ORDINANCE NO. 2905-03

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF REDONDO BEACH, CALIFORNIA, ADOPTING THE COASTAL ZONE LOCAL IMPLEMENTATION PLAN (LIP) AS MODIFIED BY THE CALIFORNIA COASTAL COMMISSION

WHEREAS, on April 11, 2002, the City of Redondo Beach submitted an application to the Coastal Commission for approval of a Land Use Plan (LUP) amendment and certification of the Local Implementation Plan (LIP) for the Coastal Zone and on April 25, 2002 the application was deemed complete by the Coastal Commission; and

WHEREAS, on December 17, 2002, the City Council adopted Resolution No. CC-0212-145 requesting that the Coastal Commission approve a geographic segmentation and certify the LIP for the portion of the Coastal Zone outside the area known as "Heart of the City" and to withdraw from consideration the amendments to the LUP contained in Resolution No. CC-0203-021 and portions of Ordinance No. 2883-02 applicable to the "Heart of the City" area; and

WHEREAS, on April 8, 2003 the Coastal Commission approved a geographic segmentation and certified the LIP for Coastal Zone Area One (the portion of the Coastal Zone outside the "Heart of the City" area) if modified by the City as suggested by the Coastal Commission; and

WHEREAS, the certified LIP includes, as modified by the Coastal Commission, Ordinance No. 2883-02 (the Zoning Ordinance for the Coastal Zone), Chapter 7 of Title 5 of the Municipal Code (Stormwater and Urban Runoff Pollution Control Regulations), and the City of Redondo Beach Stormwater Pollution Mitigation Guidelines for Development Projects; and

WHEREAS, the modifications suggested by the Coastal Commission include, but are not limited to, procedural changes for processing Coastal Permits, provisions protecting the supply of on-street parking, provisions ensuring preservation of the beach for public open space and public recreational use, and additional regulations for stormwater and urban runoff pollution control to protect water quality; and

WHEREAS, the California Coastal Commission adopted a finding that certification of the LIP if modified as suggested complies with the California Environmental Quality Act, because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the Implementation Program on the environment, or 2) there are no further feasible alternatives and mitigation measures that would substantially lessen any significant impacts on the environment; and

WHEREAS, the Planning Commission of the City of Redondo Beach held a public hearing on May 15, 2003, and the City Council held a public hearing on July 15, 2003, at which time all interested parties were given an opportunity to be heard and to present evidence; and

WHEREAS, notice of the time and place of the public hearings before both the Planning Commission and City Council was published according to law in the Easy Reader-Redondo Beach Hometown News, a newspaper of general circulation in the City; and

WHEREAS, the Planning Commission adopted Resolution No. 9088 on May 15, 2003, recommending that the City Council: 1) amend Ordinance No. 2883-02 (the Zoning Ordinance for the Coastal Zone) as approved and modified by the Coastal Commission; 2) amend Chapter 7 of Title 5 of the Municipal Code (Stormwater and Urban Runoff Pollution Control Regulations) as approved and modified by the Coastal Commission; and 3) adopt by resolution the City of Redondo Beach Stormwater Pollution Mitigation Guidelines for Development Projects as approved and modified by the Coastal Commission; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF REDONDO BEACH, CALIFORNIA, DOES HEREBY FIND AS FOLLOWS:

1. The certified LIP applies to Area 1 of the Coastal Zone and is consistent with the Coastal LUP and with the Comprehensive General Plan of the City.

2. The certified LIP is intended to be carried out in a manner that is fully in conformity with the Coastal Act.

3. The certified LIP is consistent with the policies of the Coastal Act, including but not limited to: the protection and provision of public access; the protection and encouragement of facilities that provide public recreation; the protection of the marine environment; the protection of the scenic and visual quality of coastal areas; and the reservation of land along and near the coast for priority uses, including coastal dependent, visitor serving uses and recreation.

4. The LIP as modified will not have a significant effect on the environment and will have a de minimis impact on Fish and Game resources pursuant to Section 21089(b) of the Public Resources Code.

5. The modifications approved by the Coastal Commission to Ordinance No. 2883-02 occur throughout the ordinance, and that ordinance has not yet been formally codified into the Municipal Code, and therefore publication of the ordinance is made easier by repealing Section 1 of Ordinance No. 2883-02 and replacing it with a re-adopted Chapter 5 of Title 10 of the Redondo Beach Municipal Code as modified by the Coastal Commission.

6. The certified LIP includes: 1) Chapter 5 of Title 10 of the Redondo Beach Municipal Code (the Zoning Ordinance for the Coastal Zone) as approved and modified by the Coastal Commission; 2) Chapter 7 of Title 5 of the Municipal Code (Stormwater and Urban Runoff Pollution Control Regulations) as approved and modified by the Coastal Commission; and 3) the City of Redondo Beach Stormwater Pollution Mitigation Guidelines for Development

Projects as approved and modified by the Coastal Commission (to be adopted by resolution of the City Council).

7. Sections of Chapter 5 of Title 10 of the Redondo Beach Municipal Code that have not been reviewed or certified by the Coastal Commission and are not effective in the Coastal Zone (including sections applicable to the area of deferred certification, Area 2 of the Coastal Zone, also known as the "Heart of the City" area) are so indicated by italics or other notations in the ordinance.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF REDONDO BEACH, CALIFORNIA, DOES ORDAIN AS FOLLOWS:

SECTION 1. The City Council hereby repeals Section 1 of Ordinance No. 2883-02 relating to Chapter 5, Title 10 of the Redondo Beach Municipal Code.

SECTION 2. The City Council hereby re-adopts Chapter 5 of Title 10 of the Redondo Beach Municipal Code (the Zoning Ordinance for the Coastal Zone) to read as provided in Exhibit 1 (attached).

SECTION 3. The City Council hereby amends Chapter 7 of Title 5 of the Redondo Beach Municipal Code (Stormwater and Urban Runoff Pollution Control Regulations) to read as provided in Exhibit 2 (attached).

SECTION 4. INCONSISTENT PROVISIONS. Any provisions of the Redondo Beach Municipal Code, or appendices thereto, or any other ordinances of the City inconsistent herewith, to the extent of such inconsistencies and no further, are hereby repealed.

SECTION 5. SEVERANCE. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the ordinance. The City Council hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid or unconstitutional.

SECTION 6. PUBLICATION AND EFFECTIVE DATE. This ordinance shall be published by one insertion in the Easy Reader-Redondo Beach Hometown News, the official newspaper of said City, and same shall go into effect and be in full force and operation from and after the date of approval by the California Coastal Commission.

PASSED, APPROVED AND ADOPTED this 5th day of August, 2003.

Gregory C. Hill, Mayor

ATTEST:

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF REDONDO BEACH)

I, Sandy Forrest, City Clerk of the City of Redondo Beach, California, do hereby certify that the foregoing Ordinance No. 2905-03 was duly introduced at a regular meeting of the City Council held on the 15th day of July, 2003, and was duly approved and adopted by at a regular meeting of said City Council held on the 5th day of August, 2003, by the following roll call vote:

AYES: Bisignano, Cagle, Szerlip, Schmalz, Parsons

NOES: None

ABSENT: None

ABSTAIN: None

Sandy Forrest

Sandy Forrest, City Clerk

APPROVED AS TO FORM:

City Attorney

EXHIBIT 1
Ordinance No. 2905-03

Title 10, Chapter 5

Coastal Land Use Plan Implementing Ordinance

CITY OF REDONDO BEACH

ARTICLE 1 -- GENERAL PROVISIONS

Sections:

10-5.100 Title
10-5.101 Components
10-5.102 Purposes
10-5.200 Organization
10-5.201 General rules for applicability of zoning regulations
10-5.202 Rules for interpretation; record-keeping
10-5.300 Designation of zones.
10-5.400 Definitions: purpose and applicability
10-5.401 Rules for construction of language
10-5.402 Definitions

10-5.100 Title

Title 10, Chapter 5 of the Municipal Code shall be known and cited as the "Coastal Land Use Plan Implementing Ordinance of the City of Redondo Beach," or "Zoning Ordinance for the Coastal Zone."

10-5.101 Components

The Zoning Ordinance for the Coastal Zone shall have the following components:

(a) Regulations, known as the zoning regulations, establishing various classes of zoning districts, or "zones," and governing the use of land and establishing standards for buildings and improvements within zones, and establishing procedures for the granting of various types of permits and entitlements.

(b) A map or set of maps, known as the "zoning map," delineating the boundaries of zones as applied to specific properties.

