing
- Bed and Breakfasts
- Chemical, Mineral, and Explosives Storage
- Community Assembly

- Day Care Centers
- Emergency Shelters
- Farmers Markets
- Food and Beverage Sales
- Game Arcades (Commercial Entertainment and Recreation, Small-scale)
- General Markets (Food and Beverage Sales) (to include the current standards for neighborhood grocery stores in multi-family residential districts)
- Home Occupations
- Large Family Day Care
- Live-Work
- Live Entertainment
- Offices, Business and Professional
- Outdoor Dining and Seating (Sidewalk Cafes)
- Outdoor Retail Display and Sales
- Personal Storage
- Private Tennis Courts
- Residential Facilities
- Restaurants, Limited Service
- Restaurants, With Drive-through Facilities
- Second Dwelling Units
- Senior Group Residential
- Service Stations
- Sexually-Oriented Businesses
- Social Service Centers
- Swap Meets
- Telecommunications Facilities
- Temporary Uses

USE CLASSIFICATIONS

Santa Monica's existing Ordinance does not rely on a unified use classification scheme. Rather, for each of the current 29 base zoning districts, as well as three of its six overlay districts, the current Ordinance provides long lists of uses that are permitted by right, conditionally permitted, permitted with performance standards review, and prohibited. The regulation of uses through lists—a common characteristic of older zoning ordinances—can lead to a variety of related problems, including an excessive number of uses, inconsistency in terms, and difficulty integrating new uses.

Section 3 includes the set of use classifications previously included in the June 2012 Use Regulation Issues and Options Paper, with minor modifications, described in this module, to best maintain existing use regulation distinctions and implement the LUCE's land use policies. The proposed use classifications consolidate specific use and business types into a clearly defined modern classification system that places land uses and activities into groups based on common functional, product, or physical characteristics. The use groups are designed to be comprehensive and anticipate uses that might be proposed in Santa Monica. Uses in the existing Ordinance have been renamed to reflect standard terminology in modern land use law. In circumstances in which the City has historically used more fine-tuned regulation or where the LUCE identifies a specific use type not currently regulated, additional subcategories of standard uses have been proposed. Use classifications are distinguished from definitions, which provide more specific details about particular uses to help users determine the appropriate classification.

The new streamlined use classifications will accomplish two main objectives:

Use of Plain English. The use classifications have names that a layperson can understand and recognize.

Hierarchy of Uses. Use classifications have been grouped into broader categories to facilitate understanding and regulation. For example, the following categories and sub-categories aid in identifying particular groups of uses:

Automobile/Vehicle Sales and Service:

- Alternative Fuels and Recharging Facilities*
- Automobile Rentals*
- Automobile Storage Lot*
- Automobile/Vehicle Sales and Leasing*
- Automobile/Vehicle Repair, Major*
- Automobile/Vehicle Service and Repair, Minor*
- Automobile/Vehicle Washing*
- Large Vehicle and Equipment Sales, Service, and Rental*
- Service Station*
- Towing and Impound*

Eating and Drinking Establishments:

- Bars/Night Clubs/Lounges*
- Restaurants, Full-Service*
- Restaurants, Limited-Service*
- Restaurants, Take-Out Only*
- With Drive-Through Facilities*
- With Live Entertainment*
- With Outdoor Eating Areas*

The objective of the classification system is to categorize uses in a way that makes it easier to determine whether a particular type of use is appropriate for the district given the policies of the General Plan and the

stated purpose of the district. Additional distinctions can easily be added if needed. It is worthwhile to include classifications for uses that could be proposed but that the City wishes to prohibit (e.g., short-term rental housing, sexually-oriented businesses, hazardous waste storage). Including such classifications helps staff and other code users identify such uses if proposed and determine whether they are permitted.

In the existing code, use classification descriptions are mixed with general terms and definitions, making the use groups harder to locate and distinguish. In the updated ordinance, the use classification descriptions will be grouped into a single chapter while general terms and definitions—most of which will be retained and carried forward from the existing code—will be grouped in a separate chapter. In some cases, a general term (e.g., bedroom, kitchen) will complement a use classification description.

KEY POLICY QUESTIONS

Question 1: Overall Appropriateness of Proposed Use Regulations. Does the selection of permitted, limited, and conditional uses in each district accurately reflect the purposes of those districts?

- *Are there any uses that are currently not allowed in specific districts that should be permitted? Any that should not be allowed in particular districts?*
- *Are there any additional limitations that should be imposed to control the location, scale, or operation of new uses in certain districts?*

Question 2: Cultural Facilities. The existing Ordinance lists libraries as a permitted use in multi-family districts. The proposed new use classification “Cultural Facilities” encompasses libraries as well as other cultural facilities such as museums. In addition to branch libraries, some other cultural facilities might be appropriate in the multi-family residential districts. For example, house museums (historic or potentially historic homes that are transformed into museums, in which the architecture itself may constitute a portion of the exhibit) are a use that could help preserve historic architecture and could be compatible with a residential neighborhood subject to discretionary review or conditions intended to maintain the predominantly residential character of those neighborhoods. The draft regulations for the RL, RM, and RH districts in this module establish a size threshold of 5,000 square feet for libraries allowed by right. Larger cultural facilities would be subject to a CUP. The CUP process would allow projects to be reviewed on a case-by-case basis for appropriateness and neighborhood compatibility.

- *In the multi-family residential districts, should libraries and other cultural facilities be permitted by right up to a size of 5,000 square feet and subject to a Conditional Use Permit if greater than that size?*
- *Which cultural facilities could be allowed in residential districts?*
- *Are there any types that should not be allowed or subject to a Conditional Use Permit?*

Question 3: Auto Dealerships. The LUCE includes a number of very specific policies regarding the continuation and expansion of auto dealerships and associated storage lots. It recognizes the importance of auto dealerships for Santa Monica’s economy but promotes their reconfiguration to contribute to the design character of the city’s boulevards. The LUCE states that as existing auto dealerships are upgraded or replaced, they must redevelop in an urban auto dealership format that more efficiently utilizes land and creates a visually attractive street front. This format would include showrooms in buildings that abut the sidewalk. Inventory storage, customer parking, and service areas would be located in subterranean or multi-level parking structures at the rear of the showrooms. The draft use regulations in this module would require

compliance with standards designed to implement the urban auto dealership format called for by the LUCE. These standards, a draft of which is included in this module, would be located in the chapter on standards for specific uses and referenced in the base district chapters. Consistent with the LUCE, new auto dealerships could only be established on specified boulevards—Santa Monica Boulevard, and the segment of Lincoln Boulevard between Interstate 10 and Santa Monica Boulevard—where they would be subject to a conditional use permit or development agreement.

A number of existing auto dealerships in Santa Monica use one or more adjacent residentially-zoned parcels for parking or inventory storage. The LUCE Land Use Diagram designates these sites as Low and Medium Density Housing but the LUCE also includes Policy E8.3, which states that dealerships should be allowed to expand on parcels now occupied by dealerships and on adjacent parcels as long as their redevelopment is in the urban auto dealership format. The existing code classifies auto dealerships on residentially-zoned lots as a nonconforming use that may be maintained but not intensified or expanded (SMMC Sec. 9.04.18.040). Based on LUCE policies, the revised zoning regulations would identify auto dealerships as a permitted use in any zoning district, including residential, if they were legally established prior to the effective date of the LUCE (July 6, 2010). Expansion or significant changes to expansions would be subject to a conditional use permit or development agreement and conformity with the urban auto dealership standards.

This module includes a draft set of standards intended to implement the urban auto dealership format called for by the LUCE (pp. 2.4-14 to 2.4-17). The standards include a requirement for showrooms located no more than 10 feet from the public sidewalk, occupying a minimum percentage of the site frontage along any boulevard. This provision would not require that *all* vehicle display be within buildings, but the placement of showrooms would be emphasized in site design to ensure that they contribute to the urban design character and pedestrian orientation of the boulevards. Combined with minimum façade heights and transparency requirements for the mixed-use corridor districts, the provision of showrooms will help create an attractive street wall.

The draft regulations also require parking and inventory storage to be located at the rear of showrooms, and not between showrooms and streets. These site design requirements will be applicable to new dealerships, but also to existing dealerships that expand or remodel, as called for by the LUCE. An important question for the City to consider is the appropriate threshold for expansion or remodel of an existing dealership that will trigger the requirement for their reconfiguration into the urban auto dealership format. This module proposes that any expansion of floor area more than 5,000 square feet would trigger the requirement. An alternate approach would be to incorporate the threshold in the existing code (not the IZO), which requires upgrades as a condition of approving an expansion exceeding 50 percent of existing floor area.

In addition to new standards defining the urban auto dealership format, this module carries forward most of the provisions for auto dealerships contained in the Interim Zoning Ordinance (IZO) that the City Council enacted on August 28, 2012. The IZO includes operational standards (related to access, circulation, test driving, noise, etc.) for all dealerships and special standards for parking facilities associated with dealerships. The IZO also contains specific standards for the use and development of residentially zoned lots adjacent to dealerships. It limits their use to parking or inventory storage, in either surface lots or structured parking, and prohibits their use for vehicle display, auto repair, auto washing, and similar activities. It requires that such parcels eventually revert to residential use if the adjacent dealerships are abandoned. It restricts parcel coverage to 50 percent of residential lots and height to 23 or 28 feet, the respective base height limits of the R2 and R3 districts. It establishes minimum setback standards and screening and buffering from adjacent lots in residential use. These provisions comply with Section 9.04.10.02.430 of the current code, to be carried

forward to the updated Ordinance, which stipulate that the project developed in different zoning districts must comply with all of the applicable development standards of the respective districts. An alternative to requiring the residential standards to apply to the residential lots used for auto dealerships would be to apply commercial FAR and height limits to an entire dealership site but combine required large setbacks and setbacks from adjacent parcels that are in residential use but not part of the dealership. Several of the auto dealers have proposed that the updated Ordinance include such provisions.

- *Are the proposed specific requirements for auto dealerships sufficient to achieve the LUCE goals of creating a quality pedestrian environment and visually attractive street frontage and minimize impacts on nearby residential uses? Should the standards be augmented by design guidelines that further clarify the City's design preferences?*
- *Should expansions of existing dealerships be allowed in any location in the General Commercial district (such as Lincoln Boulevard) or only on sites with frontage on Santa Monica Boulevard?*
- *Should the updated Ordinance identify legally established existing auto dealerships, including those located on residentially-zoned lots that are not in residential use, as a permitted use subject to specific standards and procedural requirements or continue to classify them as a nonconforming use?*
- *Should existing dealerships that occupy both commercially and residentially zoned lots be required to comply with all of the development standards, including height and coverage limitations, of the residential district, or could the FAR applicable to the commercially-zoned lots be applied to the entire site, along with large setbacks, setbacks, and buffering of any adjacent parcels in residential use that are not part of the dealership? The LUCE proposes that dealers be offered incentives to convert to the urban format. Would allowances for increased height and FAR be appropriate incentives?*

Question 4: Size Thresholds for Retail Establishments. Many cities distinguish general retail sales from large-format or “big box” retail establishments because of the special nature and impacts of the latter. The Use Regulation Issues and Options Paper included a use group called Large-Format Retail, defined by a floor area of 25,000 square feet or more. A more typical threshold would be 80,000 or 100,000 square feet, and in this module, the definition of large-scale retail has been revised to 80,000 square feet. Including this large-scale category allows the city to either completely prohibit Large Format Retail or conditionally permit the use in certain locations. The draft regulations include it as a conditional use in the General Commercial District only. The regulations define small-scale retail sales as establishments with 25,000 square feet or less of floor area and medium-scale retail establishments as those with 25,000 to 80,000 square feet.

It can be useful to establish additional size thresholds or other limitations for retail uses in specific districts. For example, the draft regulations for the Neighborhood Commercial District carry forward a 7,500-square-foot threshold that applies to many commercial uses in the existing corresponding CM District. Retail establishments greater than 7,500 square feet in the NC District would require a use permit.

- *Are the proposed categories of small-scale (<25,000 sq. ft.), medium-scale (25,000 – 80,000 sq. ft.), and large-scale (>80,000 sq. ft.) retail sales establishments appropriate?*
- *Should large-format retail establishments with over 80,000 square feet of floor area be conditionally permitted in any districts? Is it appropriate to conditionally permit them in the General Commercial District?*
- *Should the 7,500-square-foot threshold that currently applies to many commercial establishments in the CM District be carried forward to the new Neighborhood Commercial District, which will encompass areas currently zoned CM, C2, and C4??*

Question 5: Social Service Centers. The City Council has approved the establishment by right of centers that provide supportive services for disabled and homeless individuals and other people needing targeted services. Examples of services that such centers might provide are counseling, meal programs, personal storage lockers, showers, instructional programs, television rooms, and meeting spaces. These are distinguished from shelters that provide overnight accommodations, and from facilities providing substance abuse treatment, which would be classified as Clinics.

The Use Regulation Issues and Options Paper included a new classification called Social Service Center that describes such facilities. This module provides use regulations for such centers in the district use tables. In order to address some of the issues that have been raised by members of the public around this type of center, the updated Ordinance would include a set of specific requirements that would address aspects of their operation and maintenance such as security, loitering, and trash. Social service centers that comply with the specific requirements would continue to be allowed by right in most nonresidential districts.

- *Are the proposed specific requirements for social service centers adequate to address the concerns that have been raised about these facilities?*

Question 6: Office Uses. The LUCE descriptions of the land use designations distinguish between the desired ground-floor and upper-floor uses. Several of the descriptions call for small, local-serving offices or limit general office uses to upper floors. The draft regulations are intended to reflect the LUCE land use descriptions and also consider existing regulations. They distinguish between walk-in offices with customer traffic and business offices that are not oriented to customer visits. In the MU-BL and NC districts, they allow walk-in offices at the ground floor but restrict general offices to upper floors.

- *Based on LUCE policies, is it appropriate to restrict general office uses to upper floors in the NC and MU-BL districts while allowing them without locational restrictions in the GC and MU-B districts?*
- *Are office uses appropriate for the ground floor of these areas if they do not occupy the street frontage (i.e. they are located behind more “active” uses)?*

Question 7: Live-Work Units. Live-work units provide a way to expand both residential and work choices by permitting individuals to use the same space for work and residential purposes while allowing for a broader range of work activities than possible for home occupations. In contrast to home occupations, which involve incidental commercial use of a dwelling unit, a live-work space is a commercial occupancy with incidental residential use. Originally conceived by artists as a way to create inexpensive studio space in underused industrial buildings, a wide variety of professionals now occupy live-work units in buildings that were originally built for industrial or commercial use as well as new buildings specifically designed for joint occupancy. In Santa Monica, the creation of additional live-work units can expand options for residents involved in creative endeavors who are looking for affordable housing and work spaces as well as help to achieve other key City objectives including trip reduction and the preservation of existing buildings adapted to this hybrid use. Because live-work spaces are by definition a mixed use and the buildings suitable for conversion are often located in areas where the LUCE seeks to increase pedestrian activity, the promotion of live-work development is a particularly good way to implement these policies. The proposed regulations would allow live-work units through the conversion of existing commercial and industrial buildings or in new construction in any mixed-use, commercial, or employment district according to the use regulations. To preserve the units as an alternate way to provide more affordable living and work space, the regulations include development standards limiting the amount of floor area that can be used for residential purposes, require that at least one occupant of each unit maintain a business license, and prohibit conversion to

exclusively residential use. The owner is also required to record a notice on the property specifying the limitations of use and operation. Other provisions allow modification of parking requirements in order to make it easier to adapt existing non-residential structures for this use.

- *Are the proposed use regulations and special standards for live-work units appropriate?*

Question 8: Second Dwelling Units. Government Code Section 65852.2 requires local agencies to ministerially consider second-unit applications. They may adopt a second-unit ordinance to establish standards for second units, or, in the absence of such a local second-unit ordinance, must ministerially approve second units according to the State standards contained in Section 65852.2.

In general, local governments must allow second units on residentially zoned lots that contain a single-family dwelling unit unless the local ordinance includes findings that allowing second units would have specific adverse impacts on public health, safety, or welfare (Government Code Section 65852.2(c)). A local government may designate areas of the jurisdiction that are appropriate for second units based on criteria such as the adequacy of water and sewer services and the impact of second-units on traffic flow (Government Code Section 6585.2.2(a)(1)(A)). It may also require that the property owner occupy either the primary or second unit. Jurisdictions may apply quantifiable, fixed and objective standards, such as height, setback, and lot coverage requirements so that second units are compatible with other structures in the surrounding neighborhood.

Santa Monica's existing ordinance has had to be interpreted consistent with State Law because it includes some inconsistencies, including second units not being identified as a permitted use on residentially zoned lots with a single-family dwelling. Second units are listed only in the R1 and OP-1 districts, and in those districts are subject to a use permit. The standards in Section 9.04.13.040 of the ordinance, which were last updated in 1999, are also inconsistent with State law because they require that second units be occupied by a resident property owner or the owner's dependent or caregiver, rather than allowing rental of second units. It all requires all parking spaces to be individually accessible, where State law allows parking to be provided in tandem, absent specific findings that tandem parking is not feasible based on specific site or regional topographical or fire and life safety conditions, or that it is not permitted anywhere else in the jurisdiction (Government Code Section 65852.2 (e)).

Although the City regulates second units in compliance with applicable State requirements, it would be to the City's benefit to adopt second-unit regulations consistent with State law in the updated Ordinance. Amending the second unit provisions also provides an opportunity for the City to revise or augment its requirements to ensure their compatibility with surrounding development. The proposed ordinance would permit second units that comply with all applicable standards and requirements on any legal parcel of 5,000 square feet or more that contains no more than one legally-established single family residence. An alternative that would conform to State law would be to create a two-tiered process, allowing units under a certain size by right and allowing larger units subject to approval of a Use Permit.

The proposed regulations would permit second units on any legal lot that contains at least 5,000 square feet and is developed with a primary single-unit dwelling. As an alternative, they would allow second units up to 640 square feet in floor area by right, and allow larger units, up to no more than 900 square feet or 30 percent of the floor area of the primary unit, with a Minor Use Permit.