10-5.102 Purposes

The broad purposes of the Zoning Ordinance for the Coastal Zone are to protect and promote the public health, safety, and general welfare, and to implement the policies and the land use plan map of the City of Redondo Beach General Plan and the Coastal Land Use Plan, as provided in the California Government Code, Title 7, Chapters 3 and 4 and in the California Constitution, Article 11, Section 7, and in Section 30513 of the Public Resources Code (California Coastal Act). More specifically, the Zoning Ordinance for the Coastal Zone is intended to provide a precise guide for the growth and development of the city in order to:

(a) Carry out the California Coastal Act as applied to the City in the Coastal Land Use Plan;

(b) Maximize public access to and public views of the coastline;

(c) Achieve progressively the arrangement of land uses described in the General Plan and Coastal Land Use Plan;

(d) Maintain a high level of quality and character in the City's residential neighborhoods;

(e) Ensure compatibility between land uses;

(f) Promote the economic stability of existing land uses that are consistent with the General Plan and Coastal Land Use Plan;

(g) Permit the development of commercial land uses that are consistent with the General Plan and Coastal Land Use Plan and which strengthen the City's economic base;

(h) Ensure the provision of adequate open space for light, air, and fire safety;

(i) Ensure the provision of adequate off-street parking and loading facilities, and promote a safe, effective traffic circulation system;

(j) Ensure that service demands of new development will not exceed the capacities of existing streets, utilities, or public services; and

(k) Conserve and enhance the city's architectural and cultural resources.

10-5.200 Organization

(a) **Structure of regulations.** The zoning regulations are divided into twelve articles:

Article 1: General Provisions.
Article 2: Zoning Districts.
Article 3: General Regulations.
Article 4: Special Use Regulations.
Article 5: Parking Regulations.
Article 6: Sign Regulations.
Article 7: Landscaping Regulations.
Article 8: Nonconforming Uses And Structures.
Article 9: Density Bonuses.
Article 10: Coastal Development Permits.
Article 11. Transportation Demand Management
Article 12: Procedures.

(b) **Types of regulations.** Three types of zoning regulations control the use and development of property:

(1) Land Use Regulations specify land uses permitted or conditionally permitted in each zone, and include special requirements, if any, applicable to specific uses. Land use regulations for zoning districts and overlay zones are in Article 2 of this chapter. Additional regulations for special uses are in Article 4.

(2) Development Standards control the height, bulk, location, and appearance of structures on development sites. Development regulations for base zones and overlay zones are in Article 2 of the zoning regulations. Certain development regulations, applicable in all or several zones, are in Articles 3 through 9. These include, but are not limited to, regulations for site development; parking and loading; signs; landscaping; and nonconforming uses and structures.

(3) Developments in the Coastal Zone, as defined in Section 10-5.2204, are subject to requirements for Coastal Development Permits, pursuant to Article 10 of this chapter.

(4) Procedures relate to the administration of zoning regulations, including requirements for notice and public hearings on applications for Conditional Use Permits; Planning Commission Design Review; Harbor Commission Design Review; Administrative Review; Modifications; Variances; and Zoning Amendments. The procedures also include criteria for the approval of each type of application. Procedural regulations are in Article 12. Procedural regulations for Coastal Development Permits are in Article 10.

(c) **Location of Zoning Map.** The zoning map referenced in section 10-5.101(b) as the second component of this "Zoning Ordinance for the Coastal Zone" is located in Article 13.

10-5.201 General rules for applicability of zoning regulations

(a) **Applicability to property.** Zoning regulations under this chapter shall apply to all land within the Coastal Zone of the City of Redondo Beach, as defined in Section 10-5.2204, except for public streets and rights-of-way, and to state or federal agencies, where applicable. Application of regulations to specific lots shall be governed by the zoning map. Zoning regulations under Article 10 apply to all land within the Coastal Zone, as defined in Section 10-5.2204, including public streets and rights-of-way, state land, and, to the extent permitted by federal law, federal land.

(b) **Compliance with regulations.** No development, as defined in Section 10-5.2204, shall occur, no land shall be used, and no structure shall be constructed, occupied, enlarged, altered,

demolished or moved in any zone except in accordance with the provisions of this chapter. In interpreting and applying the provisions of this chapter, unless specifically provided for otherwise, they shall be held to be the minimum requirements for the promotion of the public health, safety, comfort, convenience, and general welfare.

(c) **Remedies.** Remedies shall be cumulative and not exclusive. The conviction and punishment of any person hereunder shall not relieve such person from the responsibility of correcting prohibited conditions.

(d) **Penalties.** Anyone in violation of the provisions of this chapter shall be guilty of a misdemeanor and upon conviction thereof shall be punishable as provided by the provisions of Chapter 2 of Title 1 of this Code. A separate violation shall be committed on every day during any portion of which any violation of this chapter occurs or exists, or is continued or permitted, and each such violation shall be punishable as provided in this chapter.

(e) **Public nuisance.** Neither the provisions of this chapter nor the approval of any permit authorized by this chapter shall authorize the maintenance of any public nuisance.

(f) **Compliance with public notice requirements.** Compliance with public notice requirements prescribed by this chapter shall be deemed sufficient notice to allow the City to proceed with a public hearing and take action on an application, regardless of actual receipt of mailed, posted, delivered, or published notice, except to the extent that provisions in Article 10 provide that receipt is a prerequisite in certain circumstances.

(g) **Conflict with other regulations.** Where conflict occurs between the provisions of this chapter and any other city code, title, chapter, resolution, guideline, or regulation, the more restrictive provision shall control unless otherwise specified in this chapter or unless the more restrictive provision is less protective of coastal resources.

(h) **Relation to private agreements.** This chapter shall not interfere with or annul any easement, covenant, or other agreement now in effect, provided that where this chapter imposes greater restriction than imposed by an easement, covenant, or agreement, the requirements of this chapter shall continue to apply.

(i) **References to classes of zones.** References to "residential zones" shall include the R-1, R-2, R-3A, RMD, and RH zones. References to "commercial zones" shall include the C-2, C-3, and C-4 zones. References to "commercial" or "mixed use" zones shall include the MU-3, *CC Catalina Corridor and W Waterfront* zones. Reference to "public zones" shall include all P zones.

(j) **Relation to prior ordinance.** The provisions of this chapter supersede all prior zoning ordinances, as amended, of the City of Redondo Beach, except that no provision of this chapter shall validate or legalize any land use or structure established, constructed, or maintained in violation of the prior zoning ordinance, as amended, unless specifically authorized by this chapter.

(k) **Application during local emergency.** The City Council may authorize deviations from any provisions of this chapter, other than those in Article 10, during a local emergency. Such deviations may be authorized by resolution of the City Council, without notice or public hearing.

(l) **Severability.** If any section, subsection, sentence, or phrase of this chapter is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, the remaining portions of this chapter shall not be affected. It is expressly declared that this chapter and each section, subsection, sentence, and phrase would have been adopted regardless of the fact that one or more other portions of this chapter would be declared invalid or unconstitutional.

10-5.202 Rules for interpretation; record-keeping

(a) **Zoning regulations.** Any list of any item, including but not limited to zones or uses, is exclusive, unless otherwise indicated. If a use or other item is not listed, it is not permitted. Where uncertainty exists regarding the interpretation of any provision of this chapter or its application to a specific site, the Planning Director shall determine the intent of the provision.

(b) **Zoning map.** Where uncertainty exists regarding the boundary of a zone, the following rules shall apply:

(1) Zone boundaries shown as approximately following the property line of a lot shall be construed to follow such property line.

(2) On unsubdivided land, or where a zone boundary divides a lot, the location of the zone boundary shall be determined by using the scale appearing on the zoning map, unless the boundary location is indicated by dimensions printed on the map, in which case it shall be determined based on those dimensions.

(3) Zone boundaries shown as approximately following right-of-way lines of streets, alleys, railroads, or other identifiable boundary lines shall be construed to follow such right-of-way or boundary lines.

(4) Where any public street, alley, or right-of-way, or any portion of the same, is officially vacated or abandoned, the area comprising such vacated street or alley shall acquire the zone of the property to which it reverts. In the event such street, alley, or right-of-way was the boundary between two (2) zones, the new zone boundaries shall be at the new property line.

(5) Where further uncertainty exists, the Planning Commission, upon a written application or on its own motion, shall determine the location of the boundary by written decision, giving due consideration to the location indicated on the Zoning Map, the objectives of this chapter, and the purposes set forth in the zone regulations.

(c) **Record of interpretation.** The Planning Director shall keep a record of interpretations of the zoning regulations and zoning map made pursuant to this section which shall be available to the public for review.

(d) **Covenants.** When, in the reasonable opinion of the Planning Director, the design or configuration of a new residential structure or an alteration, addition or improvement to an existing residential structure, may lead to a violation of the Municipal Code, the Planning Director may require that prior to the issuance of a building permit or certificate of occupancy, as applicable, a covenant shall be recorded, guaranteeing that the owner and successors in interest shall comply with the Municipal Code, or specific parts thereof, with respect to the property.

10-5.300 Designation of zones.

For the purposes related to the orderly development of the City, and in order to carry out the provisions of this chapter, the Coastal Zone of the City is divided into the following zones:

(a) **Residential.**

(1) R-1 Single-Family Residential Zone.

(2) R-2 Low Density Multiple-Family Residential Zone.

(3) R-3A Low Density Multiple-Family Residential Zones.

(4) RMD Medium Density Multiple-Family Residential Zone.

(5) RH High Density Multiple-Family Residential Zones: RH-1, RH-2, and RH-3.

(b) **Commercial.**

(1) C-2 Commercial Zones: C-2, C-2A, C-2B, and C-2-PD.

(2) C-3 Commercial Zones: C-3, C-3B and C-3-PD.

(3) C-4 Commercial Zones: C-4 and C-4-PD.

(c) **Mixed Use.**
(1) MU-3 Mixed Use Zones: MU-3, MU-3B, and MU-3C.
(2) CC Catalina Corridor Zone.
(3) W Waterfront Zones: W, W-VCS, and W-VCN.

(d) **Public and Institutional.**
(1) P-CIV Civic Center Zone.
(2) P-RVP Riviera Village Parking Zone.
(3) P-CF Community Facility Zone.
(4) P-PRO Parks, Recreation, and Open Space Zone.

(f) **Overlay Zones.**
(1) (H) Historic Overlay Zone.
(2) (PLD) Planned Development Overlay Zone.
(3) (MU) Mixed-use Overlay Zone.
(4) (RIV) Riviera Village Overlay Zone.

10-5.400 Definitions: purpose and applicability

The purpose of this article is to ensure precision in interpretation of the zoning regulations. The meaning and construction of words and phrases defined in this article shall apply throughout the zoning regulations, except where the context clearly indicates a different meaning or construction. If a term used in the zoning regulations is not defined in Sections 10-5.401, 10-5.402, or 10-5.2204 it shall be given the meaning generally accorded the term in ordinary usage.

10-5.401 Rules for construction of language

In addition to the General Provisions of the Municipal Code, the following rules of construction shall apply:

(a) The particular shall control the general.

(b) Unless the context clearly indicates the contrary, the following conjunctions shall be interpreted as follows:

(1) "And" indicates that all the connected words or provisions shall apply.

(2) "Or" indicates that the connected words or provisions may apply singly but not in combination.

(3) "Either...or" indicates that the connected words or provisions shall apply singly but not in combination.

(4) "And/or" indicates that the connected words may apply either singly or in combination.

(c) In case of conflict between the text and a diagram, the text shall control.

(d) All references to departments, commissions, or other public agencies are to those of the City of Redondo Beach, unless otherwise indicated.

(e) All references to public officials are to those of the City of Redondo Beach, and include designated deputies of such officials, unless otherwise indicated.

(f) All references to days are to calendar days unless otherwise indicated. If a deadline falls on a weekend or City holiday, it shall be extended to the next working day.

(g) Article and section headings contained in this chapter shall not be deemed to govern, limit, modify or in any matter affect the scope, meaning or intent of any section hereof.

(h) The present tense includes the future, and the future the present.

(i) The singular number includes the plural, and the plural the singular.

(j) References in the masculine and feminine genders are interchangeable.

(k) The word "activities" and "facilities" include any part thereof.

(l) Where a land use category conforms to the definition for both a general category and a more specific category of land use, the use shall be subject to any standards in this title that apply to the more specific land use category.

10-5.402 Definitions

For the purposes of this chapter, certain words and terms used in this chapter are construed and defined in subsection (a) of this section. For the purpose of procedures relating to Coastal Development Permits, words and terms are defined in Section 10-5.2204 of this chapter.

(a) **Definitions.**

(1) **"Abandoned automobile service station"** shall mean an automobile service station which, for 180 consecutive days, has been vacant and/or not operated for the servicing of motor vehicles as is customary and common practice among service stations within the City.

(2) **"Abutting"** shall mean having district boundaries or lot lines in common. Lots or parcels of land which touch at corners only shall not be deemed abutting. "Abut", "adjoining" and "contiguous" shall mean the same as "abutting."

(3) **"Accessory building"** shall mean a detached building which is subordinate to the main building or structure on the same lot.

(4) **"Accessory structure"** shall mean a structure which is subordinate to the main building or structure on the same lot. This classification includes accessory buildings.

(5) **"Accessory use"** shall mean a use incidental, related, appropriate, and clearly subordinate to the main use of the lot or building, which accessory use does not alter the principal use of the subject lot or affect other properties in the zone.

(6) **"Adult business"** shall mean a business based upon materials or performances that depict, describe, or relate to "specified sexual activities" or "specified anatomical areas", as defined under "adult use" in this section.

(7) **"Adult use"** shall include the following:

a. **Adult media store.** An establishment or business having as a substantial or significant portion of its stock-in-trade books, magazines, newspapers, tabloids, photographs, films, tapes, pictures, and other media matter depicting, describing, or relating to "specified sexual activities" or "specified anatomical areas," as defined in this subsection, or an establishment with a segment or section devoted to the sale or display of such material;

b. **Adult arcade.** An establishment where, for any form of consideration, one or more still or motion picture projectors, slide projectors, video players or similar machines, for viewing by five (5) or fewer persons each, are used to show films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas;

c. **Adult topless or bottomless entertainment business.** An establishment, whether or not an eating and drinking place and whether or not such establishment is authorized to sell beer or intoxicating liquor for consumption on the premises, which provides dancers or any other form of entertainment which involves specified sexual activities or the display of specified anatomical areas as the predominant or primary entertainment activity of such establishment;

d. **Adult physical culture business.** An establishment which offers or advertises massage, body rubs, or physical contact with specified anatomical areas whether or not licensed. Establishments which routinely provide medical services by State-licensed medical practitioners, electrolysis equipment, continuing instruction in martial or performing arts, instruction in organized athletic activities, or bath and massage businesses approved by the Council pursuant to Section 6-2.01 of Chapter 2 of Title 6 of this Code shall be excluded from the definition of adult physical culture establishments;

e. **Adult artists-body painting studio.** An establishment or business which provides as a substantial or significant part of its business the services of applying paint or other substances to or on the human body when such body is unclothed in any specified anatomical area;

f. **Adult modeling studio.** An establishment or business which provides, as a substantial or significant part of its business, the services of the modeling of adults distinguished or characterized by emphasis on depicting specified sexual activities or specified anatomical areas by means of photography, painting, sketching, drawing, or otherwise;

g. **Adult motel-hotel.** An establishment or business which provides motel or hotel rooms which primarily offer motion pictures presenting materials distinguished or characterized by an emphasis on matters depicting, describing, or relating to specified sexual activities or specified anatomical areas for observation by patrons;

h. **Adult motion picture theater.** An establishment or business used for presenting motion pictures presenting material distinguished or characterized by an emphasis on matters depicting, describing, or relating to specified sexual activities or specified anatomical areas for observation by patrons; and

i. **Other adult uses.** Any other commercial use predominantly dealing in matters appealing to prurient interests.

j. **Adult.** For the purposes of this section "adult" shall mean and refer to persons eighteen (18) years or older.

k. **Specified sexual activities.** For the purposes of this section "specified sexual activities" shall mean:

1. Human genitals in a state of sexual stimulation or arousal;
2. Acts of human masturbation, sexual intercourse, or sodomy;
3. Fondling or other erotic touching of the human genitals, pubic region, buttocks, or breasts;
4. Actual or simulated sex acts including intercourse, oral copulation, anal intercourse, oral or anal copulation, bestiality, direct physical stimulation of clothed or unclothed genitals, flagellation or torture in the context of a sexual relationship, anilingus, coprophagy, coprophilia, cunnilingus, fellatio, necrophilia, pedophilia, piquerism, sodomy, or zooerastia; or
5. Masturbation, actual or simulated; or
6. Fondling or touching of nude human genitals, pubic region, buttocks, anus, or female breast; or
7. Masochism, erotic or sexually-oriented torture, beating or the infliction of pain; or
8. Erotic or lewd touching, fondling or other sexually oriented contact with an animal by a human being; or
9. Human excretion, urination, menstruation, vaginal or anal irrigation; or
10. Striptease or the removal of clothing; or
11. The wearing of transparent or diaphanous clothing, including models dressed only in lingerie to the point where specified anatomical areas, as defined in Section 10-2.402(a)(7)(l), are exposed or clearly visible.

l. **Specified anatomical areas.** For the purposes of this section "specified anatomical areas," shall mean:

1. Less than completely or opaquely covered human genitals, pubic region, buttocks, or the breast area below a point immediately above the top of the areola; and
2. Human male genitals in a discernibly turgid state even if completely and opaquely covered.