- *Are additional standards for second units needed to ensure compatibility with surrounding residential development?*

- *Should the City permit second units up to 640 square feet in floor area, as required by State law and allow larger second units with a use permit?*
- *Is there a need to include a process for legalizing existing second units established without City approval?*

2 District Use Regulations

SINGLE UNIT AND DUPLEX RESIDENTIAL DISTRICTS

Purpose

The purposes of the “Single Unit and Duplex Residential” Districts are to:

- A. Provide for a variety of low-density residential development to suit the spectrum of individual lifestyles and space needs and ensure continued availability of the range of housing opportunities necessary to meet the needs of all segments of the community consistent with the General Plan;
- B. Preserve and protect the existing character and state of the City’s different residential neighborhoods and the quality of life of City residents against potential impacts related to development: traffic, noise, air quality and the encroachment of commercial activities;
- C. Ensure adequate light, air, privacy, and open space for each dwelling;
- D. Avoid overburdening public facilities, including sewer, water, electricity and schools by an influx and increase of people to a degree larger than the City’s geographic limits, tax base or financial capabilities can reasonably and responsibly accommodate;
- E. Ensure that the scale and design of new development and alterations to existing structures are compatible with the scale, mass, and character of the existing residential neighborhood; and
- F. Provide sites for institutional residential and neighborhood-serving uses such as day care, parks, and community facilities.

Additional purposes of each “Single Unit and Duplex Residential” District:

RS Single Family Residential. This zoning district is intended to provide areas for single-unit housing on individual lots at densities of one unit plus one second dwelling per legal parcel. In addition to detached single-unit homes, this district provides for uses such as parks and family day care that may be appropriate in a residential environment. This district is consistent with the LUCE’s Single Family Housing land use designation.

RD Duplex Residential. This zoning district is intended to provide areas for low-density residential neighborhoods. Housing types include single-unit housing and duplexes at densities up to 29 units per net acre exclusive of City and State density bonuses. In addition to single-unit homes and duplexes, this district provides for uses such as parks and family day care that may be appropriate in a residential environment. This district is consistent with the LUCE’s Low Density Housing land use designation.

Land Use Regulations

Table 2 below prescribes the land use regulations for Single Unit and Duplex Residential Districts. The regulations for each district are established by letter designations listed below. These designations apply

strictly to the permissibility of land uses; applications for buildings or structures may require discretionary review. Use classifications not listed in the table are prohibited.

“P” designates permitted uses.

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

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

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

“_” designates uses that are not permitted.

Land uses are defined in Section 3, Use Classifications.

The “Additional Regulations” column notes additional regulations that apply to specific land uses in some or all districts. The majority of the additional regulations are located in Chapter 9.40, Standards for Specific Uses and Activities, though some additional regulations are located in separate chapters, as indicated.

TABLE 2: LAND USE REGULATIONS—RS AND RD DISTRICTS			
<i>Proposed District</i>	<i>RS</i>	<i>RD</i>	<i>Additional Regulations</i>
<i>Corresponding Existing District</i>	<i>R1</i>	<i>R2R</i>	
Residential Uses			
Residential Housing Types	<i>See subclassifications below.</i>		
<i>Single-Unit Dwelling</i>	P	P	
<i>Second Dwelling Unit</i>	P	P	Section 9.40.XXX, Second Dwelling Units
<i>Duplex</i>	MUP (1)	P	
Family Day Care	<i>See subclassifications below.</i>		
<i>Large</i>	MUP	MUP	Section 9.40.XX, Large Family Day Care
<i>Small</i>	P	P	
Residential Facilities	<i>See subclassifications below.</i>		
<i>Residential Care, Limited</i>	P	P	Section 9.40.XX, Residential Facilities
<i>Residential Care, Senior</i>	L (2)	L (2)	
<i>Hospice, Limited</i>	P	P	
Supportive Housing	Supportive Housing is treated as a residential use, subject only to those restrictions that apply to other residential uses of the same development type in the same district.		
Transitional Housing	Transitional Housing is treated as a residential use, subject only to those restrictions that apply to other residential uses of the same development type in the same district.		

TABLE 2: LAND USE REGULATIONS—RS AND RD DISTRICTS			
<i>Proposed District</i>	<i>RS</i>	<i>RD</i>	<i>Additional Regulations</i>
<i>Corresponding Existing District</i>	<i>R1</i>	<i>R2R</i>	
Public and Semi-Public Uses			
Community Gardens	P	P	
Park and Recreation Facilities, Public	P	P	
Schools, Public or Private	CUP	CUP	
Transportation, Communication, and Utilities Uses			
Utilities, Minor	P	P	
Specific Limitations:			
(1) In the RS District, a duplex may be allowed with a conditional use permit on a parcel at least 6,000 square feet in size and adjacent to a Residential Multi-Family District.			
(2) Limited to facilities for six or fewer residents.			

RESIDENTIAL MULTI-FAMILY DISTRICTS

Purpose

The purposes of the “Residential Multi-family” Districts are to:

- A. Provide for a variety of multi-family housing types to suit the spectrum of individual lifestyles and space needs and ensure continued availability of the range of housing opportunities necessary to sustain a diverse labor force and the meet the needs of all segments of the community consistent with the General Plan;
- B. Preserve and protect the existing character and state of the city’s different residential neighborhoods and the quality of life of city residents against potential impacts related to development: traffic, noise, air quality and the encroachment of commercial activities;
- C. Ensure adequate light, air, privacy, and open space for each dwelling;
- D. Avoid overburdening public facilities, including sewer, water, electricity and schools by an influx and increase of people to a degree larger than the city’s geographic limits, tax base or financial capabilities can reasonably and responsibly accommodate;
- E. Ensure that the scale and design of new development and alterations to existing structures are compatible with the scale, mass, and character of the existing residential neighborhood and provide respectful transitions to minimize impacts on or disruptions to adjacent residential structures; and
- F. Provide sites for institutional residential and neighborhood serving uses such as day care, parks, community facilities, and neighborhood stores that provide goods and services to support daily life within walking distance of neighborhoods and complement surrounding residential development.

Additional purposes of each “Residential Multi-family” District:

RL Low Density Residential. This zoning district is intended to provide areas for a variety of low-density residential development. Housing types include single-unit housing, duplexes and triplexes, townhouses, and courtyard housing at densities up to 29 units per net acre exclusive of City and State density bonuses. In addition to low-density residential development, this district provides for uses such as transitional housing or hospice facilities, family day care, and neighborhood-serving uses such as childcare, neighborhood grocery stores, and community facilities that may be appropriate in a residential environment. This district is consistent with the LUCE’s Low Density Housing land use designation.

RM Medium Density Residential. This zoning district is intended to provide areas for a variety of multi-family housing types at densities up to 29 units per net acre exclusive of City and State density bonuses. A maximum density of 35 units per net acre, exclusive of City and State density bonuses, is allowed for projects that provide identified community benefits. Types of dwelling units include low- and medium-scale multi-family housing, townhouses, courtyard housing, and duplexes and triplexes. This district also provides for uses such as institutional residential uses like transitional housing, hospice facilities, family day care, and neighborhood-serving uses such as childcare, neighborhood grocery stores, and community facilities that may be appropriate in a residential environment. This district is consistent with the LUCE’s Medium Density Housing land use designation.

RH High Density Residential. This zoning district is intended to provide areas for multi-family housing at greater intensities than other residential districts. Housing types include three-to four-story multi-family housing projects, duplexes, and triplexes at densities up to 35 units per net acre exclusive of City and State density bonuses. A maximum density of 48 units per net acre, exclusive of City and State density bonuses, is allowed for projects that provide identified community benefits. This district also provides for uses such as institutional residential uses like assisted living, transitional housing, hospice facilities, family day care, and neighborhood-serving uses such as childcare, neighborhood grocery stores, and community facilities that may be appropriate in a residential environment. This district is consistent with the LUCE’s High Density Housing land use designation.

Land Use Regulations

Table 3 below prescribes the proposed land use regulations for the Residential Multi-Family Districts. The regulations for each district are established by letter designations listed below. These designations apply strictly to the permissibility of land uses; applications for buildings or structures may require discretionary review. Use classifications not listed in the table are prohibited.

“P” designates permitted uses.

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

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

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

“_” designates uses that are not permitted.

Land uses are defined in Section 3, Use Classifications.

The “Additional Regulations” column notes additional regulations that apply to specific land uses in some or all districts. The majority of the additional regulations are located in Chapter 9.40, Standards for Specific Uses and Activities, though some additional regulations are located in separate chapters, as indicated.

TABLE 3: LAND USE REGULATIONS—RESIDENTIAL MULTI-FAMILY DISTRICTS				
<i>Proposed District</i>	<i>RL</i>	<i>RM</i>	<i>RH</i>	<i>Additional Regulations</i>
<i>Corresponding Existing District</i>	<i>R2, R2B, RMH</i>	<i>R3R, R3</i>	<i>R4</i>	
Residential Uses				
Residential Housing Types	<i>See subclassifications below.</i>			
<i>Single-Unit Dwelling</i>	P	P	P	
<i>Second Dwelling Unit</i>	P	P	P	Section 9.40.XXX, Second Dwelling Units
<i>Duplex</i>	P	P	P	
<i>Multiple-Unit Structure</i>	P	P	P	Development agreement required for all development with three or more units that exceeds the base height unless deed-restricted to 100% affordable housing or including a non-residential use above first floor.
<i>Senior Citizen Multiple-Unit Residential</i>	P	P	P	<i>See above.</i>
<i>Single-Room Occupancy Housing</i>	P	P	P	<i>See above.</i>
<i>Group Residential</i>	MUP	MUP	MUP	
<i>Congregate Housing</i>	P	P	P	
<i>Senior Group Residential</i>	P	P	P	Section 9.40.XX, Senior Group Residential
Elderly and Long-Term Care	CUP	CUP	CUP	
Family Day Care	<i>See subclassifications below.</i>			
<i>Large</i>	MUP	MUP	MUP	Section 9.40.XX, Large Family Day Care
<i>Small</i>	P	P	P	
Mobile Home Parks	L (1)	–	–	
Residential Facilities	<i>See subclassifications below.</i>			
<i>Residential Care, General</i>	MUP	MUP	MUP	Section 9.40.XX, Residential Facilities
<i>Residential Care, Limited</i>	P	P	P	Section 9.40.XX, Residential Facilities
<i>Residential Care, Senior</i>	L/MUP (2)	L/MUP (2)	L/MUP (2)	

TABLE 3: LAND USE REGULATIONS—RESIDENTIAL MULTI-FAMILY DISTRICTS				
<i>Proposed District</i>	<i>RL</i>	<i>RM</i>	<i>RH</i>	<i>Additional Regulations</i>
<i>Corresponding Existing District</i>	<i>R2, R2B, RMH</i>	<i>R3R, R3</i>	<i>R4</i>	
<i>Hospice, General</i>	MUP	MUP	MUP	
<i>Hospice, Limited</i>	P	P	P	
Supportive Housing	Supportive Housing is treated as a residential use, subject only to those restrictions that apply to other residential uses of the same residential housing type in the same district.			
Transitional Housing	Transitional Housing is treated as a residential use, subject only to those restrictions that apply to other residential uses of the same residential housing type in the same district.			
Public and Semi-Public Uses				
Community Assembly	CUP	CUP	CUP	
Community Gardens	P	P	P	
Cultural Facilities	L/CUP (3)	L/CUP (3)	L/CUP (3)	
Day Care Centers	MUP	MUP	MUP	Section 9.40.XX, Day Care Centers
Emergency Shelters	–	CUP	CUP	Section 9.40.XX, Emergency Shelters
Park and Recreations Facilities, Public	P	P	P	
Schools, Public or Private	CUP	CUP	CUP	
Commercial Uses				
Automobile/Vehicle Sales and Services	<i>See subclassifications below.</i>			
<i>Automobile Storage Lots</i>	CUP (4)	CUP (4)	–	Section 9.40.XX, Automobile/Vehicle Sales and Leasing and Automobile Storage Lots
<i>Automobile/Vehicle Sales and Leasing</i>	L (9)	L (9)	–	Section 9.40.XX, Automobile/Vehicle Sales and Leasing and Automobile Storage Lots
Food and Beverage Sales	<i>See subclassifications below.</i>			
<i>General Market</i>	CUP (5)	CUP (5)	CUP (5)	Section 9.40.XX, Food and Beverage Sales
Lodging	<i>See subclassifications below.</i>			
<i>Bed and Breakfast</i>	MUP	MUP	MUP	Section 9.40.XX, Bed and Breakfasts
<i>Hotels and Motels</i>	L (6)	–	–	
Parking, Public or Private	–	–	CUP (7)	
Retail Sales	<i>See subclassifications below.</i>			

TABLE 3: LAND USE REGULATIONS—RESIDENTIAL MULTI-FAMILY DISTRICTS				
<i>Proposed District</i>	<i>RL</i>	<i>RM</i>	<i>RH</i>	<i>Additional Regulations</i>
<i>Corresponding Existing District</i>	<i>R2, R2B, RMH</i>	<i>R3R, R3</i>	<i>R4</i>	
<i>General Retail Sales, Small-scale</i>	–	CUP (8)	–	
Transportation, Communication, and Utilities Uses				
Utilities, Minor	P	P	P	
Specific Limitations:				
<p>(1) Permitted if existing. New Mobile Home Parks are prohibited.</p> <p>(2) Facilities for six or fewer residents are permitted by right. Other facilities require approval of a Minor Use Permit.</p> <p>(3) Limited to libraries that are 5,000 square feet or less in floor area; larger libraries, as well as other types of cultural facilities, require approval of a conditional use permit.</p> <p>(4) Limited to automobile storage lots associated with and adjacent to existing auto dealerships that were legally established before July 6, 2010, and according to the standards of Section 9.40.XX, Automobile/Vehicle Sales and Leasing and Automobile Storage Lots.</p> <p>(5) Stores up to 5,000 square feet may be allowed with approval of a conditional use permit. Stores must be located at least 300 feet from a commercial district with a Food and Beverage Sales use.</p> <p>(6) New Hotels and Motels are prohibited. Existing and replacement hotels are permitted if in existence as of January 1, 1995, or their replacement with a new hotel at an existing hotel site in conformance with the physical development standards in effect at the time of such replacement and located in a RL or RM district in an area bounded by the centerline of Ocean Avenue to the west, the centerline of 14th Court to the east, the centerline of Wilshire Boulevard to the south and the centerline of Montana Avenue to the north, and including those parcels on the north side of Montana Avenue within the east and west boundaries, provided:</p> <p style="padding-left: 20px;">(a) There is no increase in the floor area of the hotel after January 1, 1995;</p> <p style="padding-left: 20px;">(b) Any increase in the number of rooms is accomplished through subdivision of rooms existing on January 1, 1995 and does not exceed five percent of the number of rooms existing on January 1, 1995, or five rooms, whichever is less; and</p> <p style="padding-left: 20px;">(c) All other Zoning Ordinance requirements are met, including parking requirements for any addition of rooms after January 1, 1995. If a parking variance is requested, the applicant shall be required to submit a parking analysis which demonstrates that the increase in guest rooms will not result in an adverse parking impact to the surrounding neighborhood.</p> <p>(7) Only municipal parking structures are conditionally permitted; surface parking and private parking structures, as primary land uses, are not permitted.</p> <p>(8) Limited to bicycle and skate rental facilities along Ocean Front. Other General Retail Sales uses are not permitted.</p> <p>(9) Auto dealerships existing as of July 6, 2010 are considered permitted uses. Expansions to existing dealerships are subject to approval of a conditional use permit and must conform to the standards in Section 9.40.XX, Automobile/Vehicle Sales and Leasing. New auto dealerships and expansions of existing dealerships inconsistent with Section 9.40.XX are prohibited.</p>				

OCEAN PARK NEIGHBORHOOD DISTRICTS

Purpose

The purposes of the “Ocean Park Neighborhood” Districts are to:

- A. Maintain the Ocean Park neighborhood as an eclectic residential neighborhood that maintains its identity as a beach-oriented community in the middle of a thriving urban environment;
- B. Ensure that the scale and design of new or rehabilitated development is sensitive to the scale and massing of existing adjacent structures and with the surrounding neighborhood context;
- C. Provide for the maintenance and continuation of a mixture of residential building types that range from older single family homes, duplexes, and triplexes to multi-family housing;
- D. Protect the quality of life of neighborhood residents against potential impacts related to development: traffic, noise, air quality and the encroachment of commercial activities;
- E. Ensure adequate light, air, privacy, and open space for each dwelling;
- F. Avoid overburdening public facilities, including sewer, water, electricity and schools by an influx and increase of people to a degree larger than the City’s geographic limits, tax base or financial capabilities can reasonably and responsibly accommodate; and
- G. Provide sites for institutional residential and neighborhood serving uses such as day care, parks, community facilities, and neighborhood stores that provide goods and services to support daily life within walking distance of neighborhoods and complement surrounding residential development.

Additional purposes of each “Ocean Park Neighborhood” District:

OP-RS Ocean Park Single Family Residential. This zoning district is intended to maintain areas where single-family housing predominates. This district allows for single-unit housing on individual lots at densities of one unit plus one second dwelling per legal parcel. In addition to detached single-unit homes, this district provides for uses such as parks and family day care that may be appropriate in a residential environment. This district is consistent with the LUCE’s Single Family Housing land use designation.

OP-RL Ocean Park Low Density Residential. This zoning district is intended to provide a low-density residential neighborhood that reflects the distinct identity of the Ocean Park neighborhood with special standards to preserve the unique characteristics of the Copeland Court walk street. Housing types include single-unit housing, duplexes and triplexes, townhouses, and courtyard housing at densities up to 22 units per net acre exclusive of City and State density bonuses. In addition to low-density residential development, this district provides for uses such as transitional housing or hospice facilities, family day care, and neighborhood-serving uses such as childcare, neighborhood grocery stores, and community facilities that may be appropriate in a residential environment. This district is consistent with the LUCE’s Low Density Housing land use designation.

OP-RM Ocean Park Medium Density Residential. This zoning district is intended to maintain areas of multi-family development at densities up to 29 units per net acre exclusive of City and State density bonuses.

A maximum density of 35 units per net acre, exclusive of City and State density bonuses, is allowed for projects that provide identified community benefits. Types of dwelling units include low- and medium-scale multi-family housing, townhouses, courtyard housing, and duplexes and triplexes. This district also provides for uses such as institutional residential uses like transitional housing, hospice facilities, family day care, and neighborhood-serving uses such as childcare, neighborhood grocery stores, and community facilities that may be appropriate in a residential environment. This district is consistent with the LUCE's Medium Density Housing land use designation.

OP-RH Ocean Park High Density Residential. This zoning district is intended to provide areas for multi-family housing at greater intensities than other Ocean Park Neighborhood districts. Housing types include three-to four-story multi-family housing projects, duplexes, and triplexes at densities up to 35 units per net acre exclusive of City and State density bonuses. A maximum density of 48 units per net acre, exclusive of City and State density bonuses, is allowed for projects that provide identified community benefits. This district also provides for uses such as institutional residential uses like assisted living, transitional housing, hospice facilities or family day care, hotels, and neighborhood-serving uses such as childcare, neighborhood grocery stores, and community facilities that may be appropriate in a residential environment. This district is consistent with the LUCE's High Density Housing land use designation.