(8) "**Aerospace manufacturing**" shall mean an establishment engaged in fabricating, manufacturing, and/or assembling of spacecraft, aircraft, and associated aerospace systems and components, including related machine shops, plating shops, sheet metal shops, spray-painting shops, model shops, and plastics shops.

(9) "**Alley**" shall mean any public or private dedicated way intended for vehicular service to the rear or side of property served by a street.

(10) "**Altered**" shall have the same meaning as "structural alteration." However, forms of the word "alter" as used in Article 10 are not so restricted.

(11) **"Ambulance services"** shall mean an establishment providing emergency medical care or transportation, including incidental storage and maintenance of vehicles and crew facilities.

(12) **"Ambulatory person"** shall mean a person who is able to walk unassisted or a patient who is not bedridden.

(13) **"Animal sales and services"** shall include establishments providing the following retail or service uses:

a. **Animal feed and supplies.** Retail sales of pet food and supplies, but excluding the sale of animals.

b. **Animal grooming.** Provision of bathing and trimming services for small animals on a commercial basis.

c. **Animal hospital.** An establishment where household pets receive medical and surgical treatment. Use as a kennel may be permitted as incidental to such hospital use. This classification includes only facilities that are entirely enclosed, soundproofed, and mechanically ventilated.

d. **Animals--retail sales.** This classification includes retail sales of small animals (such as dogs, cats, birds, and fish), provided such activities take place within an entirely enclosed building.

(14) **"Antenna"** shall mean a typically metallic device used for radiating or receiving radio waves.

(15) **"Antique"** shall mean any article which, because of age, rarity or historical significance, has a monetary value greater than the original value, or which has an age recognized by the United States government as entitling the article to an import duty less than that prescribed for contemporary merchandise.

(16) **"Antique shop"** shall mean an establishment primarily engaged in the sale of antiques.

(17) **"Apartment unit"** shall mean a room or suite of two (2) or more rooms with a single kitchen in a multiple-family dwelling, occupied or suitable for occupance as a dwelling unit for one family.

(18) **"Arcade"** shall mean an establishment which provides five (5) or more electronic, mechanical, or manually operated games which are activated by money or tokens or for which the participant pays money for the privilege of playing such electronic, mechanical, or manually operated games at such establishment.

(19) **"Artists' studio"** shall mean a building containing work space and retail sales space for artists and artisans producing individual one-of-a-kind works of art, including individuals practicing a fine art, or skilled in an applied art or craft, provided that the use does not impact any other use or property with noise, odor, dust, vibration, or other nuisance. This classification includes, but is not limited to, painter's studios, ceramic studios, and custom jewelry studios. This classification does not include the use of mechanical equipment exceeding two horsepower or the use of more than one kiln, and such kiln shall not exceed 8 kilowatts.

(20) **"Automobile wrecking" or "automobile dismantling"** shall mean the dismantling and/or wrecking of used motor vehicles or trailers, and/or the storage, sale, or dumping of dismantled, partially dismantled, obsolete, or wrecked vehicles or parts.

(21) **"Awning"** shall mean a roof-like cover supported entirely from the exterior wall of a building, and installed over or in front of openings or windows in a building, and consisting of a fixed or movable frame and a top of canvas or other similar material covering the entire space enclosed between the frame and the building.

(22) **"Balcony"** shall mean a platform that projects from the wall of a building, typically above the first level, and is surrounded by a rail, balustrade, or parapet on at least one side.

a. **"Balcony, unenclosed"** shall mean a balcony open to the sky and not fully enclosed on more than two (2) sides.

(22) **"Balloon"** shall mean any floating air-filled or gas-filled object tethered to a fixed location.

(23) **"Banks" and "savings and loans"** shall mean state or federally chartered financial institutions that provide retail banking services to individuals and businesses.

(24) **"Bars" and "cocktail lounges"** shall mean establishments where alcoholic beverages are sold for consumption on the premises. This classification excludes restaurants and commercial recreation uses which may serve alcoholic beverages incidental to the primary use.

(25) **"Basement"** shall mean any floor level below the first story in a building (see definition of "story").

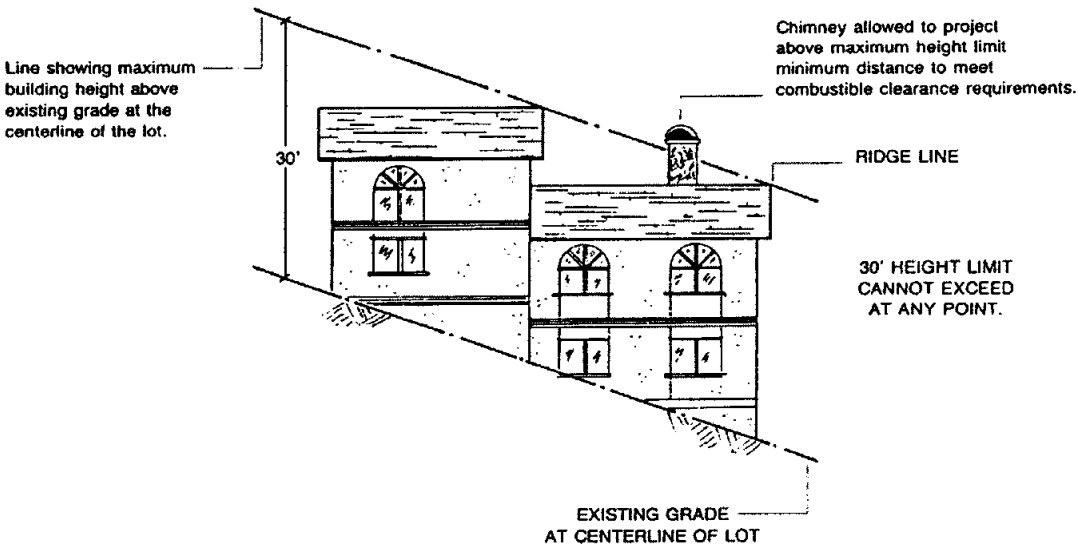
(26) **"Beverage manufacturing"** shall mean an establishment engaged in manufacturing, processing, and/or bottling or packaging of beverages for wholesaling and distribution. This use may include incidental direct sale to consumers of products manufactured on site, souvenirs, and ancillary tasting facilities for the public.

(27) **"Billiard parlor"** shall mean an establishment which provides five (5) or more billiard and/or pool tables.

(28) **"Building"** shall mean any structure with a roof supported by columns and/or walls securely affixed to the ground which building is designed and/or used for the shelter and enclosure of persons, animals, or property.

(29) **"Building height" or "height"** shall mean the vertical distance as measured continuously along a line at existing grade bisecting the width of the lot to the highest point of a building or structure, except as provided elsewhere in this chapter (see illustration below).

ILLUSTRATION OF BUILDING HEIGHT
(in this example, the height limit is 30 feet)



SIDE ELEVATION VIEW

(30) **"Building material sales"** shall mean an establishment engaged in retailing or wholesaling of building supplies or equipment. This classification includes lumber yards and tool and equipment sales, but excludes retail sales of paint and hardware, building contractor's yards, and activities classified under "Equipment Leasing and Rentals."

(31) **"Building wall"** shall mean the vertical surface, or any element thereof, including any member or group of members attached thereto, which defines the exterior boundaries of a building.

(32) **"Bulk"** shall mean the total interior cubic volume as measured from the exterior surface of the structure.

(33) **"Business and trade school"** shall mean a specialized instructional establishment which provides on-site training of business, commercial, and/or trade skills such as accounting, data processing and computer repair. This classification excludes establishments providing training in an activity that is not otherwise permitted in the zone. Incidental instructional services in conjunction with another primary use shall not be considered a business and trade school.

(34) **"California Coastal Act" or "Coastal Act"** means the California Coastal Act of 1976, Division 20 of the Public Resources Code, as amended.

(35) **"Canopy"** shall have the same meaning as "awning" as defined in this section, except that a canopy contains separate supporting posts and is not supported entirely from the exterior wall of a building.

(36) **"Cemetery"** shall mean a place for burying the dead. This use may include a mortuary and chapel as secondary uses operated in conjunction with the cemetery.

(37) **"Center line"** shall mean the center line of any street, as established by the City Engineer by official surveys, and on file in the office of the City Engineer.

(38) **"Change in Intensity of Use"** - A change in intensity of use includes, but is not limited to, any addition, expansion or change in use on a site that involves: (a) a change in the total number of dwelling units; or (b) a change in the amount of floor area or customer area to a commercial or industrial use; or (c) a change in an activity that changes the demand for parking spaces; or (d) a change in rules applicable to, or operation of, any physical space that changes the availability of resources such as parking (including changes in the actual number of existing parking stalls).

(39) **"Check-cashing business"** shall mean an establishment that for compensation engages in the business of cashing checks, warrants, drafts, money orders, or other commercial paper serving the same purpose. This classification does not include a state or federally chartered bank, savings association, credit union, or industrial loan company. Further, this classification does not include establishments selling consumer goods, including consumables, where the cashing of checks or money orders is incidental to the main purpose of the business.

(40) **"Church"** shall mean facilities for religious worship and incidental religious education, but not including private schools as defined in this section.

(41) **"City"** shall mean the City of Redondo Beach.

(42) **"Clubs and lodges"** shall mean a private or nonprofit organization providing meeting, recreational, or social facilities primarily for use by members and/or guests.

(43) **"Commercial parking lot" or "commercial parking structure"** shall mean a parking area or structure established or operated as a business, providing off street parking for a fee or charge.

(44) **"Commercial printing"** shall mean an establishment providing printing, blueprinting, photocopying, engraving, binding, or related services.

a. **"Commercial printing, limited"** shall mean a commercial printing establishment that provides convenience photocopying and accessory retail-oriented services with a total floor area not exceeding 2,500 square feet.

(45) **"Commercial recreation"** shall mean an establishment exclusively or primarily engaged in the provision of participant or spectator recreation or entertainment. This classification includes, but is not limited to, theaters, cinemas, performance art facilities, sports arenas, convention centers, amusement parks, bowling alleys, billiard parlors, ice/roller skating rinks, golf courses, miniature golf courses, swimming pools, hot tubs, tennis/racquetball courts, and arcades.

(46) **"Commercial vehicle"** shall mean a vehicle which, when operated upon a street, is required to be registered as a commercial vehicle by the state Vehicle Code, and which is used or maintained for the transportation of persons for hire, compensation, or profit, or which is designed, used, or maintained primarily for the transportation of property.

(47) **"Communications facilities"** shall mean establishments engaged in broadcasting, recording, and other communication services accomplished through electronic or telephonic mechanisms. This classification includes, but is not limited to, radio, television, or recording studios, telephone switching centers, and telegraph offices.

(48) **"Community apartment project"** shall mean a common interest development in which an undivided interest in land is coupled with the right of exclusive occupancy of an apartment located thereon. For the purposes of this chapter, unless otherwise indicated by the context, "community apartment project" shall mean the same thing and shall be treated in the same manner as a residential condominium project as defined in this section.

(49) **"Community apartment separate interest"** shall mean the exclusive right to occupy an apartment in which an undivided interest in land is coupled with the right of exclusive occupancy of an apartment located thereon. For the purposes of this chapter, unless otherwise indicated by the context, "community apartment" shall mean the same thing and shall be treated in the same manner as a residential condominium unit as defined in this section.

(50) **"Community center"** shall mean a building, buildings, or portions thereof used for recreational, social, educational, and cultural activities which buildings are owned and/or operated by a public, nonprofit, or public serving group or agency.

(51) **"Condominium"** shall mean an undivided interest in common in a portion of real property coupled with a separate interest in space called a "unit," the boundaries of which are described on a recorded final map, parcel map, or condominium plan in sufficient detail to locate all boundaries thereof. The area within these boundaries may be filled with air, earth, or water, or any combination thereof, and need not be physically attached to land except by easements for access and, if necessary, support. The description of the unit may refer to (i) boundaries described in the recorded final map, parcel map, or condominium plan (ii) physical boundaries, either in existence, or to be constructed, such as wall, floors, and ceilings of a structure or any portion thereof, (iii) an entire structure containing one or more units, or (iv) any combination thereof. The portion or portions of the real property held in undivided interest may be all of the real property, except for the separate interest, or may include a particular three-dimensional portion thereof, the boundaries of which are described on a recorded final map, parcel map, or condominium plan. The area within these boundaries may be filled with air, earth, or water, or any combination thereof, and need not be physically attached to land except by easements for access and, if necessary, support. An individual condominium within a condominium project may include, in addition, a separate interest in other portions of the real property. This term shall also include stock-cooperative developments.

(52) **"Condominium project"** shall mean a common interest development consisting of condominiums. The following terms, when used in reference to condominiums or condominium projects shall be defined as follows:

a. **"Condominium common area" or "common area"** shall mean the entire project excepting all units granted or reserved.

b. **"Condominium documents"** shall mean the declaration and the condominium plan.

c. **"Project elements"** shall mean the condominium units which are to be conveyed, the areas and spaces which are to be assigned to such units, and the common areas which are to be shared by the owners of all units. Such elements exhaust the physical description of the condominium project and are enumerated in a formal declaration or statement within the condominium documents that include the incidents of the condominium grant. Such enumerative description may contain irrevocable limitations on the use of the project elements which are not appropriate for the declaration of covenants, conditions, and restrictions.

d. **"Declaration"** shall mean the document which contains the legal description of the common interest of the development, and the statement that the common interest of the development is a community apartment project, condominium project, planned development, stock cooperative, or combination thereof. The declaration shall set forth the name of the association and the restrictions on the use and enjoyment of any portion of the common interest development that are intended to be enforceable equitable servitudes. The declaration may contain any other matters the original signatory of the declaration or the owners consider appropriate.

e. **"Conversion"** shall mean a change, including a proposed change, in the type of ownership of a parcel or parcels of land, together with the existing structures, from rental housing, as

defined in this section, to a condominium, community apartment, planned development, stock cooperative, or common interest development.

f. **"Common interest development"** shall mean a real property development:

1. Which consists or will consist of separately owned lots, parcels, areas, or spaces with either or both of the following features:

(i) One or more additional contiguous or noncontiguous lots, parcels, areas, or spaces owned in common by the owners of the separately owned lots, parcels, areas, or spaces.

(ii) Mutual, common, or reciprocal interests in, or restrictions upon, all or a portion of these separately owned lots, parcels, areas, or spaces, or both.

2. And, in which the owners of the separately owned lots, parcels, areas, or spaces have rights, directly or indirectly, to the beneficial use and enjoyment of the lots, parcels, areas, or spaces referred to in paragraph (f)(1)(i) of this subsection or any one or more of them or portions thereof or interest therein, or the interests or restrictions referred to in paragraph (f)(1)(ii) of this subsection.

The estate in a separately or commonly owned lot, parcel, area, or space may be an estate of inheritance or perpetual estate, an estate for life, an estate for years, or any combination of the foregoing.

Either common ownership of the additional contiguous or noncontiguous lots, parcels, or areas referred to in paragraph (f)(1)(i) of this subsection, or the enjoyment of the mutual, common, or reciprocal interest in, or restrictions upon, the separately owned lots, parcels, areas, or spaces pursuant to paragraph (f)(1)(ii) of this subsection, or both, may be through ownership of shares of stock or membership in an association or otherwise. Shares of stock, if any exist, shall be deemed to be interests in a common interest development and real estate development for purposes of subdivision (f) of Section 25100 of the Corporations Code. For purposes of this chapter, "common interest development" shall mean the same thing and shall be treated in the same manner as a condominium project as defined in this section.

(53) **"Convalescent facilities"** shall mean establishments providing care on a twenty-four (24) hour basis for persons requiring regular medical attention, but excluding facilities providing surgical or emergency medical services.

(54) **"Converted automobile service station"** shall mean an automobile service station which is being utilized for a use other than the servicing of motor vehicles as defined in this section.

(55) **"Cultural institution"** shall mean a nonprofit institution displaying or preserving objects of interest in one or more of the arts or sciences. This classification includes, but is not limited to, libraries, museums, aquariums, scientific research and education facilities and art galleries.

(56) **"Custom manufacturing"** shall mean an establishment primarily engaged in on-site production of goods by hand manufacturing. This classification includes, but is not limited to, the manufacture of arts and crafts, silkscreening, and custom race car assembly, and may include no more than ten (10) percent or 1,000 square feet of floor area, whichever is less, for the incidental direct sale to consumers of only those goods produced on-site.