Land Use Regulations

Table 4 below prescribes the proposed land use regulations for Ocean Park Neighborhood Districts. The regulations for each district are established by letter designations listed below. These designations apply strictly to the permissibility of land uses; applications for buildings or structures may require discretionary review. Use classifications not listed in the table are prohibited.

“P” designates permitted uses.

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

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

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

“_” designates uses that are not permitted.

Land uses are defined in Section 3, Use Classifications.

The “Additional Regulations” column notes additional regulations that apply. The majority of the additional regulations will be located in a section titled Standards for Specific Uses and Activities. These include regulations that apply to uses in some or all districts with little or no variation between districts. Some additional regulations will be located in separate chapters. These regulations, such as Telecommunications Facilities and Nonconforming Uses, are elevated to the chapter level to reflect their importance and level of detail.

TABLE 4: LAND USE REGULATIONS—OCEAN PARK NEIGHBORHOOD DISTRICTS					
<i>Proposed District</i>	<i>OP-RS</i>	<i>OP-RL</i>	<i>OP-RM</i>	<i>OP-RH</i>	<i>Additional Regulations</i>
<i>Corresponding Existing District</i>	<i>OP1</i>	<i>OPD, OP2</i>	<i>OP3</i>	<i>OP4</i>	
Residential Uses					
Residential Housing Types	See subclassifications below.				
<i>Single-Unit Dwelling</i>	P	P	P	P	
<i>Second Dwelling Unit</i>	P	P	P	P	Section 9.40.XXX, Second Dwelling Units
<i>Duplex</i>	–	P	P	P	
<i>Multiple-Unit Structure</i>	–	P	P	P	Development agreement required for all development with three or more units that exceeds the base height unless deed-restricted to 100% affordable housing or including a non-residential use above first floor.
<i>Senior Citizen Multiple-Unit Residential</i>	–	P	P	P	See above.
<i>Single-Room Occupancy Housing</i>	–	P	P	P	See above.
<i>Group Residential</i>	–	MUP	MUP	MUP	
<i>Congregate Housing</i>	–	MUP	P	P	
<i>Senior Group Residential</i>	–	MUP	P	P	Section 9.40.XX, Senior Group Residential
Elderly and Long-Term Care	–	CUP	CUP	CUP	
Family Day Care	See subclassifications below.				
<i>Large</i>	MUP	MUP	MUP	MUP	Section 9.40.XX, Large Family Day Care
<i>Small</i>	P	P	P	P	
Residential Facilities	See subclassifications below.				
<i>Residential Care, General</i>	–	MUP	MUP	MUP	Section 9.40.XX, Residential Facilities
<i>Residential Care, Limited</i>	P	P	P	P	Section 9.40.XX, Residential Facilities
<i>Residential Care, Senior</i>	L (1)	L/MUP (2)	L/MUP (2)	L/MUP (2)	
<i>Hospice, General</i>	–	MUP	MUP	MUP	
<i>Hospice, Limited</i>	P	P	P	P	
Supportive Housing	Supportive Housing is treated as a residential use, subject only to those restrictions that apply to other residential uses of the same type in the same district.				
Transitional Housing	Transitional Housing is treated as a residential use, subject only to those restrictions that apply to other residential uses of the same type in the same district.				

TABLE 4: LAND USE REGULATIONS—OCEAN PARK NEIGHBORHOOD DISTRICTS					
<i>Proposed District</i>	<i>OP-RS</i>	<i>OP-RL</i>	<i>OP-RM</i>	<i>OP-RH</i>	<i>Additional Regulations</i>
<i>Corresponding Existing District</i>	<i>OP1</i>	<i>OPD, OP2</i>	<i>OP3</i>	<i>OP4</i>	
Public and Semi-Public Uses					
Community Assembly	–	CUP	CUP	CUP	
Community Gardens	P	P	P	P	
Cultural Facilities	–	L/CUP (3)	L/CUP (3)	L/CUP (3)	
Day Care Centers	–	MUP	MUP	MUP	Section 9.40.XX, Day Care Centers
Emergency Shelters	–	CUP	CUP	CUP	Section 9.40.XX, Emergency Shelters
Park and Recreations Facilities, Public	P	P	P	P	
Schools, Public or Private	CUP	CUP	CUP	CUP	
Commercial Uses					
Food and Beverage Sales	<i>See subclassifications below.</i>				
<i>General Market</i>	–	CUP (4)	CUP (4)	CUP (4)	Section 9.40.XX, Food and Beverage Sales
Lodging	<i>See subclassifications below.</i>				
<i>Bed and Breakfast</i>	–	MUP	MUP	MUP	
Parking, Public or Private	–	–	–	CUP (5)	
Transportation, Communication, and Utilities Uses					
Utilities, Minor	P	P	P	P	
Specific Limitations:					
(1) Limited to facilities for six or fewer residents; facilities for more than six residents not permitted. (2) Limited to facilities for six or fewer residents. Facilities for more than six residents require a conditional use permit. (3) Limited to libraries that are 5,000 square feet or less in floor area; larger libraries, as well as other types of cultural facilities, require approval of a conditional use permit. (4) Stores up to 5,000 square feet may be allowed with approval of a conditional use permit. Larger stores not permitted. Stores must be located at least 300 feet from a commercial district with a Food and Beverage Sales use. (5) Only municipal parking structures are conditionally permitted; surface parking and private parking structures, as primary land uses, are not permitted.					

MIXED-USE CORRIDOR DISTRICTS

Purpose

The purposes of the “Mixed-Use Corridor” Districts are to:

- A. Transform auto-oriented boulevards and corridors into vibrant, diverse, and attractive corridors that support a mix of residential, pedestrian, and neighborhood serving uses in order to achieve an active social environment within a revitalized streetscape;
- B. Promote infill development, intensification, and reuse of currently underused sites consistent with the General Plan;
- C. Increase housing along boulevards and encourage a mix of uses that promotes convenience, economic vitality, fiscal stability, and a pleasant quality of life;
- D. Establish design standards that improve the visual quality of development and create a unified, distinctive, and attractive character along mixed-use corridors; and
- E. Provide appropriate buffers and transition standards between commercial and residential uses to preserve both commercial and mixed-use feasibility and residential quality.

Additional purposes of each “Mixed-Use Corridor” District:

MU-BL Mixed-Use Boulevard Low. This district is intended to facilitate the transformation of sections of boulevards into vibrant, highly walkable areas with broad, pedestrian-friendly sidewalks, trees, landscaping, and local-serving uses with new buildings that step down in relationship to the scale and character of adjacent low density neighborhoods. Allowable ground floor uses include active, local-serving retail, open spaces such as plazas, service oriented commercial uses, and residential and hotel uses in limited areas. Residential development is the predominant use above the first floor. The maximum base FAR is 1.5 but increases may be permitted up to a total FAR of 2.0 for projects that provide community benefits. This district is consistent with the LUCE’s Mixed-Use Boulevard Low land use designation.

MU-B Mixed-Use Boulevard. This district is intended to facilitate the transformation of underutilized and auto-oriented sections of boulevards into vibrant, diverse, and attractive pedestrian friendly mixed-use boulevards that support local-serving retail and a diversity of housing types. The Mixed-Use Boulevard District provides an environment to encourage affordable and workforce housing, step down in height and mass to adjacent residential neighborhoods, and accommodate a variety of local-serving uses. Allowable ground floor uses include local-serving retail uses, service oriented commercial uses, and some small-scale office uses. Residential development is the predominant use above the first floor in certain locations. The maximum base FAR is 1.5 but increases may be permitted up to a total FAR of 2.75 for projects that provide community benefits. This district is consistent with the LUCE’s Mixed-Use Boulevard land use designation.

GC General Commercial. This district is intended to maintain areas for a broad range of commercial uses that provide necessary daily services such as auto sales and auto repair, convenience retail, hotels, hardware stores, and small restaurants while respecting adjacent residential neighborhoods and established neighborhood commercial areas. This district allows for and provides a FAR bonus for affordable housing above the ground floor of buildings on Lincoln and Pico Boulevards. Along Santa Monica Boulevard, the

maximum base FAR is 1.25 but increases may be permitted up to a total FAR of 1.5 for projects that provide community benefits. Along Lincoln and Pico Boulevards, the maximum base FAR is 1.5 but increases may be permitted up to a total FAR of 1.75 for projects that provide community benefits and an FAR of up to 2.0 for projects that provide additional affordable housing. This district is consistent with the LUCE's General Commercial land use designation.

NC Neighborhood Commercial. The designation is intended to maintain and enhance small-scale neighborhood shopping districts that provide daily goods and services easily accessible from surrounding residential neighborhoods while also serving a subregional role. This district provides for a scale and character of development that is consistent with pedestrian-orientation and which tends to attract and promote a walk-in clientele. Development within this district should maximize human-scaled elements while providing a sensitive transition between these uses and neighboring residential areas. Ground floor uses include active, local-serving retail and service commercial uses such as small restaurants, laundromats, dry cleaners, beauty/barber shops, and clothing and grocery stores. Uses above the ground floor include residential, commercial, and local-serving office uses. The maximum base FAR is 1.5 but increases may be permitted up to a total FAR of 1.75 for projects that provide a specified amount of affordable housing units. One hundred percent affordable housing projects are permitted up to a total FAR of 2.0. This district is consistent with the LUCE's Neighborhood Commercial land use designation.

Land Use Regulations

Table 5 below prescribes the proposed land use regulations for Mixed-Use Corridor Districts. The regulations for each district are established by letter designations listed below. These designations apply strictly to the permissibility of land uses; applications for buildings or structures may require discretionary review. Use classifications not listed in the table are prohibited.

“P” designates permitted uses.

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

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

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

“_” designates uses that are not permitted.

Land uses are defined in Section 3, Use Classifications.

The “Additional Regulations” column notes additional regulations that apply. The majority of the additional regulations will be located in a section titled Standards for Specific Uses and Activities. These include regulations that apply to uses in some or all districts with little or no variation between districts. Some additional regulations will be located in separate chapters. These regulations, such as Telecommunications Facilities and Nonconforming Uses, are elevated to the chapter level to reflect their importance and level of detail.

TABLE 5: LAND USE REGULATIONS—MU-BL, MU-B, GC, AND NC DISTRICTS					
<i>Proposed District</i>	<i>MU-BL</i>	<i>MU-B</i>	<i>GC</i>	<i>NC</i>	<i>Additional Regulations</i>
<i>Corresponding Existing District</i>	<i>C-2, C-4, CM-3, CM-4, BCD, LMSD, M-1</i>	<i>C-3, C-4, C-6, CC, NC Overlay</i>	<i>C-4</i>	<i>C-2, C-4, CM-2</i>	
Residential Uses					
Residential Housing Types	See subclassifications below.				
<i>Single-Unit Dwelling</i>	L(1)	L(1)	L(1)	L(1)	
<i>Second Dwelling Unit</i>	P	P	P	P	Section 9.40.XXX, Second Dwelling Units
<i>Duplex</i>	L(1)	L(2)	L(1)	L(1)	
<i>Multiple-Unit Structure</i>	L(1)	L(2)	L(1)	L(1)	Development agreement required for all development with three or more units that exceeds the base height unless deed-restricted to 100% affordable housing or including a non-residential use above first floor.
<i>Senior Citizen Multiple-Unit Residential</i>	L(1)	L(2)	L(1)	L(1)	See above
<i>Single-Room Occupancy Housing</i>	L(1)	L(2)	L(1)	L(1)	See above
<i>Group Residential</i>	MUP (1)	MUP (2)	MUP (1)	MUP (1)	See above
<i>Congregate Housing</i>	L (1)	L (2)	L (1)	L (1)	See above
<i>Senior Group Residential</i>	L (1)	L (2)	L (1)	L (1)	See above Section 9.40.XX, Senior Group Residential
<i>Elderly and Long-Term Care</i>	L(1)	L(1)	L(1)	–	
Family Day Care	See subclassifications below.				
<i>Large</i>	P	P	P	P	Section 9.40.XX, Residential Care Facilities
<i>Small</i>	P	P	P	P	Section 9.40.XX, Residential Care Facilities
Residential Facilities	See subclassifications below.				
<i>Residential Care, General</i>	L(1)	L(2)	L(1)	L(1)	
<i>Residential Care, Limited</i>	L(1)	L(2)	L(1)	L(1)	
<i>Residential Care, Senior</i>	L(1)	L(2)	L(1)	L(1)	
<i>Hospice, General</i>	L(1)	L(2)	L(1)	L(1)	
<i>Hospice, Limited</i>	L(1)	L(2)	L(1)	L(1)	
Supportive Housing	Supportive Housing is treated as a residential use, subject only to those restrictions that apply to other residential uses of the same type in the same district.				

TABLE 5: LAND USE REGULATIONS—MU-BL, MU-B, GC, AND NC DISTRICTS					
<i>Proposed District</i>	<i>MU-BL</i>	<i>MU-B</i>	<i>GC</i>	<i>NC</i>	<i>Additional Regulations</i>
<i>Corresponding Existing District</i>	<i>C-2, C-4, CM-3, CM-4, BCD, LMSD, M-1</i>	<i>C-3, C-4, C-6, CC, NC Overlay</i>	<i>C-4</i>	<i>C-2, C-4, CM-2</i>	
Transitional Housing	Transitional Housing is treated as a residential use, subject only to those restrictions that apply to other residential uses of the same type in the same district.				
Public and Semi-Public Uses					
Colleges and Trade Schools, Public or Private	CUP	CUP	P	CUP	
Community Assembly	CUP	CUP	P	CUP	
Community Gardens	P	P	P	P	
Cultural Facilities	P	P	P	L (4)	
Day Care Centers	P	P	P	L (4)	Section 9.40.XX, Day Care Centers
Emergency Shelters	L/CUP (5)	L/CUP (5)	L/CUP (5)	L/CUP (5)	Section 9.40.XX, Emergency Shelters
Hospitals and Clinics	–	L (6)	CUP	–	
Park and Recreation Facilities, Public	P	P	P	P	
Public Safety Facilities	P	P	P	CUP	
Schools, Public or Private	P	CUP	CUP	P	
Social Service Centers	P	P	P	P	Section 9.40.XX, Social Service Centers
Commercial Uses					
Animal Care, Sales, and Services	See subclassifications below.				
<i>Grooming and Pet Stores</i>	P	P	P	L (4)	
<i>Pet Day Care Services</i>	MUP	MUP	MUP	MUP	
<i>Veterinary Services</i>	MUP	MUP	MUP	MUP	
Automobile/Vehicle Sales and Service	See subclassifications below.				
<i>Alternative Fuels and Recharging Facilities</i>	CUP	CUP	CUP	CUP	
<i>Automobile Rental</i>	CUP	MUP	MUP	–	Section 9.40.XX, Automobile Rentals
<i>Automobile Storage Lots</i>	L (21)	–	–	–	
<i>Automobile/Vehicle Sales and Leasing</i>	L (7)	L (7), CUP (8)	L (7), CUP (9)	–	Section 9.40.XX, Automobile/Vehicle Sales and Leasing (Note: This section will include standards for the Urban Auto Dealership Format.)

TABLE 5: LAND USE REGULATIONS—MU-BL, MU-B, GC, AND NC DISTRICTS					
<i>Proposed District</i>	<i>MU-BL</i>	<i>MU-B</i>	<i>GC</i>	<i>NC</i>	<i>Additional Regulations</i>
<i>Corresponding Existing District</i>	<i>C-2, C-4, CM-3, CM-4, BCD, LMSD, M-1</i>	<i>C-3, C-4, C-6, CC, NC Overlay</i>	<i>C-4</i>	<i>C-2, C-4, CM-2</i>	
<i>Automobile/Vehicle Repair, Major</i>	–	–	CUP	–	Section 9.40.XX, Automobile/Vehicle Repair, Major and Minor
<i>Automobile/Vehicle Service and Repair, Minor</i>	CUP	–	CUP	–	Section 9.40.XX, Automobile/Vehicle Repair, Major and Minor
<i>Automobile/Vehicle Washing</i>	–	–	CUP	–	Section 9.40.XX, Automobile/Vehicle Washing
<i>Service Station</i>	CUP	CUP	P	–	
<i>Towing and Impound</i>	–	–	CUP	–	
Banks and Financial Institutions	<i>See subclassifications below.</i>				
<i>Banks and Credit Unions</i>	P	P	P	L (4)	
<i>Check Cashing Businesses</i>	–	–	–	–	
Business Services	P	P	P	L (4)	
Commercial Entertainment and Recreation	<i>See subclassifications below.</i>				
<i>Cinemas</i>	L (10)	CUP	–	L (10)	
<i>Theaters</i>	L (11)	CUP	L (11)	L (11)	
<i>Convention and Conference Centers</i>	–	CUP	CUP	–	
<i>Large-scale</i>	CUP	CUP	CUP	CUP	
<i>Small-scale</i>	L (12)	L (12)	L (12)	CUP	Section 9.40.XX, Commercial Entertainment and Recreation, Small-scale
Eating and Drinking Establishments	<i>See subclassifications below.</i>				
<i>Bars/Nightclubs/Lounges</i>	CUP	CUP	CUP	CUP	
<i>Restaurants, Full-Service</i>	L/CUP (13)	L/CUP (13)	L/CUP (13)	L/CUP (13)	
<i>Restaurants, Limited Service</i>	L/CUP (13)	L/CUP (13)	L/CUP (13)	L/CUP (13)	
<i>Restaurants, Take-Out Only</i>	CUP	CUP	CUP	CUP	
<i>Restaurants, With Drive-Through Facilities</i>	–	–	CUP	–	Section 9.40.XX, Drive-Through Facilities
<i>Restaurants, With Live Entertainment</i>	CUP	CUP	CUP	–	Section 9.40.XX, Live Entertainment
<i>With Outdoor Eating Areas</i>	P	P	P	P	Section 9.40.XX, Outdoor Dining and Seating

TABLE 5: LAND USE REGULATIONS—MU-BL, MU-B, GC, AND NC DISTRICTS					
<i>Proposed District</i>	<i>MU-BL</i>	<i>MU-B</i>	<i>GC</i>	<i>NC</i>	<i>Additional Regulations</i>
<i>Corresponding Existing District</i>	<i>C-2, C-4, CM-3, CM-4, BCD, LMSD, M-1</i>	<i>C-3, C-4, C-6, CC, NC Overlay</i>	<i>C-4</i>	<i>C-2, C-4, CM-2</i>	
Equipment Rental	–	P	P	–	
Food and Beverage Sales	<i>See subclassifications below.</i>				
<i>Convenience Market</i>	CUP	CUP	CUP	CUP	
<i>Farmers Markets</i>	CUP	CUP	CUP	CUP	Section 9.40.XX, Farmers Markets
<i>General Market</i>	P	P	P	L (20)	
<i>Liquor Stores</i>	CUP	CUP	CUP	CUP	
Funeral Parlors and Mortuaries	–	P	P	–	
Instructional Services	L (12)	L (12)	P	CUP	
Live-Work	L (1)	L (2)	L (1)	L (1)	Section 9.40.XX, Live-Work
Lodging	<i>See subclassifications below.</i>				
<i>Bed and Breakfast</i>	L (14)	MUP	MUP	L (14)	Section 9.40.XX, Bed and Breakfasts
<i>Hotels and Motels</i>	CUP	CUP	CUP	–	
Maintenance and Repair Services	P	P	P	L (4)	
Nurseries and Garden Centers	L (15)	L (15)	L (15)	L (4) (15)	
Offices	<i>See subclassifications below.</i>				
<i>Business and Professional</i>	L (16)	P	P	L (17)	
<i>Creative</i>	L (16)	P	P	L (17)	
<i>Medical and Dental</i>	L (16)	L (6)	P	L (17)	
<i>Walk-In Clientele</i>	P	P	P	L (4)	
Parking, Public or Private	CUP	C UP	CUP	–	
Personal Services	<i>See subclassifications below.</i>				
<i>General Personal Services</i>	P	P	P	L (4)	
<i>Tattoo or Body Modification Parlor</i>	MUP	MUP	MUP	MUP	
Retail Sales	<i>See subclassifications below.</i>				
<i>Building Materials Sales and Services</i>	–	–	CUP	–	Section 9.40.XX, Outdoor Sales
<i>General Retail Sales, Small-scale</i>	P	P	P	L (4)	Section 9.40.XX, Outdoor Sales
<i>General Retail Sales, Medium-scale</i>	CUP	CUP	P	–	Section 9.40.XX, Outdoor Sales
<i>General Retail Sales, Large-scale</i>	–	–	CUP	–	Section 9.40.XX, Outdoor Sales
<i>Pawn Shops</i>	–	–	P	–	

TABLE 5: LAND USE REGULATIONS—MU-BL, MU-B, GC, AND NC DISTRICTS					
<i>Proposed District</i>	<i>MU-BL</i>	<i>MU-B</i>	<i>GC</i>	<i>NC</i>	<i>Additional Regulations</i>
<i>Corresponding Existing District</i>	<i>C-2, C-4, CM-3, CM-4, BCD, LMSD, M-1</i>	<i>C-3, C-4, C-6, CC, NC Overlay</i>	<i>C-4</i>	<i>C-2, C-4, CM-2</i>	
<i>Swap Meet</i>	–	–	CUP	–	Section 9.40.XX, Swap Meets
Industrial Uses					
Artist's Studio	L (16)	L (2)	L (17)	L (17)	
Commercial Kitchens	–	–	CUP	–	
Media Production	<i>See subclassifications below.</i>				
<i>Support Facilities</i>	L (18)	L (18)	L (18)	L (18)	
Transportation, Communication, and Utilities Uses					
Bus/Rail Passenger Stations	P	P	P	P	
Communication Facilities	<i>See subclassifications below.</i>				
<i>Antennas and Transmission Towers</i>	–	–	CUP	–	
<i>Equipment within Buildings</i>	–	–	P	–	
Light Fleet-Based Services	–	–	CUP	–	
Utilities, Major	–	L (19)	L (19)	–	
Utilities, Minor	P	P	P	P	

TABLE 5: LAND USE REGULATIONS—MU-BL, MU-B, GC, AND NC DISTRICTS

<i>Proposed District</i>	<i>MU-BL</i>	<i>MU-B</i>	<i>GC</i>	<i>NC</i>	<i>Additional Regulations</i>
<i>Corresponding Existing District</i>	<i>C-2, C-4, CM-3, CM-4, BCD, LMSD, M-1</i>	<i>C-3, C-4, C-6, CC, NC Overlay</i>	<i>C-4</i>	<i>C-2, C-4, CM-2</i>	

Specific Limitations:

- (1) Residential uses are permitted on the second floor or above. In the MU-BL District, on sites fronting Broadway, ground-floor residential and live-work uses are allowed in specified areas (TBD) subject to applicable development standards. Development agreement is required unless deed-restricted to 100% affordable housing or project includes live-work or another non-residential use above first floor.
- (2) Limited to upper floors and the rear half of the ground floor of any building.
- (3) Limited to facilities with no more than 7,500 square feet of floor area; greater area requires approval of a conditional use permit.
- (4) Limited to shelters containing less than 55 beds; conditional use permit required for emergency shelters with 55 or more beds.
- (5) Limited to upper floors and to sites with frontage on Wilshire Boulevard between Centinela Avenue and Stanford Street.
- (6) Auto dealerships existing as of July 6, 2010 are considered permitted uses. Expansions to existing dealerships are subject to approval of a conditional use permit and must conform to the Urban Auto Dealership Format standards in Section 9.40.XX, Automobile/Vehicle Sales and Leasing. New auto dealerships and expansions of existing dealerships inconsistent with Section 9.40.XX are prohibited.
- (7) New auto dealerships may be allowed, subject to approval of a Conditional Use Permit, only on sites with frontage on Lincoln Boulevard between Interstate 10 and Santa Monica Boulevard. In other locations, new automobile dealerships are not permitted.
- (8) New auto dealerships may be allowed, subject to approval of a Conditional Use Permit, only on sites with frontage on Santa Monica Boulevard. In other locations, new automobile dealerships are not permitted.
- (9) Limited to cinema buildings in existence since May 23, 2000. New cinemas are not permitted.
- (10) Limited to theaters with 75 or fewer seats. Theaters with more than 75 seats require conditional use permit.
- (11) Limited to exercise facilities (e.g., yoga, Pilates, martial arts, and dance studios) and arts instruction facilities of 5,000 sq. ft. or less. Exercise facilities or instructional services over 5,000 sq. ft. and other Small-Scale Commercial Recreation uses require approval of a Conditional Use Permit.
- (12) Limited to restaurants with 50 or fewer seats that may serve beer and wine for on-site consumption but do not serve liquor. Restaurants with more than 50 seats and those that serve liquor require approval of a conditional use permit.
- (13) Bed and Breakfasts allowed provided that dining facilities are limited to those for registered guests.
- (14) Nurseries and Garden Centers permitted if all goods, except planted stock, are kept entirely within an enclosed building.
- (15) Limited to the second floor and above. However, in the MU-BL District, Business and Professional Offices are permitted on the ground floor on sites with frontage on Colorado Avenue and Creative Offices and Artists Studios are permitted on the ground floor on sites with frontage on Broadway or Colorado Avenue.
- (16) Limited to the second floor and above.
- (17) Limited to office uses only, on upper floors and with all activities occurring within an enclosed building.
- (18) Limited to electric distribution substations.
- (19) Limited to establishments with no more than 25,000 square feet of floor area.
- (20) Limited to automobile storage lots associated with existing automobile dealerships selling new vehicles; otherwise, requires conditional use permit.

EMPLOYMENT DISTRICTS

Purpose

The purposes of the “Employment” Districts are to:

- A. Provide appropriately located areas for continued employment activities to ensure a robust economy that is essential in order for the City to continue to provide the high level of public services that the community expects;
- B. Continue to diversify Santa Monica’s economic base by providing sites for incubator businesses, creative industries, technology-based businesses, research and development, and professional offices;
- C. Provide a range of employment opportunities to meet the needs of current and future residents and take advantage of the City’s location relative to regional roadway and transit systems;
- D. Assure high-quality design and site planning of office and employment areas and support the adaptive reuse of industrial buildings that contribute to the character of the City as a whole;
- E. Encourage the development of employment areas that create an opportunity to walk and bike between businesses, employment, and residences; and
- F. Ensure that new industrial and office development is designed to minimize traffic and parking, impacts on surrounding neighborhoods and is appropriate to the physical characteristics of the site and the area where the project is proposed.

Additional purposes of each “Employment” District:

IC Industrial Conservation. The Industrial Conservation designation preserves space for existing industrial uses that provide a job base, affordable space for small-scale industrial and manufacturing businesses, and a center of economic activity for the City. The district also provides a place for the adaptive reuse of industrial buildings into affordable workspace for artists and the creative industries. Allowable land uses within this district include light industrial uses, including businesses engaged in design, development, manufacturing, fabricating, testing, or assembly of various products, which provide important community services and employment for workers with various skills. This area also allows incubator business opportunities, including sustainable industries that are appropriate for the City, as well as small visual and performing arts studios. One hundred percent affordable housing is allowed in limited areas. Additionally, auto dealers are allowed to locate storage and service facilities in this area. A discretionary approval process may be implemented to authorize auto sales. The maximum base FAR is 1.5 but increases may be permitted up to a total FAR of 2.25 for projects that provide community benefits. This district is consistent with the LUCE’s Industrial Conservation land use designation.

OC Office Campus. This zoning district is intended to provide for office and advanced technology uses, scientific research, and administration, and limited manufacturing of related products which require large expanses of floor area on large parcels. Development intensity is intended to provide for office uses and other uses within a campus-like environment that will be compatible with abutting residential neighborhoods, especially in terms of scale and building mass. Within the OC District it is the goal of the City to preserve and protect existing rights-of-way for future transit opportunities. The maximum base FAR is 1.5 but increases

may be permitted up to a total FAR of 1.75 for projects that provide community benefits. This district is consistent with the LUCE’s Office Campus land use designation.

Land Use Regulations

Table 6 below prescribes the proposed land use regulations for Employment Districts. The regulations for each district are established by letter designations listed below. These designations apply strictly to the permissibility of land uses; applications for buildings or structures may require discretionary review. Use classifications not listed in the table are prohibited.

“P” designates permitted uses.

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

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

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

“_” designates uses that are not permitted.

Land uses are defined in Section 3, Use Classifications.

The “Additional Regulations” column notes additional regulations that apply. The majority of the additional regulations will be located in a section titled Standards for Specific Uses and Activities. These include regulations that apply to uses in some or all districts with little or no variation between districts. Some additional regulations will be located in separate chapters. These regulations, such as Telecommunications Facilities and Nonconforming Uses, are elevated to the chapter level to reflect their importance and level of detail.

TABLE 6: LAND USE REGULATIONS—EMPLOYMENT DISTRICTS			
<i>Proposed District</i>	<i>IC</i>	<i>OC</i>	<i>Additional Regulations</i>
<i>Corresponding Existing District</i>	<i>LMSD, M-1</i>	<i>C5</i>	
Residential Uses			
Residential Housing Types	<i>See subclassifications below.</i>		
<i>Multiple-Unit Structure</i>	L (2)	L (1)	
<i>Senior Citizen Multiple-Unit Residential</i>	L (2)	CUP	
<i>Single-Room Occupancy Housing</i>	L (2)	L (1)	
<i>Congregate Housing</i>	L (2)	L (1)	
<i>Senior Group Residential</i>	CUP	CUP	Section 9.40.XX, Senior Group Residential
Elderly and Long-Term Care	–	P	
Family Day Care	<i>See subclassifications below.</i>		
<i>Small</i>	P	P	

TABLE 6: LAND USE REGULATIONS—EMPLOYMENT DISTRICTS			
<i>Proposed District</i>	<i>IC</i>	<i>OC</i>	<i>Additional Regulations</i>
<i>Corresponding Existing District</i>	<i>LMSD, M-1</i>	<i>C5</i>	
Residential Facilities	<i>See subclassifications below.</i>		
<i>Residential Care, Limited</i>	P	P	Section 9.40.XX, Residential Care Facilities
<i>Residential Care, Senior</i>	P	P	
<i>Hospice, Limited</i>	P	P	
Supportive Housing	Supportive Housing is treated as a residential use, subject only to those restrictions that apply to other residential uses of the same type in the same district.		
Transitional Housing	Transitional Housing is treated as a residential use, subject only to those restrictions that apply to other residential uses of the same type in the same district.		
Public and Semi-Public Uses			
Colleges and Trade Schools, Public or Private	–	CUP	
Community Assembly	CUP	CUP	
Community Gardens	P	P	
Day Care Centers	MUP	P	Section 9.40.XX, Day Care Centers
Emergency Shelters	L (3)	L (3)	Section 9.40.XX, Emergency Shelters
Park and Recreation Facilities, Public	P	P	
Public Safety Facilities	MUP	MUP	
Schools, Public or Private	CUP (4)	CUP (4)	
Social Service Centers	CUP	CUP	Section 9.40.XX, Social Service Centers
Commercial Uses			
Animal Care, Sales, and Services	<i>See subclassifications below.</i>		
<i>Kennels</i>	CUP	–	
<i>Pet Day Care Services</i>	MUP	–	
<i>Veterinary Services</i>	P	–	
Automobile / Vehicle Sales and Service	<i>See subclassifications below.</i>		
<i>Alternative Fuels and Recharging Facilities</i>	L(6)	CUP	
<i>Automobile Rental</i>	L (5)	P	Section 9.40.XX, Automobile Rental
<i>Automobile Storage Lots</i>	CUP	CUP	
<i>Automobile / Vehicle Sales and Leasing</i>	CUP	CUP	Section 9.40.XX, Automobile/Vehicle Sales and Leasing
<i>Automobile / Vehicle Repair, Major</i>	L (6)	–	Section 9.40.XX, Automobile/Vehicle Repair, Major and Minor
<i>Automobile / Vehicle Service and Repair, Minor</i>	L (6)	–	Section 9.40.XX, Automobile/Vehicle Repair, Major and Minor

TABLE 6: LAND USE REGULATIONS—EMPLOYMENT DISTRICTS			
<i>Proposed District</i>	<i>IC</i>	<i>OC</i>	<i>Additional Regulations</i>
<i>Corresponding Existing District</i>	<i>LMSD, M-1</i>	<i>C5</i>	
<i>Automobile / Vehicle Washing</i>	CUP	–	Section 9.40.XX, Automobile/Vehicle Washing
<i>Large Vehicle and Equipment Sales, Service, and Rental</i>	CUP	–	
<i>Service Station</i>	L (6)	CUP	Section 9.40.XX, Service Stations
<i>Towing and Impound</i>	L (6)	–	
Banks and Financial Institutions	<i>See subclassifications below.</i>		
<i>Banks and Credit Unions</i>	–	MUP (7)	
Business Services	P	MUP (7)	
Commercial Entertainment and Recreation	<i>See subclassifications below.</i>		
<i>Cinemas</i>	–	–	
<i>Theaters</i>	L (8)	–	
<i>Convention and Conference Centers</i>	–	CUP	
<i>Small-scale</i>	L (9)	MUP (7)	Section 9.40.XX, Commercial Entertainment and Recreation, Small-scale
Eating and Drinking Establishments	<i>See subclassifications below</i>		
<i>Restaurants, Full-Service</i>	L (10)	MUP (7)	
<i>Restaurants, Limited Service</i>	L (10)	MUP (7)	Section 9.40.XX, Restaurants, Limited Service
<i>Restaurants, Take-Out Only</i>	L (10)	MUP (7)	
<i>Restaurants, With Live Entertainment</i>	CUP	–	Section 9.40.XX, Live Entertainment
<i>With Outdoor Eating Areas</i>	L (10)	–	Section 9.40.XX Outdoor Dining and Seating
Equipment Rental	P	–	
Food and Beverage Sales	<i>See subclassifications below</i>		
<i>Farmers Markets</i>	CUP	–	Section 9.40.XX, Farmers Markets
Instructional Services	L (16)	MUP (7)	
Live-Work	P	CUP	Section 9.40.XX, Live-Work
Offices	<i>See subclassifications below</i>		
<i>Business and Professional</i>	L (11)	P	
<i>Creative</i>	P	P	
<i>Medical and Dental</i>	–	P	
<i>Walk-In Clientele</i>	L (12)	MUP (7)	
Parking, Public or Private	CUP	CUP	
Personal Services	<i>See subclassifications below.</i>		
<i>General Personal Services</i>	–	MUP (7)	

TABLE 6: LAND USE REGULATIONS—EMPLOYMENT DISTRICTS			
<i>Proposed District</i>	<i>IC</i>	<i>OC</i>	<i>Additional Regulations</i>
<i>Corresponding Existing District</i>	<i>LMSD, M-1</i>	<i>C5</i>	
Retail Sales	<i>See subclassifications below.</i>		
<i>Building Materials Sales and Services</i>	P	–	Section 9.40.XX, Outdoor Sales
<i>Firearms and Ammunition Sales</i>	CUP	–	
<i>General Retail Sales, Small-scale</i>	CUP (13)	MUP (7)	Section 9.40.XX, Outdoor Sales
Industrial Uses			
Artist’s Studio	P	P	
Commercial Kitchens	P	–	
Industry, General	P	CUP (14)	
Research and Development	P	CUP (14)	
Industry, Limited	P	CUP (14)	
Media Production	P	P	
Recycling Facility	<i>See subclassifications below</i>		
<i>Recycling Collection Facility</i>	P	–	
Research and Development	P	P	
Warehousing, Storage, and Distribution	<i>See subclassifications below</i>		
<i>Indoor Warehousing and Storage</i>	P	–	
<i>Outdoor Storage</i>	CUP (15)	–	
<i>Personal Storage</i>	P	CUP	Section 9.40.XX, Personal Storage
<i>Wholesaling and Distribution</i>	P	–	
Transportation, Communication, and Utilities Uses			
Bus/Rail Passenger Stations	P	P	
Communication Facilities	<i>See subclassifications below</i>		
<i>Antennas and Transmission Towers</i>	CUP	–	Section 9.40.XX, Telecommunication Facilities
<i>Facilities within Buildings</i>	CUP	P	
Light Fleet-Based Services	CUP	–	
Utilities	<i>See subclassifications below</i>		
<i>Utilities, Major</i>	P	P	
<i>Utilities, Minor</i>	P	P	

TABLE 6: LAND USE REGULATIONS—EMPLOYMENT DISTRICTS			
<i>Proposed District</i>	<i>IC</i>	<i>OC</i>	<i>Additional Regulations</i>
<i>Corresponding Existing District</i>	<i>LMSD, M-1</i>	<i>C5</i>	
<p>Specific Limitations:</p> <ul style="list-style-type: none"> (1) Limited to 100-percent-affordable housing projects. (2) Limited to 100-percent-affordable housing projects in the following areas: <i>(Geographic limits to be determined; LUCE says, "One hundred percent affordable housing is allowed in limited areas")</i>. (3) Homeless shelters with less than 55 beds are permitted by right. Homeless shelters with 55 beds or more may be permitted with application for and approval of a conditional use permit. (4) Permitted if existing. New uses require conditional use permit approval. (5) Limited to accessory automobile rental facilities located within Automobile/Vehicle Repair use. (6) Permitted if located 100 feet or more from any residential use or district. Conditional Use Permit required if located within 100 feet of a residential use or district. (7) Conditionally permitted as incidental businesses that provide goods and services to employees on the premises. No more than 25 percent of the total square footage of a development may be devoted to such incidental businesses. (8) Limited to theaters with 100 seats or less and 10,000 square feet or less; larger theaters require conditional use permit approval. (9) Exercise facilities (e.g., yoga, Pilates, martial arts, and dance studios) permitted by right. Other Small-Scale Commercial Recreation uses require Conditional Use Permit approval. (10) Permitted if 500 square feet of floor area or less; Conditional Use Permit required if over 500 square feet. (11) Permitted if existing or accessory to a primary permitted use on the same site and not exceeding 25 percent of the gross floor area of the primary permitted use. (12) Permitted if existing. New uses are not permitted. (13) Limited to retail sales of goods manufactured on the premises provided that the floor space devoted to such use does not exceed 20 percent of the gross floor area of the primary permitted use or 2,000 square feet, whichever is less. (14) Such uses must be conducted within an enclosed building or an open enclosure screened from public view. In order to approve a CUP, the review authority must make a finding that proposed uses are compatible with office and advanced technological uses. (15) Limited to outdoor storage of fleet vehicles if such vehicles are directly related to the primary operation on the site. (16) Limited to 5,000 square feet of floor area. Larger establishments require conditional use permit approval. 			