(57) **"Day care center, adult"** shall mean a state-licensed facility to provide necessary care and supervision to persons eighteen (18) years of age or older on less than a twenty-four (24) hour basis. Adult day care centers include the various types of adult day services as defined under state law and periodically amended, which includes "adult day care facilities," adult social day care facilities," and "adult day health care facilities."

(58) **"Day care center, child"** shall mean a state-licensed facility, other than a family day care home, providing nonmedical care and supervision to children under eighteen (18) years of age on less than a twenty-four (24) hour basis. Child day care centers shall include "day care centers" as defined under state law and periodically amended, which includes infant centers, preschools, and extended day care facilities.

(59) **"Deck"** shall mean a platform other than a balcony, either freestanding or attached to a building, without a roof, that is supported by pillars, posts, or walls.

(60) **"Demolition"** shall mean the deliberate removal or destruction of the frame or foundation of any portion of a building or structure for the purpose of preparing the site for new construction or other use. Demolition shall include any improvement, renovation or remodel of an existing structure where fifty (50) percent or more of exterior walls are removed or are replaced.

(61) **"Duplex"** shall mean a building consisting of two (2) dwelling units, on a lot containing no other dwelling units.

(62) **"Driveway"** shall mean an appropriately paved and privately-owned surface or road which provides access to off-street parking or loading facilities. Appropriate paving may include porous pavements or alternative pavers which promote the infiltration and treatment of runoff.

(63) **"Dwelling" or "dwelling unit"** shall mean a building, or portion thereof, consisting of one (1) or more rooms, including a kitchen, which is designed and used or available for use exclusively as a single residence and which otherwise conforms to the provisions of this chapter.

(64) **"Dwelling, guest"** shall mean living quarters within an accessory building which are for the exclusive use of transient non-renting visitors to the residents of the main building, not containing more than two (2) bedrooms and one bathroom, not containing a kitchen or kitchen-related plumbing or cooking facilities, and not exceeding 600 square feet in gross floor area.

(65) **"Dwelling, multiple-family" or "multi-family residential development"** shall mean one (1) or more buildings located on a lot containing a total of two (2) or more dwellings.

(66) **"Dwelling, one-family" or "dwelling, single-family"** shall mean a building consisting of one dwelling unit, on a lot containing no other dwelling unit, no portion of which shall be rented, leased, or otherwise conveyed as additional dwelling units.

(67) **"Dwelling, townhouse"** shall mean a single-family dwelling which visually appears to share one or more common walls with another single-family dwelling, but which, in fact, is structurally and functionally independent of any other main building.

(68) **"Easement"** shall mean one or more of the property rights applicable to a piece of property held separately from the remainder of the rights, for the use by the public, a corporation or another person or entity.

(69) **"Electronics manufacturing"** shall mean an establishment engaged in fabricating, manufacturing, and/or assembling electrical and related parts, electrical appliances, electrical devices, motors, radios, televisions, stereos, and printed circuits, including plating shops, etching, and photography.

(70) **"Equipment leasing and rentals"** shall mean an establishment leasing or renting construction equipment, or horticultural or agricultural equipment, including storage and incidental maintenance.

(71) **"Establishment with drive-up service"** shall mean a business or institution providing services accessible to persons who remain in their automobiles.

(72) **"Facilities maintenance and construction shops"** shall mean shops performing activities supporting the maintenance of facilities on the same site as the primary use, including, but not limited to, machine shops, carpenter shops, electric shops, sheet metal shops, and mechanical and plumbing shops.

(73) **"Family"** shall mean an individual or two (2) or more persons related by blood, marriage, or adoption, or a group of not more than five (5) persons, excluding servants, who need not be related by blood, marriage, or adoption, living together in dwelling unit, but not including limited residential care facilities.

(74) **"Family day care home"** shall mean a dwelling which regularly provides care, protection, and supervision of fourteen (14) or fewer children, in the provider's own home, for periods of less than 24 hours per day, while the parents or guardians are away, and includes the following:

a. **Large family day care home.** A dwelling which provides family day care to nine (9) to fourteen (14) children, inclusive, including children under the age of ten (10) years who reside at the home, as defined in regulations issued by the State of California.

b. **Small family day care home.** A dwelling which provides family day care to eight (8) or fewer children, including children under the age of ten (10) years who reside at the home, as defined in regulations issued by the State of California.

(75) **"Fire arm sales" or "firearms business"** shall mean an establishment having at least twenty-five (25%) percent of its gross floor area used for the sale of fire arms, ammunition and ammunition components, and hunting or shooting equipment.

(76) **"Floor area, gross"** shall mean the floor area of the ground floor and any additional stories, and the floor area of mezzanines, lofts, and basements of a structure. All horizontal dimensions shall be taken from the exterior faces of walls, including covered enclosed porches, but not including the area of inner courts or shaft enclosures. For purposes of Article 10, use of the phrase 'gross floor area' will include shaft enclosures.

(77) **"Floor area ratio" or "F.A.R."** shall mean the numerical value obtained through dividing the gross floor area of a building or buildings located on a lot by the total area of such lot. Any area used exclusively for vehicle parking and loading, enclosed vertical shafts, or elevators shall not be included in determining floor area ratio.

(78) **"Food and beverage sales"** shall mean an establishment which is maintained, operated, and/or advertised or held out to the public as a place where the primary use is retail sales of food and beverages for off-site preparation and consumption. Typical uses include grocery markets, and delicatessens. This category does not include liquor stores.

(79) **"Food manufacturing"** shall mean an establishment engaged in manufacturing, processing, and/or packaging of food products for wholesaling and distribution. This use may include incidental direct sale to consumers of the products manufactured on site, souvenirs, and ancillary tasting facilities for the public.

(80) **"Garage"** shall include the following:

a. **"Common parking garage"** shall mean a structure with a shared vehicular entrance and exit which is used to park vehicles in parking spaces and which otherwise conforms to the requirements of this chapter for size, location, and security system.

b. **"Private garage"** shall mean a detached accessory building, or a portion of a main building on the same lot, enclosed on three sides and with a door capable of enclosing the fourth side, for the parking or temporary storage of vehicles of the occupants of the premises.

(81) **"General Plan"** shall mean the General Plan of the City of Redondo Beach, consisting of the General Plan and Map, adopted by the City Council.

(82) **"Grade, existing"** shall mean the surface of the ground or pavement at a stated location as it exists prior to disturbance in preparation for a construction project. Where the existing grade has been disturbed by a prior development, the Planning Director or decision-making body may interpolate existing grade based on the surrounding undisturbed existing grade on other portions of the site or adjacent to the site.

(83) **"Grade, finished"** shall mean the finished surface elevation of the ground or pavement at a stated location after the completion of a construction project.

(84) **"Hazardous waste"** shall mean any waste, or combination of wastes, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may:

a. Exhibit toxicity, corrosivity, flammability, and/or reactivity;

b. Cause, or significantly contribute to an increase in serious irreversible, or incapacitating reversible, illness; or

c. Pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, or disposed of, or otherwise managed.

(85) **"Hazardous waste facility"** shall mean all contiguous land, structures, other appurtenances, and improvements on the land, used for handling, treating, storing or disposing of hazardous wastes.

(86) **"Health and physical fitness clubs"** shall mean private athletic clubs and gymnasiums, including but not limited to weight training facilities, aerobic exercise floors, raquetball courts, swimming pools, and similar athletic facilities.

(87) ***"Heart of the City Specific Plan"*** *shall mean the Heart of the City Specific Plan of the City of Redondo Beach, adopted by the City Council.*

(88) **"Height"** shall mean the same as "Building height."

(89) **"Helicopter"** shall mean a rotocraft which depends for its support and motion in the air principally upon the lift generated by one or more power-driven rotors which rotate on substantially vertical axes.

(90) **"Heliport"** shall mean an area of land or water or a structural surface which is used, or intended for use, for landings and takeoffs of helicopters, including facilities for fueling, maintenance, storage, and hangars, and other necessary buildings and open spaces.

(91) **"Helistop"** shall mean an area of land or water or structural surface which is used, or intended for use, for landings and takeoffs of helicopters, except that no fueling, maintenance, or storage of helicopters is permitted.

(92) **"Home occupation"** shall mean an occupation carried on by the occupant(s) of a dwelling as a secondary use in connection with which there is no display, no walk-in customers, no stock-in-trade, nor commodity sold upon the premises, no person employed, and no mechanical equipment used, except such as is necessary for housekeeping purposes.

(93) **"Hospital"** shall mean a facility providing medical, surgical, psychiatric, and/or emergency medical services to sick or injured persons, primarily on an inpatient basis. This classification includes incidental facilities for out-patient treatment, as well as training, research, and administrative services for patients and employees.