This page intentionally left blank.

3 Use Classifications

Unspecified Uses. If there is uncertainty regarding the classification of a specific use, the Planning Director shall determine whether the use should be considered within one or more use classifications or is not within any classification in this Ordinance. The Director may determine that a specific use is not within a classification if its characteristics are substantially incompatible with those typical of uses named within the classification. Decisions by the Director may be appealed to the Planning Commission as provided for in subsection TBD, Interpretations.

Accessory or Primary Use. The Planning Director shall determine whether a use or activity is a primary or accessory use of a building or space. Decisions by the Director may be appealed to the Planning Commission. The Director shall use the following criteria in making his/her determination:

- The description of the activity or activities in relationship to the characteristics of each use category.
- The relative amount of site or floor space and equipment devoted to the activity.
- The relative amounts of sales from each activity.
- The relative number of employees in each activity.
- Building and site arrangement.
- How the use advertises itself.
- Whether the activity would be likely found independent of the other activities on the site.

Separate Classification of Each Establishment. Where a single lot contains activities that resemble two or more different use classifications, each of the principal activities conducted on a single lot by each individual establishment, management, or institution shall be classified separately.

RESIDENTIAL USE CLASSIFICATIONS

Residential Housing Types:

Single-Unit Dwelling. A dwelling unit that is designed for occupancy by one household, located on a separate lot from any other dwelling unit (except a second dwelling unit, where permitted). This classification includes individual manufactured housing units installed on a foundation system pursuant to Section 18551 of the California Health and Safety Code.

Second Dwelling Unit. A dwelling unit providing complete independent living facilities for one or more persons that is located on a lot with a primary, single-unit dwelling as defined by State law. 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 lot. This use is distinguished from a duplex.

Duplex. A single building on a separate lot that contains two dwelling units or two single-unit dwellings on a single lot. This use is distinguished from a Second Dwelling Unit, which is an accessory residential unit as defined by State law and this Ordinance.

Multiple-Unit Structure. Three or more dwelling units within a single building or within two or more buildings on a site or lot. Types of multiple-unit structures include garden apartments, senior housing developments, and multi-story apartment buildings. This classification includes transitional housing in a multiple-unit format. The classification is distinguished from group residential facilities.

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.

Single-Room Occupancy. Multi-family 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 Section 17958.1. Each housing unit is occupied by no more than two persons and is offered on a monthly rental basis or longer.

Group Residential. Shared living quarters without separate kitchen or bathroom facilities for each room or unit, offered for rent for permanent or semi-transient residents on a weekly or longer basis. 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 Hotels and Motels), and Residential -Facilities.

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.

Senior Group Residential. A residential facility that provides residence for a group of senior citizens (persons 62 years of age or older) with a central kitchen and dining facilities and a separate bedroom or private living quarters.

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.

Family Day Care. A day-care facility licensed by the State of California that is located in a single-unit residence or other 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.

Small. A facility that provides care for eight or fewer children, including children who reside at the home and are under the age of 10.

Large. A facility that provides care for seven to 14 children, including children who reside at the home and are under the age of 10.

Mobile Home Parks. A development designed and occupied by mobile homes, including development with facilities and amenities used in common by occupants who rent, lease, or own spaces for mobile homes through a subdivision, cooperative, condominium or other form of resident ownership.

Residential Facilities. Facilities licensed by the State of California 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 additions, and hospice facilities.

Residential Care, General. A Residential Facility licensed by the State of California and providing care for more than six persons as defined in subdivision (a)(1) of Section 1502 of the California Health and Safety Code.

Residential Care, Limited. A Residential Facility licensed by the State of California providing care for six or fewer persons as defined in subdivision (a)(1) of Section 1502 of the California Health and Safety Code .

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 as defined in subdivision (l) of Section 1569.2 of the California Health and Safety Code.

Hospice, General. A facility that provides residential living quarters for more than six terminally ill persons as defined in subdivision (b) of Section 1746 of the California Health and Safety Code.

Hospice, Limited. A facility that provides residential living quarters for up to six terminally ill persons as defined in subdivision (b) of Section 1746 of the California Health and Safety Code.

Supportive Housing. Dwelling units 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.

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-family dwelling). This classification includes domestic violence shelters.

PUBLIC AND SEMI-PUBLIC USE CLASSIFICATIONS

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.

Colleges and Trade Schools, Public or Private. 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.

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.

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.

Cultural Facilities. 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 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. (For performing arts centers for theater, music, dance and other live cultural arts performance, see Theaters.)

Day Care Centers. Establishments providing non-medical care for persons on a less-than-24-hour basis other than Family Day Care. This classification includes nursery schools, preschools, and day care facilities for children or adults, and any other day care facility licensed by the State of California.

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.

Hospitals and Clinics. State-licensed facilities providing medical, surgical, psychiatric, or emergency medical services to sick or injured persons. 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 veterinaries and animal hospitals (see Animal Care, Sales, and Services).

Hospital. A facility providing medical, psychiatric, or surgical services for sick or injured persons 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.

Clinic. A facility providing medical, psychiatric, or surgical service for sick or injured persons 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 and plasma 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).

Park and Recreation Facilities, Public. 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, and golf courses, 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.

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

Schools, Public or Private. Facilities for primary or secondary education, including public schools, charter schools, and private and parochial schools having curricula comparable to that required in the public schools of the State of California.

Social Services Centers. 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 Day Care Center), clinics (see Clinics), and emergency shelters providing 24-hour or overnight care (See Emergency Shelter).

COMMERCIAL USE CLASSIFICATIONS

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

Grooming and Pet Stores. 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).

Kennels. 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 pet shops 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 or grooming 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.

Pet Day Care Services. 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.

Veterinary Services. Veterinary services for small animals. This classification allows 24-hour accommodation of animals receiving medical services but does not include kennels.

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:

Alternative Fuels and Recharging Facilities. 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.

Automobile Rental. Rental of automobiles. Typical uses include car rental agencies.

Automobile Storage Lot. 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 lot from such agency or dealership.

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 minor repair services and parts sales for vehicles sold or leased by the dealership. (For auto repair as a primary use or repair of vehicles not sold on the premises, see Automobile/Vehicle Service and Repair, 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 Lot). Typical uses include automobile dealers and recreational vehicle sales agencies. 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.

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, and tire sales and installation, but excludes vehicle dismantling or salvaging and tire retreading or recapping.

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. The classification also includes installation of car alarms, sound, telecommunications, and navigation systems. 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.

Automobile/Vehicle Washing. Washing, waxing, or cleaning of automobiles or similar light vehicles, including self-serve washing facilities that are the principal use of a building, structure, or site.

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.

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 incidental food and retail services.

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 lots used for storage of impounded vehicles.

Banks and Financial Institutions.

Banks and Credit Unions. 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).

Check Cashing Businesses. 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.

Business Services. 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 taxi or delivery services with two or fewer fleet vehicles on-site. (For three or more fleet vehicles, see Light Fleet-Based Services.)

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

Cinemas. A facility where the primary use is the exhibition of movies or motion pictures. Typical facilities include one or more screens, audience seating, ticket offices, lobbies, and refreshment stands.

Theaters. Facilities where live performances are given or held as the primary use. Such performances include dramatic, musical, dance, and other cultural arts performances. A theater typically contains a permanent stage upon which movable scenery and theatrical appliances are used. (For live performance that is accessory to another use, see Eating and Drinking Establishments, Restaurant With Live Entertainment and Bars/Nightclubs/Lounges).

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 Hotels and Motels.

Large-scale. This classification includes large outdoor facilities such as amusement and theme parks, sports stadiums and arenas, racetracks, amphitheaters, drive-in theaters, driving ranges, golf courses. It also includes indoor and facilities with more than 5,000 square feet 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.

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

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

Bars/Night Clubs/Lounges. Businesses that are licensed by the State of California Department of Alcoholic Beverage Control to serve beverages for consumption on the premises as a primary use and including on-sale service of alcohol, including beer, wine, and mixed drinks and where food service is incidental to the service of alcoholic beverages.

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.

Restaurant, Limited-Service. 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, frozen yogurt and ice cream shops, juice bars, fast-food restaurants, sandwich shops, limited-service pizza parlors, self-service restaurants, 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).

Restaurant, Take-Out Only. Restaurants where food and beverages are prepared on a customer-demand basis and may be taken out or delivered, but are not consumed on the premises. No seating or other facilities for on-premises dining are provided.

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

With Live Entertainment. An incidental use in a legally established bar, lounge or restaurant that provides live performances, such as a music, singing, dancing, stand-up comedy, poetry readings, and the like for the patrons' enjoyment. For live entertainment as a primary use, see Commercial Recreation and Entertainment.

With Outdoor Eating Areas. Provision of outdoor dining facilities on the same property or in the adjacent public right-of-way.

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.

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.

Convenience Markets. 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 Markets).

Farmers Markets. Temporary but recurrent outdoor retail sales of food, plants, flowers, and value-added products such as livestock products, jellies, breads, and smoked meats that are predominantly locally-grown or produced by the vendors who sell them.

General Markets. Retail food markets of food and grocery items 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.

Liquor Stores. Establishments primarily engaged in selling packaged alcoholic beverages such as ale, beer, wine and liquor.

Funeral Parlors and Mortuaries. 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.

Instructional Services. Establishments that offer specialized programs in personal growth and development. 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 for five or fewer students at one time (See General Personal Services).

Live-Work. A unit that combines a work space and incidental residential occupancy 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.

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

Bed and Breakfast. A residential structure that is in residential use by the property owner or manager and within which bedrooms are rented for overnight lodging and meals may be provided.

Short-term Rental Housing/ Extended-Stay Hotels. A type of commercial lodging that is intended for use by individuals who will stay on the property for a minimum of at least 30 consecutive days, but who otherwise intend their occupancy to be temporary because they maintain a permanent place of residence elsewhere. These establishments typically provide some or all of the following amenities:

- a. Maid and linen service
- b. Health club, spa, pool, tennis courts, or memberships to area facilities
- c. Business service centers
- d. Meeting rooms
- e. Fully furnished units including a combination of some but not necessarily all of the following: furniture, appliances, housewares, bed linens, towels, artwork, television sets, stereos, VCRs, CD players, fax machines, and Internet access.
- f. Valet parking.

Hotels and Motels. An establishment providing overnight 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, hostels, and tourist courts, but does not include rooming houses, boarding

houses, or private residential clubs, or bed and breakfast establishments within a single-unit residence.

Maintenance and Repair Services. 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).

Nurseries and Garden Centers. 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.

Offices. Offices of firms, organizations, or 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 Hospitals and Clinics).

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).

Creative. Offices and work spaces of establishments that are primarily involved in the generation or exploitation of knowledge and information or the development of creative property, including advertising, architectural services, computer software design, engineering, graphic design, interior design, landscape design, and similar uses.

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.

Walk-In Clientele. Offices providing direct services to patrons or clients that may or may 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).

Parking, Public or Private. Surface lots and structures for the use of occupants, employees, or patrons on the subject site or offering parking to the public for a fee when such use is not incidental to another on-site activity.

Personal Services.

General Personal Services. Provision of recurrently needed services of a personal nature. This classification includes barber shops and beauty salons, day spas, pedicurists/manicurists, seamstresses, tailors, dry cleaning agents (excluding large-scale bulk cleaning plants), shoe repair shops, self-service laundries, media rental stores, photocopying and photo finishing services, and travel agencies mainly intended for the consumer. This classification includes studios offering dance, exercise, yoga, pilates, and similar types of instruction to five or fewer individuals at one time. 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.

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.

Retail Sales.

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 in floor area (see General Retail Sales), or plant nurseries (See Nurseries and Garden Centers).

Firearms and Ammunition Sales. Establishments engaged in the business of selling, leasing, or otherwise transferring any firearm or ammunitions.

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 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.

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.

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.

Pawn Shops. Establishments engaged in the buying, selling, or consignment of new or secondhand merchandise and offering loans in exchange for personal property.

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, or other similarly named or labeled activities; but does not include supermarket or department store retail operations.

Sexually-Oriented Business. An establishment that, as a regular and substantial course of conduct, offers, sells or distributes adult-oriented merchandise, or that offers to its patrons materials, products, merchandise, services, entertainment or performances that have sexual arousal, sexual gratification, and/or sexual stimulation as their dominant theme, or are distinguished or characterized by an emphasis on the depiction, simulation, or acting out of specified sexual activities or specified anatomical areas and are not customarily open to the general public because they exclude minors by virtue of their age. This classification includes, but is not limited to the following types of establishments: .

Adult Arcade. An establishment where, for any form of consideration, one or more still or motion picture projectors, or similar machines, for viewing by five or fewer persons each, are used to show films, computer generated images, motion pictures, video cassettes, slides or other photographic reproductions thirty percent or more of the number of which are distinguished or characterized by an emphasis upon the depiction, simulation, or acting out of specified sexual activities or specified anatomical areas.

Adult Cabaret. A nightclub, restaurant, or similar business establishment that: (A) regularly features live performances that are distinguished or characterized by an emphasis upon the display of specified anatomical areas or specified sexual activities; (B) regularly features persons who appear semi-nude; or (C) shows films, computer generated images, motion pictures, video cassettes, slides or other photographic reproductions 30 percent or more of the number of which are distinguished or characterized by an emphasis upon the depiction, simulation, or acting out of specified sexual activities or specified anatomical areas.

Adult Hotel/Motel. A hotel or motel or similar business establishment offering public accommodations for any form of consideration that: (A) provides patrons with closed-circuit television transmissions, films, computer generated images, motion pictures, video cassettes, slides or other photographic reproductions thirty percent or more of the number of which are distinguished or characterized by an emphasis upon the depiction, simulation, or acting out of specified sexual activities or specified anatomical areas; and (B) rents, leases, or lets any room for less than a six-hour period, or rents, leases or lets any single room more than twice in a 24- hour period.

Adult Motion Picture Theater. A business establishment where, for any form of consideration, films, computer generated images, motion pictures, video cassettes, slides or similar photographic

reproductions are shown, and 30 percent or more of the number of which are distinguished or characterized by an emphasis upon the depiction, simulation, or acting out of specified sexual activities or specified anatomical areas.

Adult Retail Use Establishment. An establishment that has 30 percent or more of its stock in adult-oriented merchandise.

Adult Theater. A theater, concert hall, auditorium, or similar establishment that, for any form of consideration, regularly features live performances that are distinguished or characterized by an emphasis on the display of specified anatomical areas or specified sexual activities.

This classification does not include any establishment offering professional services conducted, operated, or supervised by medical practitioners, physical therapists, nurses, chiropractors, psychologist, social workers, marriage and family counselors, osteopaths, and persons holding licenses or certificates under applicable State law or accreditation from recognized programs when performing functions pursuant to the respective license or certificate.

INDUSTRIAL USE CLASSIFICATIONS

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).

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

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

Commercial Kitchens. 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).

Construction and Material Yards. Storage of construction materials or equipment on a site other than a construction site. This classification also includes equipment yards for public and semi-public agencies.

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.

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.

Media Production. Establishments engaged in the production of movies, video, video games, 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 stages, 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 Facilities).

Office/Support Facilities. Administrative and technical production support facilities such as offices that include production and postproduction, editing in an office setting, and similar office functions that occur entirely within a building. Supportive ancillary administrative offices may include marketing and advertisement functions.

Full-Service Facilities. Indoor and outdoor production facilities, distribution facilities, post-production facilities, set construction facilities, sound stages, special effects facilities, and sound recording studios, film laboratories, and other media-related production operations.

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).

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.

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

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.

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.

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.

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.

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.

Outdoor Storage. Storage of vehicles or commercial goods or materials in open lots.

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.

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).

TRANSPORTATION, COMMUNICATION, AND UTILITIES USE CLASSIFICATIONS

Bus/Rail Passenger Stations. Facilities for passenger transportation operations. 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.

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

Antennas and Transmission Towers. 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.

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

Freight/Truck Terminals and Warehouses. 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 Services).

Light Fleet-Based Services. 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).

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.

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

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 of Santa Monica. 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.

This page intentionally left blank.

4 Selected Supplemental Regulations for Specific Uses and Activities

This section of the module presents several sets of standards that are new (e.g., for Social Service Centers, Live-Work) or substantially modified from the existing code (e.g. for Automobile/Vehicle Sales and Leasing). Also included are standards for several uses (e.g., sidewalk cafes, large family day care, newsstands) for which we carry forward the bulk of the existing regulations but pose a related use regulation policy question. These regulations are provided in order to allow review by Staff and the Planning Commission review them in conjunction with the use regulations. Standards for additional uses will be included in the Community Benefits and Other Citywide Standards Module.

Automobile/Vehicle Sales and Leasing and Automobile Storage Lots

The following regulations are drawn largely from the Interim Zoning Ordinance (IZO) passed by the City Council at its meeting of August 28, 2012. The regulations of the IZO are reorganized somewhat for clarity. New regulations include applicability rules, and development standards intended to implement the “urban auto dealership format” called for by the LUCE (See Subsection (B) below). In addition, they include some changes to the way that height, FAR, and setbacks are dealt with on residentially-zoned lots that are occupied by existing auto dealerships. These provisions could be included in the same chapter with other specific uses (e.g. Alcohol Sales, Community Assembly, Flea Markets, Home Occupations, etc.) or in a separate chapter such as the ones that will be devoted to the more detailed requirements for Sexually-Oriented Uses, Telecommunications Facilities, etc.

- A. **Purpose.** The purpose of this Section is to implement the goals and policies of the General Plan’s Land Use and Circulation Element to allow for the expansion and improved performance of automobile dealers in the city, recognizing their contribution to the local economy while ensuring their operation occurs in a manner that is respectful of their surrounding neighbors and minimizes potential adverse impacts related to on-site customer and employee parking, traffic generation, including road testing of vehicles, obstruction of traffic, visual blight, bright lights, noise, fumes, or drainage runoff. More specifically, these provisions are intended to:
1. Allow automobile dealers to expand in their current locations, including residentially-zoned sites that are currently used for automobile dealerships and adjacent or proximate parcels, as long as their redevelopment is in the urban auto dealership format and incorporates mitigations to reduce any negative impacts on surrounding residential and nonresidential uses;
 2. Encourage automobile dealers to develop shared inventory storage facilities in appropriate locations to meet their needs; and
 3. Encourage dealerships to provide on-site automobile storage in above-grade structures or subterranean parking facilities.
- B. **Applicability.** Automobile/Vehicle Sales and Leasing and Automobile Storage Lots uses shall be developed and operated consistent with the standards of the district(s) in which they are located as well as the standards of this Section. In the case of any conflict between the standards of the district and the standards of this Section, the standards of this Section shall govern.

1. **Development Standards.** All new Automobile/Vehicle Sales and Leasing and Automobile Storage Lots uses shall comply with Subsection (C), Development Standards, of this Section. Existing Automobile/Vehicle Sales and Leasing uses are required to comply with the standards of Subsection (C) in conjunction with any one of the following:
 - a. Any expansion of floor area by more than 5,000 square feet;
 - b. Any expansion of vehicle display area;
 - c. Any expansion of the land area on which the dealership is located, whether by purchase, lease, business combination or acquisition, or similar method; or
 - d. Any substantial remodel of the existing dealership.
 2. **Standards for Residentially Zoned Lots.** Auto-dealership uses on lots designated Low Density Residential (RL), or Medium Density Residential (RM) that are contiguous to and were used legally in conjunction with an automobile dealership in operation on July 6, 2010 and which have not subsequently been abandoned, are permitted uses that may be maintained and enlarged subject to the requirements of this section.
 3. **Operational Standards.** All Automobile/Vehicle Sales and Leasing uses shall comply with the operational standards of Subsection (E) of this Section.
- C. **Development Standards.** Automobile/Vehicle Sales and Leasing and Automobile Storage Lots uses shall comply with the development standards—including but not limited to maximum height, maximum FAR, and minimum setbacks—for the respective district or districts in which they are located. In addition, the following special development standards apply to Automobile/Vehicle Sales and Leasing uses and Automobile Storage Lots. *Alternately, development could exceed the maximum allowed in the respective district as long as it conforms to maximums that the LUCE specifies for the applicable land use classification.*
1. **Showrooms.** Automobile/Vehicle Sales and Leasing Uses shall be developed to include indoor showrooms for display of vehicles for sale or lease.
 - a. **Maximum Setback.** Showrooms shall be located no farther than 10 feet from the property lines facing any boulevard and shall occupy at least 60 percent or 100 feet, whichever is greater, of the site frontage along such boulevards.
 - b. **Treatment of Setbacks.** If a setback is provided along any street frontage, the setback area (any area between building and sidewalk) shall be landscaped or improved as an extension of the public sidewalk to include pedestrian amenities. This requirement applies to all portions of a street-facing setback area that are not used for driveways or other accessways.
 - c. **Façade Height.** Showrooms shall be constructed to achieve the minimum required façade height of the district in which they are located.
 - d. **Transparency.** Street-facing facades fronting boulevards shall have transparent glazing that provides views into display and sales areas. Transparent windows or doors shall be provided for at least 75 percent of the building wall area located between 2.5 and seven feet above the level of the sidewalk. No wall may run in a continuous horizontal plane for more than 25 feet without an opening.

2. **Location of Required Parking and Storage.** Parking and vehicle storage shall be located to the side and rear of showrooms or in underground garages. Parking and vehicle storage may not be located between a vehicle showroom and any adjacent street.
3. **Special Rules for FAR Calculation.** Below-grade auto dealer facilities shall not be counted toward floor area in the calculation of FAR; areas devoted to rooftop parking and automobile storage shall be counted only at a rate of 50 percent of their area.
4. **Transition Requirements Adjacent to Residential Districts and Uses.** Where an Automobile/Vehicle Sales and Leasing Use is adjacent to a residential district (except for Qualifying Lots as defined in Subsection C) or use, the following standards apply.
 - a. **Minimum Setbacks.** Buildings that are adjacent to a residential district shall be set back 10 feet from the shared property line. To provide light and air and protect privacy for residential units, buildings shall be set back at least 15 feet from any wall that contains a living room or other primary room window.
 - b. **Daylight Plane.** Except for projections permitted by Section 9.26.XX, Projections into Required Setbacks, buildings on lots adjacent to a residential district shall not extend above a plane starting at 25 feet in height directly above the lot line abutting any residentially-zoned lot or, where there is an alley, above the centerline of the alley, and from that point extending away from the lot line or centerline at a 45-degree angle toward the interior of the site. *(Insert diagram or cross-reference to diagram in Rules of Measurement)*
 - c. **Landscaping and Screening.** A continuous planting area with a minimum width of 7.5 feet shall be provided along any interior lot line adjacent to a residential district.
5. **Landscaping.** Screening of outdoor display and non-display areas shall comply with the provisions of Section 9.26.XX, Landscaping. If a site includes outdoor vehicle display areas, a landscape and decorative curb strip at least two feet wide shall be provided along the street frontage perimeter of such outdoor vehicle display areas. Landscape materials shall be designed to provide an opaque visual buffer at least 12 inches in height.

Should the following requirements be triggered by any proposed expansion of floor area?
6. **Parking and Vehicle Storage.** Parking structures and automobile storage lots associated with an automobile dealership shall comply with the following special project design standards. Parking lots and structures developed on lots designated RL or RM shall also comply with the requirements of Subsection (C).
 - a. **Applicability of Parking Development Standards.** Customer parking shall comply with all standards of Chapter 9.34, Parking and Loading. Employee and inventory parking may be provided in tandem and is not be subject to the minimum parking space and aisle dimensions of Chapter 9.34, Parking and Loading. Final design of parking and inventory storage shall be subject to review and approval by the Transportation Management Division.
 - b. **Design Standards, Parking Structures.** The following standards apply to parking structures:

- i. Except for emergency-only pedestrian exists required by the Building Officer, parking structure walls facing property lines that are adjacent to a residential use shall be solid and decorative, subject to the approval of the ARB. Openings may be permitted adjacent to a public street, commercially zoned property, or “Qualifying Lot” as defined in Subsection (D) of this Section.
 - ii. Non-skid or other similar surface treatment on both floors and ramps of the parking structure shall be required to prevent tire squeals. This material shall be subject to the review and approval of the Director of Planning and Community Development.
 - iii. Rooftop parking on parcels that directly abut or are separated by an alley from a residential district is only permitted if the parking structure provides a six-foot parapet on the side of the parking structure closest to the residential district. This parapet shall be solid and have a surface density of four pounds per square foot.
 - iv. In order to minimize noise and air impacts, exhaust vents and other mechanical equipment associated with a parking structure shall be located as far from residential uses as feasible consistent with the Chapter 8 of the Santa Monica Municipal Code.
- c. *Lighting.* Lighting shall comply with Section 9.26.XX, Lighting, of this Ordinance. Light sources shall be designed to contain direct and diffuse lighting and glare on the subject property.
 - d. *Queuing of Vehicles.* An adequate on-site queuing area for service customers shall be provided. On-site driveways may be used for queuing but may not interfere with access to required parking spaces. Required parking spaces may not double as queuing spaces.
 - e. *Vehicle Stacking Equipment.* Vehicle-stacking equipment is permitted within parking structures and on surface lots for employee parking and vehicle storage when screened with an eight-foot-high solid masonry wall. The wall shall be set back from the property line at least two feet so that a landscaped buffer of up to two feet in width can be provided. Parking spaces in lifts shall not be applicable in calculating a dealership’s parking requirement. If the structure is located on an RL- or RM-zoned lot, the spaces provided on lifts shall not be included in the base used for calculating the required parking for employee parking spaces. In addition, these spaces shall not count toward fulfilling the employee parking requirement. Vertical spaces above employee parking shall be used for employee parking; spaces above inventory shall be used for inventory. The Planning Commission may reduce the wall height requirement to not less than six feet and may reduce or waive the landscaped setback area if such reduction or waiver is consistent with the public health, safety, and general welfare. All facilities shall comply with the City’s Noise Ordinance (Chapter 4.12 of the Municipal Code).
 - f. Floor area dedicated to employee and customer parking and vehicle storage shall be excluded when applying refuse and recycling requirements in Section 9.26.XX,

Refuse and Recycling Storage Areas, of this Ordinance unless otherwise required by the Director of Environmental and Public Works Management or his/her designee in order to protect the public health, safety, and general welfare.

- g. Final design treatment shall be subject to review and approval by the Architectural Review Board. All surface parking areas not used for vehicle display shall be subject to the parking lot screening requirements of Section TBD.

D. **Standards for Automobile/Vehicle Sales and Leasing Uses and Automobile Storage Lots on Residentially Zoned Properties.** Lots designated Low Density Residential (RL), or Medium Density Residential (RM) that are contiguous to and were used legally in conjunction with an automobile dealership in operation on July 6, 2010, which automobile dealership uses have not subsequently been abandoned (“Qualifying Lots”) may be developed and operated consistent with the standards of this subsection (D).

1. **Uses.**

- a. *Allowed Uses.* Qualifying Lots may be developed as an automobile storage structure (Automobile Storage Lot) or parking structure operated in conjunction with an automobile dealership on the adjacent commercial lot, consistent with the standards of this subsection.
- b. *Inventory Storage.* A Qualifying Lot may be used for surface inventory storage only if the following conditions are met:
 - i. Any displaced required parking will be relocated to another off-street location that is:
 - (1) Located within 750 feet of the Qualifying lot;
 - (2) Located within 300 feet of a public transit line that connects the off-street location with the dealership and the dealership provides free bus passes to its employees; or
 - (3) The displaced parking shall be returned to the Qualifying Lot if the criteria of this subsection are no longer met.
- c. *Prohibited Uses.* No portion of a residentially-zoned lot may be used for auto repair work, rental car use, automobile washing, outdoor display of vehicles, commercial signage, storage tanks, or any other commercial use not specifically identified in this subsection.
- d. *Use to Revert to Residential.* Structures constructed under these provisions on residential parcels shall be permitted to remain only when operated in conjunction with an Automobile/Vehicle Sales and Leasing use on the adjacent commercial lot. If the Automobile/Vehicle Sales and Leasing use is abandoned, the parking structure shall be removed or incorporated into a residential project on the residential parcel(s) within three years.

2. **Maximum Lot Coverage and FAR.** Section TBD of this Ordinance and Section B of these provisions notwithstanding, the maximum lot coverage limitation for the residential district in which the Qualifying Lot is located shall not apply. Instead, the dealership site, encompassing both the Qualifying Lot and the adjacent legally established

Automobile/Vehicle Sales and Leasing use, shall be subject to the FAR limitation for the adjacent lot(s) occupied by a legally established Automobile/Vehicle Sales and Leasing use. For purposes of calculating allowed floor area ratio, the land area of the residentially-zoned Qualifying Lot(s) shall be combined with the land area of adjacent lot(s) that are in a legally-established Automobile/Vehicle Sales and Leasing use.

3. **Maximum Building Height.** The maximum height of any structure on a residentially zoned Qualifying Lot shall not exceed 30 feet.
4. **Setbacks.**
 - a. *Front and Rear Setbacks.* The front and rear setbacks of the residential zoning district in which the Qualifying Lot is located shall apply.
 - b. *Side Setbacks Adjacent to Residential Use.* A minimum 10-foot setback shall be provided between any above-grade structure and a property line that is shared with an adjacent residential property that is not used as part of an automobile dealership. A minimum 20-foot setback shall be provided for any structure that exceeds one story in height.
5. **Housing Impact Fee.** Parking structures and automobile storage lots constructed on parcels designated as Low Density Residential (RL), or Medium Density Residential (RM) may be subject to an Affordable Housing Fee established by resolution of the City Council to mitigate the impact of the loss of the potential development of affordable housing on these sites. *Shall this requirement be retained?*
6. **Standards for Parking Structures.** Parking structures developed on Qualifying Lots shall comply with the following requirements:
 - a. Rooftop parking is permitted subject to the standards of this subsection.
 - b. Ingress and egress shall be from the adjacent commercial lot. The Planning Commission may approve an alternative access plan that minimizes impacts to adjacent residential uses if it determines that access from the commercial lot is precluded by existing commercial development.
 - c. At least 10 percent of the parking spaces within a structure shall be maintained and designated for employee parking only, unless the Planning Commission determines based on an employee parking demand analysis that sufficient parking is otherwise provided either on-site or at an acceptable off-site location.
 - d. If the structure is developed in conjunction with development on adjacent commercial lots, the project shall be designed so that building mass increases toward the commercial street and architectural elements that are permitted to exceed height limits are located away from adjacent residential uses to the greatest extent feasible.
 - e. A four-foot unexcavated area shall be provided along the entire length of a property line shared by an automobile dealership and an adjacent residentially zoned property. Fifty percent of the required yard area adjacent to a public street shall remain unexcavated.
 - f. A landscaped buffer of minimum five-foot width shall be required along the property line adjacent to a residential use. The buffer shall include a hedge to be

maintained up to 12 feet in height where adjacent to a residential side yard and 42 inches in height where adjacent to a residential front yard. The Planning Commission may reduce or waive any part of this requirement if such reduction or waiver is consistent with the public health, safety, and general welfare.

7. ***Exemptions for Expansions of Existing Dealerships.*** A floor area expansion of existing automobile dealerships in the RL or RM District that is less than 750 square feet shall not be subject to a Conditional Use Permit, and shall be permitted by right provided that:
 - a. The expanded floor area is utilized for an ancillary support function, including, but not limited to, customer waiting area, offices, vehicle parts storage or vehicle parts display;
 - b. The height of the expansion shall be no more than one story and will not exceed 23 feet;
 - c. None of the expanded area is utilized for auto repair activities, including but not limited to service bays, body work, oil change and lubrication, or radio, stereo, or phone installation;
 - d. The square footage expansion may maintain the existing building lines adjacent to public rights of way, subject to Architectural Review Board approval.

E. **Operational Standards.** All Automobile/Vehicle Sales and Leasing Uses and Automobile Storage Lots, existing and new, shall be operated according to the following standards.

1. ***Customer and Employee Parking.***
 - a. On-site employee and customer parking shall be provided at no charge.
 - b. Areas designated for employee and customer parking shall not be used for vehicle storage or display.
2. ***Loading and Unloading of Vehicles.*** Loading and unloading of vehicles is permitted only in accordance with this subsection. The dealership operator shall be responsible and liable for any activities of a common carrier, operator, or other person controlling such loading or unloading activities to the extent any such activities violate the provisions of this subsection.
 - c. Loading and unloading of vehicles is limited to the hours of 8:00 a.m. to 5:00 p.m., Monday through Saturday. Loading and unloading of vehicles is prohibited on Sundays and legal holidays.
 - d. Vehicle off-loading shall not be permitted in the public right of way or residential area and shall occur on site or off-site. The applicant shall prepare and submit to the Transportation Management Division for approval a plan that complies with all requirements of this subsection to be included in a form prepared by Transportation Management Division.
3. ***Storage of Vehicles.*** No automobile dealership owner, operator, or employee, for any period of time on any public street or alley, shall park or store vehicles for sale, to be repaired, that have been repaired, or that are part of an automobile rental operation associated with the dealership.

4. **Test Driving.** Test-driving shall not be done on residential streets or alleys other than to provide access to non-residential streets. For the purposes of this subsection, streets that are designated by the City as major collector streets shall be permissible areas for test-driving. Each dealership operator shall have an affirmative obligation to inform all its personnel of this requirement and to ensure compliance with it. The applicant shall prepare and submit to the Transportation Management Division for approval a plan that complies with all requirements of this subsection to be included in a form prepared by Transportation Management Division.
5. **Control of Alley Traffic.** Notwithstanding the prohibition of alley use for test driving, each dealership operator shall present to the Transportation Management Division, at the same time of the filing of an application for a permit for a new dealership or substantial remodeling, plans for slowing traffic flow in alleys adjacent to their uses, with the objective of minimizing dangers to pedestrians and neighboring vehicle operations, and of minimizing noise and other environmental incursions into the neighborhood. Such plans shall be designed to limit the maximum speed to 15 miles per hour and may include measures such as speed bumps or dips, one-way traffic patterns, increased signage, parking and loading prohibitions, and similar measures.
6. **Circulation.** Entries and exits from automobile dealerships and automobile storage lots shall be located as far away from adjacent residential properties as is reasonably feasible and shall be directed to commercial streets and away from residential areas by means of signage and design. The interior circulation system between levels shall be internal to the building and shall not require use of public ways or of externally visible or uncovered ramps, driveways or parking areas. No arrangement shall be permitted which requires vehicles to back into an alley or other public way. Compliance with this subsection shall be subject to review by the Transportation Management Division.
7. **Noise Control.** Automobile/Vehicle Sales and Leasing uses and Automobile Storage Lots shall be operated in accordance with Section 9.35.XX, Noise, and the following standards.
 - a. There shall be no outdoor loudspeakers. Interior loudspeakers shall produce no more than 45 dba at a boundary abutting or adjacent to a residential parcel under normal operating conditions (e.g., with windows open if they are likely to be opened).
 - b. All noise-generating equipment exposed to the exterior shall be muffled with sound-absorbing materials to minimize noise impacts on adjacent properties and shall not be operated before 8:00 a.m. or after 6:00 p.m. if reasonably likely to cause annoyance to abutting or adjacent residences and shall at all times be in compliance with the City's Noise Ordinance (Chapter 4.12, Noise).
 - c. Rooftop storage areas shall be screened with landscaping and/or noise absorbing materials to minimize noise impacts on adjacent properties.
8. **Toxic Storage and Disposal.**
 - a. Gasoline storage tanks shall be constructed and maintained under the same conditions and standards that apply for service stations.