(94) **"Hotel" or "motel"** shall mean an establishment offering lodging for a period of thirty (30) consecutive days or less, counting portions of calendar days as full days, and having kitchens in no more than fifty (50%) percent of guest units. This classification includes public meeting rooms and eating, drinking, and banquet services associated with the facility.

(95) **"Household"** shall mean a family living together in a single dwelling unit, with a common access to, and common use of, all living and eating areas and all areas and facilities for the preparation and storage of food within the dwelling unit.

(96) **"Household pet"** shall mean a domesticated animal commonly maintained in residence with man.

(97) **"Household products manufacturing"** shall mean the fabrication or production of household goods, including cutlery, hardware, handtools, kitchen utensils, cosmetics, and similar products.

(98) **"Instrument manufacturing"** shall mean an establishment engaged in fabricating, manufacturing, and/or assembling electronic, medical, and precision instruments.

(99) **"Junk yard"** shall mean the use of a lot, or the use of any portion of a lot, for the dismantling of machinery or for the storage or keeping for sale of parts and equipment resulting from such dismantling or wrecking, or for the storage or keeping of junk, including scrap metals or other scrap materials.

(100) **"Kennel"** shall mean any lot or premises on which four (4) or more dogs or cats at least four (4) months of age are kept, boarded, or trained, whether in special buildings or runways or not.

(101) **"Kitchen"** shall mean a room in a building or dwelling unit or facilities which are used for the cooking or preparation of food.

(102) **"Laboratory"** shall mean an establishment providing analytical or testing services, including, but not limited to, chemical labs, dental-medical labs, optical labs, and labs conducting mechanical, electrical, physical, or environmental tests, vibration analysis, cryogenics, and research and development.

Text in *italics* applies to the area of deferred certification, Area 2 of the Coastal Zone and has not been reviewed or certified by the Coastal Commission and is not effective in the Coastal Zone.

(103) **"Landscaping"** shall mean the planting and maintenance of live trees, shrubs, ground covers, seeds, and lawn areas, including the installation of irrigation systems pursuant to the provisions of this chapter. "Landscaping" may include inorganic decorative materials of natural or man-made origin if used to accent or complement, but in no case imitate, the natural vegetation. Inorganic decorative materials may include rock, stone, wood, waterfall, fountains, pools, sculptures, benches, and architectural screens, walls, and fences.

(104) **"Liquor store"** shall mean an establishment having at least 50 percent of its gross floor area used for the sale of alcoholic beverages intended for off-site consumption.

(105) **"Loading space"** shall mean an off-street space on the same lot with a main building, or contiguous to a group of buildings, for the temporary parking of commercial vehicles while loading or unloading, and which has access from a street, alley, or other permanent means of ingress and egress.

(106) **"Lot"** shall mean:

- Real property with a separate and distinct number or other designation shown on a plat recorded in the office of the County Recorder as a part of an approved subdivision; or
- Real property delineated on a record of survey, lot split, or subparceling map approved by the City; or
- If created after Feb 1, 1973, a legally distinct piece of real property granted separate legal status by the California Coastal Zone Conservation Commission and/or by the California Coastal Commission; or
- Real property abutting at least one public street or right-of-way and held in separate ownership from adjacent or abutting property prior to September 9, 1964, provided such real property contains 5,000 square feet or more of lot area; or
- Real property abutting at least one public street and held under separate ownership prior to September 27, 1948, having less than 5,000 square feet in lot area.

a. **"Lot, corner"** shall mean a lot located at the intersection or interception of two or more streets at an angle of not more than 135 degrees. If the angle is greater than 135 degrees, the lot shall be considered an interior lot.

b. **"Lot, cul-de-sac"** shall mean a lot fronting on, or with more than one-half (1/2) of its lot frontage on, the turnaround end of a cul-de-sac street.

c. **"Lot depth"** shall mean the horizontal distance between the front and rear lot lines, measured in the mean direction of the side lot lines.

d. **"Lot, interior"** shall mean a lot other than a corner or reversed corner lot.

e. **"Lot, key"** shall mean any lot where the side property line abuts the rear property line of one (1) or more lots and where such lots are not separated by an alley or any public way.

f. **"Lot, reverse corner"** shall mean a corner lot, the side line of which is substantially a continuation of the front lot lines of the lot to its rear.

g. **"Lot, through"** shall mean a lot having frontage on two parallel or approximately parallel streets. A through lot may have no rear lot line.

(107) **"Lot Area"** shall mean the total area within the lot lines of a lot, excluding any street rights of way.

(108) **"Lot line"** shall mean any line bounding a lot as defined in this section.

a. **"Lot line, exterior"** shall mean a lot line abutting a street.

b. **"Lot line, front."** On an interior lot, the front lot line shall mean the property line abutting the street, except in those cases where the latest tract deed restrictions specify another line as the front lot line. On a corner or reversed corner lot, the front lot line shall mean the shorter property line abutting a street. On a through lot, or a lot with three or more sides abutting a street, or a corner or reversed corner lot with lot lines of equal length, the Planning Director shall determine which property line shall be the front lot line for purposes of compliance with the setback provisions of this chapter.

c. **"Lot line, interior"** shall mean a lot line not abutting a street.

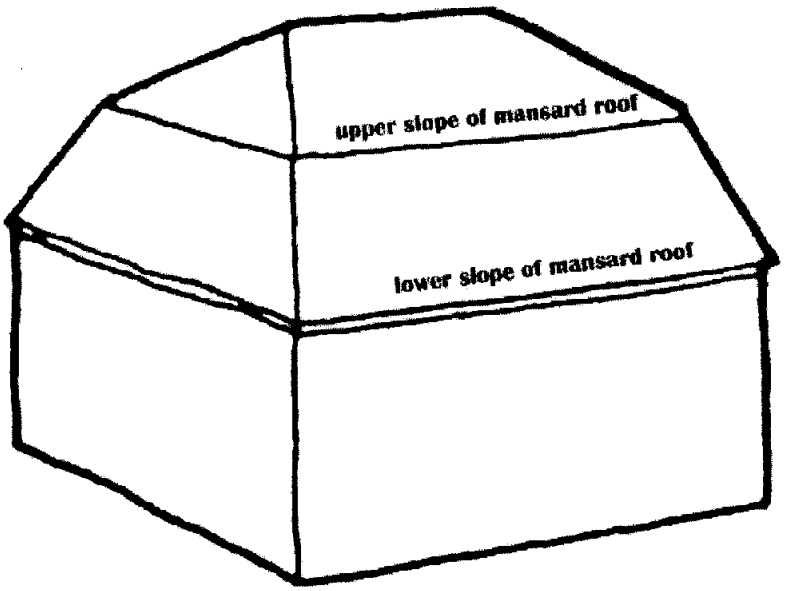
d. **"Lot line, rear"** shall mean a lot line not abutting a street which is opposite and most distant from the front lot line. For triangular lots where there is no rear lot line, the rear lot line shall be defined as the point at which the side lot lines intersect.

e. **"Lot line, side"** shall mean any lot line not a front lot line or rear lot line.

(109) **"Main building"** shall mean a building which is designed for and used, or intended to be used, to accommodate the principal use on the lot. In residential zones, any dwelling shall be considered the main building on the lot.

(110) **"Maintenance and repair services"** shall mean an establishment providing household appliance repair, furniture repair, office machine repair, bicycle repair or building maintenance services. This classification excludes maintenance and repair of motor vehicles, boats, or boats or ships.

(111) **"Mansard" or "mansard roof "** shall mean a roof having two slopes on all sides with the lower slope steeper than the upper one (see illustration below).



(112) **"Manufacturing"** shall mean manufacturing activities including apparel and other garment products, furniture and fixtures, printing both commercial and industrial, leather products, pottery, glass blowing and the measuring, analyzing, and controlling instruments, photographic, medical and optical goods and the like.

(113) **"Marina"** shall mean a boat basin with docks, boat slips, mooring facilities, supplies and equipment for small boats, and associated facilities serving boat users.

(114) **"Marina-related facilities"** shall include:

a. **Boating facilities.** Includes boat launching ramps, mechanical boat launching facilities, boat docks, boat and jet-ski rental, sportfishing fleets, excursion boat rides, marine transportation services, service afloat fuel docks, pump-out stations, and associated facilities serving boat users.

b. **Marine sales and services.** Establishments providing supplies, equipment and/or services for shipping or pleasure boating. Typical uses include chandleries, yacht brokerage and sales, boat yards, boat docks, and sail-making lofts.

c. **Yacht and boating clubs.** Meeting, recreational, or social facilities of a private or nonprofit boating organization primarily for use by members and/or guests.