- b. There shall be full compliance with the terms and conditions of all applicable federal, state, and local laws relating to the storage and disposal of toxic chemicals and hazardous wastes.
9. ***Air Quality.***
- a. Use of brake washers shall be required in service stalls or areas that perform service on brakes employing asbestos or other materials known to be harmful when dispersed in the air.
 - b. All mechanical ventilating equipment shall be directed to top story exhaust vents, which face away from abutting or adjacent residential properties.
 - c. Exhaust systems shall be equipped with appropriate and reasonably available control technology to minimize or eliminate noxious pollutants, which would otherwise be emitted.
10. ***Hours of Operation.*** Unless otherwise approved by the Planning Commission, if the Automobile/Vehicle Sales and Leasing use is within 100 feet of a residential district, operation of the use shall be prohibited between the hours of 10 p.m. and 7 a.m.
11. ***Plan Submission.*** Existing dealerships shall submit plans to the Transportation Management Division for approval that satisfy the requirements of this subsection if such plans are not already on file.
12. ***Plan Verification.*** All dealerships shall submit a letter annually in June affirming their continued use of their test-driving, vehicle off-loading, and alley traffic control plans. Any changes to approved plans shall require approval of the Transportation Management Division.

Bed and Breakfasts

The following regulations are new. They establish standards for bed and breakfast establishments that are within and accessory to a primary residential use.

Bed and breakfast establishments shall be located, developed, and operated in compliance with the following standards:

- A. **Type of Residence.** Bed and Breakfasts may only be located and operated in a single-unit dwelling.
- B. **On-site Owner or Caretaker Required.** Bed and Breakfast establishments shall be occupied by an on-site caretaker or owner of the property.
- C. **Appearance.** In all residential districts, the exterior appearance of a structure housing a bed and breakfast establishment shall not be altered from its original single-unit character.
- D. **Number of Rooms.** No more than four rooms may be rented. Where a use permit is required by the district regulations, the use permit may establish greater restrictions on the number of rooms.
- E. **Parking.** The primary residential use must have all parking spaces required by Chapter 9.34, Parking and Loading. Parking for the Bed and Breakfast use shall be provided at a ratio of one space per room for rent in addition to the parking required for the primary residential use. Such spaces shall not encumber access to a required parking space for the residential use.

- F. **Limitation on Services Provided.** Meals and rental of bedrooms shall be limited to registered guests. Separate or additional kitchens for guests are prohibited.
- G. **Limitation on Rental Period.** No room shall be rented to any guest for more than 15 days within any calendar year.

Family Day Care, Large

The regulations below are based on Section 9.04.12.030 of the existing Ordinance, with proposed additions to establish hours of operation, screen outdoor play areas, strengthen the noise standards, and require that any employees of the day care home be residents of the dwelling in which it is located.

- A. **Purpose.** The purpose of these standards is to ensure that Large Family Day Cares in residential districts do not adversely impact the adjacent neighborhoods. While Large Family Day Cares are needed by residents of the city, especially in close proximity to their homes in residential neighborhoods, the potential traffic, noise and safety impacts of this use should be regulated in the interest of nearby residents and the children in the day care facility. It is also the intent of this Section to allow Large Family Day Cares in residential surroundings to give children a home environment that is conducive to healthy and safe development. The following standards shall apply to Large Family Day Cares.
- B. **Structures.** A Large Family Day Care shall conform to all property development standards of the zoning district in which it is located unless otherwise provided in this Section.
- C. **Noise.** The operation of a Large Family Day Care shall comply with noise standards contained in Chapter 4.12, Noise, of the Santa Monica Municipal Code. Noise from the operation of any Large Family Day Care may not exceed that which is customary in residential neighborhoods during daytime hours. Prolonged and abnormally loud noises shall not be considered customary, while the periodic sounds of small groups of children at play shall be considered customary in residential neighborhoods during the daytime hours.
- D. **Hours of Operation.** Large Family Day Cares shall operate only between the hours of 6:00 a.m. and 7:00 p.m., Monday through Friday. No outdoor play is allowed before 8:00 a.m. or after 5:30 p.m.
- E. **On-Site Parking.** On-site parking for large family day cares shall not be required except for that required for the residential building.
- F. **Passenger Loading.** Curbside loading shall be presumed adequate for drop-off and pick-up of children. However, where the Parking and Traffic Engineer, in evaluating a particular Large Family Day Care, determines that curbside loading is not adequate, the Parking and Traffic Engineer shall approve a passenger loading plan.
- G. **Lighting.** Passenger loading areas may be illuminated. If a passenger loading area is illuminated, the lighting shall be directed away from adjacent properties and of an intensity compatible with the residential neighborhood.
- H. **Screening of Outdoor Play Areas.** A six-foot high, solid fence shall be provided to screen the outdoor play area of a Large Family Day Care from adjacent residential properties. Fences shall comply with Section 9.26.XX, Fences and Walls.
- I. **Residency.** The operator of a Large Family Day Care must be a full-time resident of the dwelling unit in which the day care is located.

- J. **State and Other Licensing.** All Large Family Day Cares shall be State licensed and operated according to all applicable State and local regulations.
- K. **Concentration of Uses.** No more than one Large Family Day Care shall be permitted within 100 linear feet of the property line of any existing Large Family Day Care.

Farmers Markets

The regulations below are new. They are similar to standards for farmers' markets recently adopted by other jurisdictions in an effort to promote sustainable food-related uses. .

Farmers Markets shall be located, developed, and operated consistent with the following standards:

- A. **Definitions.** The following special definitions apply to this Section:
 - 1. **Farm Products.** Fruits, vegetables, mushrooms, herbs, grains, legumes, nuts, shell eggs, honey or other bee products, flowers, nursery stock, livestock food products (including meat, milk, yogurt, cheese and other dairy products), fish, and seafood.
 - 2. **Value-Added Farm Product.** Any product processed by a Producer from a Farm Product, such as baked goods, jams and jellies, canned vegetables, dried fruit, syrups, salsas, salad dressings, flours, coffee, smoked or canned meats or fish, or sausages.
 - 3. **Producer.** A person or entity that raises or grows Farm Products on land that the person or entity farms and owns, rents or leases; or a person or entity that creates (by cooking, canning, baking, preserving, roasting, etc.) Value-added Farm Products.
- B. **Operator.** Farmers Markets must be operated by one or more certified Producers, a nonprofit organization, or a local government agency.
- C. **Vendors.** At least 70 percent of vendors must be Producers. (Alternative to using definition of Producer, above: "At least 70 percent of vendors must be farmers, ranchers, and other agricultural producers who sell food, plants, flowers, and added-value products such as jams and jellies, that they have grown, raised, or produced from products they have grown or raised.") Up to 20 percent of market vendors may be those who sell food that is freshly made and available for consumption on site. Up to 10 percent of market vendors may be community groups, services, or other vendors or organizations not necessarily related to agriculture or food.
- D. **Permits.** The market operator and vendors must secure all necessary licenses, certificates and health permits, and these permits (or copies of them) shall be in the possession of the Farmers Market manager or the vendor, as applicable, on the site of the Farmers Market during all hours of operation.
- E. **Management Plan.** A management plan shall be prepared and provided to the PCD Director. The management plan shall include the following:
 - 1. Identification of a market manager or managers, who shall be present during all hours of operation.
 - 2. A set of operating rules addressing the governance structure of the market; the method of assigning booths and registering vendors; hours of operation; maintenance; security; refuse collection; and parking.

- F. **Hours of Operation.** Market activities shall be conducted between the hours of 7 a.m. and 7 p.m. Set-up of market operations shall begin no earlier than 6 a.m., and take-down shall end no later than 8 p.m.
- G. **Waste Disposal.** Adequate composting, recycling, and trash containers shall be provided during hours of operation, and shall be removed from site for appropriate disposal. The site shall be cleaned at the end of each day of operations, including the removal of all stalls and debris.
- H. **Live Performance.** Live musical and other performances may be presented subject to approval of required permits pursuant to SMMC XXX.
- I. **Pedestrian Clearance.** A Farmers Market may not obstruct a path that is part of a required pedestrian circulation system.
- J. **Acceptance of Food Assistance Program Payment.** All Farmers' Markets and their vendors shall accept forms of payment by participants of federal, state, or local food assistance programs, including but not limited to the Food Stamps/Supplemental Nutrition Assistance Program; the Women, Infants, and Children (WIC) Farmers' Market Nutrition Program; and the Senior Farmers' Market Nutrition Program. Such forms of payment include but are not limited to coupons, vouchers, and Electronic Benefit Transfer (EBT) cards.

The following parking requirements are optional provisions that some jurisdictions have imposed on farmers' markets, which may be infeasible or unnecessary in Santa Monica.

- A. **Parking.** In all districts, one parking space per market stall shall be provided on-site or off-site within 500 feet of the proposed market, except as modified by the following:
 - 1. On-site parking spaces required by this Ordinance to support other uses on the site may be used to satisfy parking for farmers' markets, provided that all users of the subject parking spaces sign a written agreement establishing the terms of shared parking, and demonstrating that parking will not be demanded for other uses of the property for spaces counted toward the Farmers Market's parking requirement during specified hours of operation.
 - 2. Off-site parking spaces may be counted only if they are under the same ownership or control as the property hosting the Farmers Market, or with a written agreement between the owner and/or operator of the off-site spaces and the operator of the farmers' market, establishing that those spaces will be available for use by farmers' market patrons.
 - 3. Parking requirements may be waived for farmers' markets with fewer than 20 stalls in any zoning district, according to the provisions of Chapter 9.67, Waivers and Adjustments.
- B. **Exception for Small Markets on Private Property.** Notwithstanding the regulations of any applicable zoning district requiring a Conditional Use Permit, a Farmers Market consisting of 10 or fewer stalls; located on the same property as and serving as an accessory use to a permitted Public or Private School, Hospital, or Community Assembly use; and operating no more than 52 days per year may be approved with a Minor Use Permit.
- C. **Temporary Uses.** Any market that will be operated for no longer than one month may be approved as a temporary use, subject to the standards of Section 9.40.XX, Temporary Uses, and pursuant to the procedure in Chapter 9.68, Temporary Use Permits.

Live-Work Units

This new section establishes regulations for live-work space, which may be in new buildings constructed for that purpose or in existing commercial or industrial buildings that have been renovated to allow incidental residential use.

- A. **Purpose.** This section establishes regulations and standards for creating and operating Live-Work units as a primary commercial/industrial use, in which the proprietor is allowed to reside as a secondary land use activity. The purposes of these provisions are to:
1. Allow for the creation of cost-efficient alternative work space that will provide an incentive for entrepreneurs, business owners, artists, artisans, and other individuals to continue to work in Santa Monica and contribute to the city's economy;
 2. Provide for and make feasible the reuse of existing commercial or industrial buildings and related sites and other specified commercial, manufacturing, and industrial zoning districts;
 3. Promote preservation and reuse of commercial or industrial buildings that contribute to the historic character of the community;
 4. Implement the Land Use and Circulation Element of the General Plan by reducing the number and length of work-related vehicle trips that contribute to traffic congestion, generate greenhouse gas emissions, and degrade air quality;
 5. Provide for the health and safety of persons who reside and work in Live-Work units; and
 6. Ensure that the exterior design of Live-Work buildings is compatible with the exterior design of commercial, industrial, and residential buildings in the area, while remaining consistent with the predominant workspace character of live-work buildings.
- B. **Applicability.** Live-Work units may be established through the conversion of existing commercial and industrial buildings or in new construction, where permitted or conditionally permitted in any mixed-use, commercial, or employment district according to the use regulations of Division II, Base and Overlay Districts, and subject to the requirements of this section and other applicable requirements of this Ordinance.
- C. **Development Standards.**
1. **Floor Area.** At least 50 percent of the gross floor area of a Live-Work unit must be designated and regularly used for work activities.
 2. **Parking.** Each Live-Work unit shall have 1.5 off-street parking spaces per unit or for every 1,000 square feet of floor area, whichever is greater. In addition, at least one off-street loading area shall be provided for every 50,000 gross square feet of space occupied by Live-Work units. No additional loading areas are required if the loading requirements for industrial or commercial occupants of a Live-Work building exceed the loading requirements for the Live-Work use. The parking requirement may be waived or modified through a Minor Use Permit if the following findings can be made in addition to any other findings required by this Ordinance:
 - a. That the proposed parking will be adequate to meet the demand created by the project given the character of the proposed uses; and
 - b. That a waiver or modification of parking requirements will not, under the circumstances of the particular project, either conflict with nor adversely affect

commercial or industrial uses or residential districts in the area where the project is proposed.

D. **Open Space.**

1. ***New Construction.*** Common or private on-site open space shall be provided for the use of occupants at a rate of 150 square feet per Live-Work unit. This space may be attached to individual units or located on the roof or adjoining the building in a rear yard.
2. ***Conversions.*** Any existing on-site open space shall be retained for the use of the occupants of the Live-Work units.

E. **Design.**

1. Doors or solid walls between the work space and areas used for living space do not extend all the way to the ceiling, except for sanitary facilities and rooms used primarily for sleeping,
2. There is a single entrance to the Live-Work studio,
3. There are no walls separating the food preparation area from the work space,
4. Only the sanitary facilities and rooms designated for sleeping are enclosed, and all other portions of the living area are not separated from the work space.

F. **Separation Required.** Each Live-Work studio shall be separated from other Live-Work studios or other uses in the building. Access to each Live-Work studio shall be provided from common access areas, common halls or corridors, or directly from the exterior of the building.

G. **Additional Requirements.**

1. ***Permitted Work Activity.*** The work activity in a building where Live-Work units are allowed shall be any use permitted by right or use permit in the zoning district, except that, in order to protect the health and safety of persons who reside in a Live-Work unit or in a building which contains one or more Live-Work units, no work activity shall be permitted nor shall any Live-Work unit be established on any site that contains uses that the Review Authority finds would, by virtue of size, intensity, hours of operation, number of employees or the nature of the operation, have the potential to adversely affect others living or working in or nearby the Live-Work development due to dust, glare, heat, noise, noxious gases, odor, smoke, traffic, vibration or other impacts, or would be hazardous by way of materials, process, product or wastes.
 - a. The following uses are prohibited in Live-Work units: Automobile/Vehicle Sales and Leasing, Bars/Nightclubs/Lounges, Sexually-Oriented Businesses, Animal Sales and Services, Liquor Stores, Funeral Parlors and Mortuaries, Outdoor Storage as a primary use, and Salvage and Wrecking.
 - b. Uses that may, depending on how they are operated, also have the potential to generate impacts or would constitute a change in occupancy under the Building Code shall not be approved unless the Review Authority finds that as proposed to be conducted, or as modified by conditions of a Conditional Use Permit, they would not conflict with or adversely affect existing uses in the building and in the area where the Live-Work unit is located.

- c. No use shall be approved where, given the design or proposed design of the Live-Work unit, there would be the potential for adverse health impacts from the proposed use on the people residing in the unit. An example of a potential health impact is the potential for food contamination from uses that generate airborne particulates in a unit with an unenclosed kitchen.
2. ***Business License Required.*** At least one occupant of each Live-Work unit shall maintain a current City of Santa Monica business license for a business located in that unit.
3. ***Nonresident Employees.*** Up to two persons who do not reside in the Live-Work unit may work in the unit unless such employment is expressly prohibited or limited by a Conditional Use Permit because of potential detrimental effects on persons living or working in the building or on commercial or industrial uses or residentially-zoned areas in the vicinity of the subject property. The employment of three or more persons who do not reside in the Live-Work unit may be permitted subject to a determination of compliance with all applicable parking and requirements. The employment of any persons who do not reside in the Live-Work unit shall be subject to all applicable Building Code requirements. *Alternately, additional non-resident employees could be permitted by right subject to a determination of compliance with applicable parking requirement*
4. ***Client and Customer Visits.*** Client and customer visits to Live-Work units are permitted subject to any conditions that may be imposed by a Conditional Use Permit, where such use permit is required by the regulations of the respective district, in order to ensure compatibility with adjacent commercial or industrial uses or adjacent residential districts.
5. ***No Separate Sale or Rental of Portions of Unit.*** No portion of a Live-Work unit may be separately rented or sold as a commercial space for a person or persons not living in the premises or as a residential space for a person or persons not working in the same unit.
6. ***Mixed Occupancies.*** If a building contains mixed occupancies of Live-Work units and other nonresidential uses, occupancies other than Live-Work shall meet all applicable requirements for those uses, and proper occupancy separations shall be provided between the Live-Work units and other occupancies, as determined by the Building Official.
7. ***Notice to Occupants Required.*** The owner or developer of any building containing Live-Work units should provide written notice to all Live-Work occupants and users that the surrounding area may be subject to levels of noise, dust, fumes, or other effects associated with commercial and industrial uses at higher levels than would be expected in residential areas. State and federal health regulations notwithstanding, noise and other standards shall be those applicable to commercial or industrial properties in the district where the project is located.
8. ***Deed Restriction Required.*** The owner of each Live-Work unit or each building containing Live-Work rental units shall record a notice on the property specifying the limitations of use and operation included in the use permit.
9. ***Hazardous/Toxic Materials.*** A Phase I Environmental Assessment for a site proposed for Live-Work occupancy, including but not limited to an expanded site investigation to determine whether lead based paint and asbestos hazards exist, is required to be submitted as part of the application for a use permit. The purpose of this requirement is to assess whether

there are any hazardous or toxic materials on the site that could pose a health risk. Where the Phase I shows that there are potential health risks, a Phase 2 Environmental Assessment shall be prepared and submitted to determine if remediation may be required.

10. ***Change of Use From Live-work Unit.*** No Live-Work unit should be changed to exclusively residential use. The conversion of an existing Live-Work unit to exclusively nonresidential use should only be permitted when the conversion meets all other applicable zoning and building code requirements for the proposed use. Such a change shall be subject to all applicable requirements for the district where the proposed dwelling unit is located.
11. ***Increase in Residential Use.*** No Live-Work studio should be changed to increase the floor area devoted to residential use without review and approval by the Planning Department.
12. ***Additions to Building Envelope.*** For adaptive reuse projects, no modifications should be made to the exterior of a building proposed for or in current use as a Live-Work occupancy that would result in a substantial increase in the building envelope resulting in an increase in the existing gross floor area outside the exterior walls or the outer surface of the roof of the building as it existed at the time of conversion to Live-Work units. New floors or mezzanines that are established within the original building envelope should be permitted and considered as part of the existing floor area for purposes of this section.
13. ***On-premises Sales.*** On-premises sales of goods should be limited to those produced within the Live-Work unit. Retail sales of goods produced within the Live-Work unit should be incidental to the primary work use in any building used exclusively for Live-Work occupancy. These provisions shall permit participation in occasional open studio programs and gallery shows.

Outdoor Newsstands

The following regulations are drawn from Section 9.04.13.030 of the existing Ordinance. Should the updated Ordinance specify districts where newsstands are permitted?

Outdoor newsstands shall be designed, located, and operated consistent with the following standards:

- A. **Purpose.** The purpose of this Section is to ensure that outdoor newsstands shall not adversely impact surrounding uses and shall be developed in a manner that enhances and protects the integrity of the districts in which they are located.
- B. **Maximum Size.** No outdoor newsstand shall exceed two feet in depth, 50 feet in length, eight feet in height, or 149 square feet in total floor area.
- C. **Minimum Distance from Other Outdoor Newsstands.** No outdoor newsstand shall be located closer than 500 feet to the nearest other outdoor newsstand.
- D. **Outdoor Newsstands on Public Rights-of-Way.** Prior to submittal of an application to establish an outdoor newsstand, the applicant must obtain preliminary approval from the Department of General Services and the City Parking and Traffic Engineer to ensure that public safety and pedestrian and vehicular traffic concerns are adequately addressed. Fees shall be assessed for the use of public property. A minimum eight-foot pedestrian path must be maintained between the outdoor newsstand and the curb or any other pedestrian-obstructing object. If the outdoor newsstand abuts

the wall of a privately-owned parcel, the operator must have the permission of the owner of the privately-owned parcel to operate an outdoor newsstand in that location.

- H. **Maintenance and Design.** Outdoor newsstands shall be maintained at all times in a clean, neat and attractive condition and in good repair; shall be constructed of a permanent material to the satisfaction of the Building and Safety Division; and shall be of a design approved by the Director or the Architectural Review Board based on the guidelines contained in Chapter 9.32 of the Municipal Code.
- I. **Advertising.** No outdoor newsstand shall be used for advertising signs or publicity purposes other than that dealing with the display, sale or purchase of newspapers or periodicals, as approved by the Architectural Review Board and as governed by Chapter 9.39, Signs, of this Ordinance.
- J. **Placement.** No outdoor newsstand shall be placed within three feet of any display window of any building abutting the street or in such manner as to impede or interfere with the reasonable use of such window for display purposes, unless such a window is on the indoor portion of a newsstand facility.
- K. **Use.** No outdoor newsstand shall be utilized for the sale, nor for the display for sale, of any article or item other than newspapers, magazines, periodicals and other similar newsprint publications.

Outdoor Dining and Seating (Sidewalk Cafes)

The existing regulations for sidewalk cafes are divided into two parts: those that apply to sidewalk cafes less than 200 feet in area and those that apply to cafes greater than 200 square feet (Sections 9.04.10.02.460, Small Sidewalk Cafés and Section 9.04.12.120, Sidewalk Cafés). The draft regulations below combine these two existing sections, because the regulations are largely the same (except for regulations regarding the level of permit required, which in the updated ordinance will be consolidated in the use regulation tables).

Sidewalk cafes shall be designed, located, and operated consistent with the following standards:

- A. **Purpose.** The purpose of this Section is to permit sidewalk cafés that enhance the pedestrian ambiance of the city and ensure that they do not adversely impact adjacent properties and surrounding neighborhoods consistent with the goals, objectives and policies of the General Plan.
- B. **Applicability.** The provisions of this Section shall apply to all new sidewalk cafés and to all existing sidewalk cafés at such a time as the sidewalk café is expanded or enlarged.
- C. **Accessory Use.** A sidewalk café shall be conducted as an accessory use to a legally established Eating and Drinking Establishment that is located on the same lot or on a contiguous adjacent parcel. *Should sidewalk cafes be permitted accessory to bars and nightclubs?*
- D. **License Agreement.** A license agreement shall be approved in a form required by the City.
- E. **Barriers.** If barriers are provided, they shall be in the manner required by the City.
- F. **Enclosure.** Awnings or umbrellas may be used in conjunction with a sidewalk café, but there shall be no permanent roof or shelter over the sidewalk café area. Awnings shall be adequately secured, retractable, and shall comply with the provisions of the Uniform Building Code adopted by the City and any applicable design guidelines.

- G. **Fixtures.** The furnishings of the interior of the sidewalk café shall consist only of movable tables, chairs and umbrellas. Lighting fixtures may be permanently affixed onto the exterior front of the principal building.
- H. **Compliance with Design Guidelines.** Sidewalk cafes shall comply with all applicable adopted design standards and guidelines, including but not limited to:
 - 1. The Outdoor Dining Guidelines for the Third Street Mall Specific Plan area;
 - 2. The Outdoor Dining Standards for Santa Monica Boulevard and Broadway; and
 - 3. The Outdoor Dining Standards for Ocean Avenue.
- I. **Refuse Storage Area.** No structure or enclosure to accommodate the storage of trash or garbage shall be erected or placed on, adjacent to, or separate from the sidewalk café on the public sidewalk or right-of-way. Sidewalk cafés shall remain clear of litter at all times.
- J. **Hours of Operation.** The hours of operation of the sidewalk café shall be limited to the hours of operation of the associated restaurant or other eating and drinking establishment.
- K. **Parking.** Where outdoor dining areas (sidewalk cafes) occupy less than 200 square feet of area, additional parking spaces for the associated Eating and Drinking Establishment shall not be required. Any area exceeding 200 square feet dedicated to an outdoor dining area shall be counted toward the customer service area of the Eating and Drinking Establishment and parking shall be provided according to the required ratio in Chapter 9.34, Parking and Loading. *These provisions replicate the existing regulation, which does not require that additional parking spaces be provided for small sidewalk cafes of 200 sq ft or less. Alternatively, regulation could be based on number of tables instead of area. If the parking requirements is based on the number of seats rather than the size of the area this provisions would be revised accordingly.*

Outdoor Retail Display and Sales

Existing Section 9.04.10.02.340, Permitted Outdoor Uses, includes regulations for a variety of objects (e.g., vending machines, planter boxes, cigarette receptacles, moveable furniture) that may be located outside of buildings, and describes the types of uses for which outdoor display may be permitted (e.g., auto sales). The standards for objects that may be placed outdoors can be relocated to a chapter called General Site Regulations that contains development standards applicable to many districts.

In the existing Ordinance, there is a paragraph that establishes regulations for display of outdoor merchandise in the C2 and CM districts. This section is carried forward and augmented by additional regulations pertaining to outdoor display of merchandise. The proposed regulations would increase the zones in which outdoor sales are permitted to include Mixed Use Boulevards and General Commercial districts as a way to increase pedestrian activity.

Outdoor retail sales shall be located, developed, and operated in compliance with the standards of this Section.

- A. **Temporary Outdoor Display and Sales.** The temporary outdoor display and sale of merchandise shall comply with Section 9.40.XX, Temporary Uses, and Chapter 9.68, Temporary Use Permits. An encroachment permit is required for any temporary outdoor display and sales within the public right of way; reasonable conditions of approval of such permits may be imposed to ensure unobstructed pedestrian movement in a minimum clear zone and to maintain clean sidewalks.
- B. **Ongoing Outdoor Display and Sales.** The ongoing outdoor display of merchandise shall comply with the following standards.

1. ***Permitted Locations and Uses.***

- a. Outdoor display of merchandise is permitted on private property in association with the following uses on the same site, in any district where the use is permitted. Screening and landscaping may be required according to the standards of the district in which the use is located or other sections of this Ordinance.
 - i. Display of vehicles associated with Automobile/Vehicle Sales and Leasing, subject to the standards of Section 9.40.XX, Automobile/Vehicle Sales and Leasing and Automobile Storage Lots.
 - ii. Display of plant stock and nursery products associated with Plant Nurseries and Garden Centers.
 - iii. Display of building materials associated with Building Materials Sales and Services.
- b. Outdoor display and sale of merchandise is permitted on private property in the NC, MU-BL, MU-B, and GC Districts associated with a permitted Retail Sales use. Such display must be located entirely within the covered vestibule, arcade or colonnade area of a retail establishment.
- c. In the Oceanfront District, outdoor display of merchandise is permitted on private property adjacent to either The Promenade or the streets between The Promenade and Appian Way. Outdoor display shall be accessory and incidental to permitted retail sales establishments. Displayed merchandise may consist of any goods that are sold or rented in the associated retail establishments. Conditional Use Permit Required for Other Locations. Any ongoing outdoor display of merchandise other than in the locations and associated with the uses specified in this Section may only be approved with application for and approval of a Conditional Use Permit, pursuant to Chapter 9.65, Use Permits.

2. ***Standards.***

- a. *Design and Location.*
 - i. Outdoor display areas shall be located entirely on private property outside any required setback, fire lane, or fire access way. Displayed merchandise shall occupy a fixed, specifically approved and defined location that does not disrupt the normal function of the site or its circulation and does not encroach upon parking spaces, driveways, pedestrian walkways, or required landscaped areas. These displays shall not obstruct sight distances or otherwise create hazards for vehicle or pedestrian traffic.
 - ii. The merchandise in the outdoor display and sales area including but not limited to the display racks, tables and stands, shall not exceed a height of six feet.
 - iii. In the NC, MU-B, MU-BL, and GC Districts, a single **outdoor** display of merchandise entirely within the covered vestibule, arcade or colonnade area of a retail establishment is allowed. Such display may not exceed:
 - (1) Sixty inches in height, 36 inches in width and 36 inches in depth; or

- (2) Forty-two inches in height, 48 inches in width and 36 inches in depth.
- iv. The design of all improvements, sales racks and furniture shall be of a quality to sustain weather and wear, and shall be of commercial-grade materials.
- b. *Operation.*
 - i. Hours of outdoor display and sales shall be limited to the hours of operation of the associated commercial establishment.
 - ii. All merchandise or services displayed outdoors shall be of the same types ordinarily sold indoors at the associated business. All sale transactions shall be conducted indoors.
 - iii. Outdoor display and sales areas are exempt from the parking requirements of Chapter 9.34, Parking and Loading.
 - iv. All display and sale merchandise, furniture and fixtures and other portable appurtenances shall be removed from outdoors at the end of each business day. No outside storage shall be permitted.
- c. *Maintenance.*
 - i. The business or property owner shall maintain the outdoor display and sales area and the adjoining street, curb, gutter and sidewalk in a neat, clean and orderly condition at all times, regardless of the source of the refuse and litter.
 - ii. Activities involving the outdoor display and sales area shall be conducted in a manner that does not interfere with pedestrians, parking or traffic.
 - iii. If necessary, the business or property owner shall clean the surface of the sidewalk by washing or buffing to remove any stains, marks, or discoloration and in accordance with prevailing storm water and water quality regulations.
 - iv. Furniture, fixtures and appurtenances shall be kept clean and in good condition.

Second Dwelling Units

Second Dwelling Units shall be developed, located, and operated in accord with the following standards.

- A. **Purpose.** The purpose of this Section is to:
 - 1. Allow Second Dwelling Units as an accessory use to Single-Unit Dwellings, consistent with California Government Code Section 65852.2;
 - 2. Allow for an increase in the supply of affordable housing in the city; and
 - 3. Maintain the single-family character of neighborhoods in the city.
- B. **Permit Requirements.**

1. **Zoning Conformance Review.** A Second Dwelling Unit that conforms to all standards of this Section and contains no more than 640 square feet of floor area is permitted by right. A Zoning Conformance Review shall be conducted to verify compliance with all applicable standards.
The following alternative would allow larger second units that do not exceed 30 percent of the floor area of the primary dwelling unit up to 900 square feet, subject to approval of a Minor Use Permit.
 2. **Minor Use Permit.** A Second Dwelling Unit that conforms to the standards of this Section and contains more than 640 square feet of floor area, but not more than 900 square feet of floor area or 30 percent of the floor area of the primary dwelling unit, requires approval of a Minor Use Permit.
 3. **Architectural Review.** The creation of a Second Dwelling Unit that involves construction of a detached accessory building or alterations to the exterior of an existing residence is subject to design review approval.
- C. **Location.** A Second Dwelling Unit may be established on any legal lot that contains 5,000 square feet or more in any district where a primary Single-Unit Dwelling has been previously established or is proposed to be established in conjunction with construction of the Second Dwelling Unit. Only one Second Dwelling Unit is permitted per lot.
1. **Emergency Access.** A Second Dwelling Unit may be permitted only on a lot with access from a roadway that meets the fire apparatus access road requirements of the California Fire Code Section 902.2.2.1.
- D. **Type of Unit and Relation to Main Dwelling.** The Second Dwelling Unit shall provide separate, independent living quarters for one household. The Second Dwelling Unit may be attached, detached, or located within the living area of the primary Single-Unit Dwelling on the lot, subject to the standards of this Section.
- E. **Conversion of Existing Structures.**
1. **Garage Conversions.** Conversion of all or a portion of a garage to a Second Dwelling Unit is not permitted, unless alternate parking for the primary dwelling is provided that meets the requirements of Chapter 9.34, Parking and Loading and the district within which the lot is located.
 2. **Conversion of Existing Floor Area of the Main Dwelling.** The creation of a second unit through conversion of part of the existing floor area of the main dwelling shall be allowed, provided it does not result in the floor area of the main dwelling being less than 150 percent of the floor area of the second unit, or in violation of the standards of the Uniform Building Code or Uniform Housing Code.
 3. **(Optional): Conversion of an Existing House to a Second Dwelling Unit.** In cases in which an existing Single-Unit Dwelling has an area of 640 square feet or less, the Review Authority may approve the construction of one additional residence that is intended to be the primary residence (a Single-Unit Dwelling) on the property. The existing residence, which is intended to become the lawful Second Dwelling Unit, must comply with all the requirements of this Section. The primary residence shall be constructed in accordance with the provisions of the applicable zoning district standards and other requirements of this Ordinance.

- F. **Development Standards.** A Second Dwelling Unit shall conform to the height, setbacks, lot coverage and other zoning requirements of the zoning district in which it is located, other requirements of this Ordinance, and other applicable City codes.
1. ***Attached Second Units.*** A Second Dwelling Unit that is attached to the primary dwelling shall comply with all the property development standards for the primary dwelling.
 2. ***Detached Second Units.*** A detached Second Dwelling Unit shall not exceed one story or a maximum of 14 feet in height unless it is located within a new or existing two-story accessory structure that complies with all requirements applicable to accessory structures in Section TBD.
- G. **Design Standards.** The exterior design of the Second Dwelling Unit, including building forms, materials, colors, exterior finishes, and landscaping, shall be substantially the same as and visually compatible with the primary Single-Unit dwelling.
1. The second unit shall be clearly subordinate to the main dwelling unit on the parcel in terms of size, location and appearance.
 2. The entrance to the second unit shall not be on the front or street side yard unless it is a shared entrance with the primary unit.
- H. **Parking.** One independently accessible on-site parking space shall be provided for the Second Dwelling Unit in addition to the required parking for the primary Single-Unit Dwelling. This space shall comply with all development standard set forth in Chapter 9.34, Parking and Loading and the requirements for the district. A tandem parking space may also be used to meet the parking requirement for the Second Dwelling Unit, provided that such space will not encumber access to a required parking space for the primary Single-Unit Dwelling. Required parking for the primary Single-Unit Dwelling may not be removed for the creation of a Second Dwelling Unit or allocated to meet the parking requirement for the Second Dwelling Unit unless replacement parking is provided in accord with this Ordinance. *An alternative would be to require an additional parking space if the Second Unit has two bedrooms.*
- I. **Owner Occupancy; Rental and Sale Limitations.** Either the primary Single-Unit Dwelling or the Second Dwelling Unit shall be owner-occupied. Either unit may be rented but both may not be rented at the same time. A Second Dwelling Unit shall not be offered for sale separately from the primary dwelling unit.
- J. **Deed Restriction.** Before obtaining a building permit for a Second Dwelling Unit, the property owner shall record a deed restriction with the Los Angeles County Recorder in a form approved by the City Attorney setting forth the requirements of this Section, including the applicable occupancy and sale restrictions. The deed restriction shall confirm that either the primary Single-Unit Dwelling or the Second Dwelling Unit shall be owner-occupied and prohibit rental of both units at the same time. It shall further provide that the Second Dwelling Unit shall not be sold, or title thereto transferred separate and apart from the rest of the property.

Social Service Centers

The following standards are new and would complement the new use classification Social Service Centers, which describes centers that provide supportive services for disabled and homeless individuals and other people needing targeted services. Examples of services that such centers might provide are counseling, meal programs, personal storage lockers, showers, instructional programs, television rooms, and meeting spaces. In order to address some of the issues that have been raised by members of the public around this type of center, the specific standards for Social Service Centers would address aspects of their operation and maintenance such as security, loitering, and trash.

The purpose of this section is to that ensure that the development of Social Service Centers does not adversely impact adjacent parcels or the surrounding neighborhoods in which they are located, and that they will be developed in a manner that protects the health, safety, and general welfare of nearby residents and businesses, while providing for the needs of a needy segment of the community. Social Service Centers shall be located, developed and operated consistent with the following development standards:

- A. **Concentration.** No more than one Social Service Center shall be permitted within a radius of ____ feet from another such center.
- B. **Waiting Areas.** Each center shall include indoor waiting and intake areas for clients. Outdoor waiting areas for clients, if any, may not be in the public right-of-way, must be physically separated from the public right-of-way, and must be large enough to accommodate the expected number of clients.
- C. **Hours of Operation.** Centers may be operated between the hours of 8:00 a.m. and 8:00 p.m.
- D. **Security.**
 - 1. **Security Plan.** The center operator shall provide a security plan to the Chief of Police and Planning and Community Development Director. The plan shall include provisions for security staffing, lighting, alarms, and other elements necessary to ensure the security of the site.
 - 2. **Security Cameras.** Security surveillance cameras shall be installed to monitor the main entrance and exterior of the premises in order to discourage loitering, crime, and illegal or nuisance activities.
 - 3. **Video Monitoring.** The site shall be monitored at all times by web-based, closed circuit television. The camera and recording system shall be of adequate quality, color rendition and resolution as to allow the ready identification of any individual committing a crime anywhere on the site.
 - 4. **Alarm System.** A centrally monitored alarm system shall be installed and maintained in good working order.
 - 5. **Staffing.** On-site supervision and security must be provided at all times that the emergency shelter is in operation.
 - 6. **Emergency Contact.** The center operator shall provide the Chief of Police with the name, phone number and facsimile number of an on-site community relations staff person to whom one can provide notice if there are operating problems associated with the center. The center shall make a good faith effort to encourage members of the public to call this

person to try to solve operating problems, if any, before calls or complaints are made to the City.

- E. **Litter.** Outdoor trash receptacles shall be available near the entrances to and exits from the establishment. The premises shall be continuously maintained in a safe, clean and orderly condition.
- F. **Loitering.** No loitering or consumption of alcoholic beverages is allowed on the premises. The Operator shall post “No Loitering” and “No Consumption of Alcohol on the Premises” signs.
- G. **Outdoor Activity.** All functions associated with the center, except outdoor waiting areas consistent with Subsection (B) above, must take place within an enclosed building.

DYETT & BHATIA
Urban and Regional Planners

755 Sansome Street, Suite 400
San Francisco, California 94111
☎ 415 956 4300 📠 415 956 7315