(115) **"Mezzanine"** shall mean "mezzanine" as defined and determined by standards in the currently adopted and effective Building Code of the City.

(116) **"Mini-warehouse" or "self-storage facilities"** shall mean a warehouse operation serving the public where customers rent or lease, and have direct access to, individual storage areas, compartments, or rooms within a larger structure or structures provided for storage use. This use may include limited caretaker facilities.

(117) **"Mortuary"** shall mean an establishment providing services such as preparing the human dead for burial and arranging and managing funerals, and may include limited caretaker facilities. This classification excludes cemeteries, crematoriums, and columbariums.

(118) **"Motor vehicle body and fender shop"** shall mean the site and improvements used for the activities of repairing, restoring, and/or painting the bodies of motor vehicles.

(119) **"Motor vehicle repair garage"** (see "Vehicle sales, leasing, and services".

(120) **"Motor vehicle towing/storage"** shall mean an establishment providing towing and/or storage of operative or inoperative vehicles. This classification includes storage of parking towaways, impound yards, and storage lots for buses and recreational vehicles, but does not include vehicle dismantling.

(121) **"Nonconforming building/structure"** shall mean a building or structure, or portion thereof which does not conform to current zoning regulations.

(122) **"Nonconforming use"** shall mean a use which does not conform to current zoning regulations.

(123) **"Non-permanent structures"** shall include, but are not limited to, bleachers, perimeter fencing, vendor tents/canopies, judging stands, trailers, portable toilets, sound/video equipment, stages, platforms, movie/film sets, etc., which do not involve grading or landform alteration for installation.

(124) **"Offices"** shall include the following:

a. **Offices, government.** Administrative, clerical, or public contact offices of a government agency, including postal facilities, together with incidental storage and maintenance of vehicles;

b. **Offices, professional.** Offices of firms or organizations providing professional, executive, management or administrative services, such as architectural, engineering, real estate, insurance, investment, or legal offices. This classification excludes savings and loan associations, banks, and medical offices;

c. **Offices, medical.** Offices or health facilities providing health services including without limitation preventative and rehabilitation treatment, diagnostic services, testing and analysis, but excluding inpatient services and overnight accommodation. This classification includes without limitation offices providing medical, dental, surgical, rehabilitation, podiatral, optometric, chiropractic and psychiatric services, and medical or dental laboratories incidental to such offices.

(125) **"Off-street parking facility"** shall mean a lot, or portion thereof, improved for the parking of vehicles, including, but not limited to, enclosed garages and parking structures, open parking areas, aisles, driveways, and appurtenant landscaped planters and their improvements.

(126) **"Outdoor Dining"** shall mean that portion of any restaurant or other eating establishment where seating is provided and food and/or beverages are served, on public or private property, where there is not a roof and walls on all sides of the seating area.

(127) **"Outdoor living space"** shall mean either an open passive landscaped area specifically designed, improved, and maintained to enhance the architectural design, privacy, and general environmental quality of a residential development or an easily accessible public or private activity area specifically designed, improved, and maintained for outdoor living and/or recreation by occupants of the residential development.

(128) **"Park and recreation facilities"** shall mean noncommercial parks, playgrounds, recreation facilities, and open spaces.

(129) **"Parking space"** shall mean a space within an off-street parking facility which has the minimum attributes of size, location, and design specified in Article 5 (Parking requirements) of this chapter.

(130) **"Pawnshop"** shall mean an establishment engaged in the buying or selling of new or secondhand merchandise and offering loans secured by personal property.

(131) **"Performance art facilities"** shall mean a public building used for theatrical performances, concerts, recitals, and similar entertainment. This classification excludes commercial cinemas or theaters.

(132) **"Personal convenience service"** shall mean an establishment providing recurrently needed services of a personal nature. This classification includes, but is not limited to, barber and beauty shops, seamstresses, tailors, shoe repair shops, photo-copying, retail dry cleaning establishments (excluding wholesale dry cleaning plants), self-service laundromats, and similar services. This classification excludes tattoo parlors.

(133) **"Personal improvement services"** shall mean an establishment providing instructional services or facilities, including, but not limited to, photography, fine arts, crafts, dance or music studios, driving schools, modeling agencies, reducing salons, and health or physical fitness clubs. Incidental instructional services associated with a retail use shall be classified as "retail sales" rather than "personal improvement services".

(134) **"Pier Reconstruction Architectural Design Guidelines and Standards"** shall mean the architectural guidelines and standards as approved by the City Council in Resolution No. 7594 adopted on June 15, 1993 to guide the development of the pier.

(135) **"Plant nursery"** shall mean a site used to raise trees, shrubs, flowers, and other plants for sale or for transplanting, and where all merchandise other than plants is kept within an enclosed building or fully screened enclosure, and fertilizer of any type is stored and sold in package form only.

(136) **"Public building"** shall mean a building owned and operated by a public agency for recreational, cultural uses or governmental functions.

(137) **"Public safety facility"** shall mean a public facility providing public safety and emergency services, including police and fire protection and associated support and training facilities.

(138) **"Public Trust Lands"** shall mean all lands subject to the Common Law Public Trust for commerce, navigation, fisheries, recreation, and other public purposes. Public trust lands include: tidelands, submerged lands, beds of navigable lakes and rivers, and historic tidelands and submerged lands that are presently filled or reclaimed, and which were subject to the Public Trust at any time.

(139) **"Public utility facility"** shall mean a building or structure used or intended to be used by any public utility including, but not limited to, any gas treatment plant, reservoir, tank or other storage facility, water treatment plant, well, reservoir, tank or other storage facility, electric generating plant, distribution or transmission sub-station, telephone switching or other communications plant, earth station or other receiving or transmission facility, any storage yard for public utility equipment or vehicles and any parking lot for parking vehicles or automobiles to serve a public utility. The term "public utility" shall include every gas, electrical, telephone and water corporation serving the public or any portion thereof for which a certificate of public convenience and necessity has been issued by the State Public Utility Commission.

(140) **"Recreational facility"** shall mean a publicly owned and operated or financed recreational structure or building, such as a tennis court, swimming pool, multi-purpose community building, or similar use.

(141) **"Recyclable material"** shall mean reusable material, including, but not limited to, metals, glass, plastic, and paper, and which is intended for reuse, remanufacture, or reconstitution for the purpose of using the altered form. "Recyclable material" shall not include refuse or hazardous materials. "Recyclable material" may include used motor oil collected and transported in accordance with Section 25250.11 and Section 25143.2(b)(4) of the state Health and Safety Code.

(142) **"Recycling facility"** shall mean a center for the collection and/or processing of recyclable materials. "Certified recycling facility" or "certified processor" shall mean a recycling facility certified by the State Department of Conservation as meeting the requirements of the State Beverage Container Recycling and Litter Reduction Act of 1986. A recycling facility does not include storage containers or processing activities located on the premises of a residential, commercial, or manufacturing use and used solely for the recycling of material generated by such residential property, business, or manufacturer. Recycling facilities may include the following:

a. **Collection facility.** A collection facility is a center for the acceptance, by donation, redemption, or purchase, of recyclable materials from the public. Such uses may include the following:

1. **Reverse vending machine.** An automated mechanical device which accepts at least one or more types of empty beverage containers, including, but not limited to, aluminum cans and glass and plastic bottles, and issues a cash refund or a redeemable credit slip with a value not less than the container's redemption value as determined by the State. A reverse vending machine may mechanically sort and process containers provided the entire process is enclosed within the machine.

2. **Small collection facilities.** A facility occupying an area of not more than 800 square feet, which may include the following:

(i). Mobile recycling unit. An automobile, truck, trailer, or van, licensed by the Department of Motor Vehicles of the State, which is used for the collection of recyclable materials. "Mobile recycling unit" shall also mean the bins, boxes, or containers transported by trucks, vans, or trailers and used for the collection of recyclable materials;

(ii). Bulk reverse vending machine, or a grouping of reverse vending machines occupying more than fifty (50) square feet. A bulk reverse vending machine is a reverse vending machine which is larger than fifty (50) square feet; is designed to accept more than one container at a time; and will pay by weight instead of by container;

(iii). Kiosk type units which may include permanent structures;

(iv). Unattended containers placed for the donation of recyclable materials.

3. **Large collection facilities.** A facility occupying an area of more than 800 square feet and which may include permanent structures.

b. **Processing facility.** A processing facility is a building or enclosed space used for the collection and processing of recyclable materials. "Processing" shall mean the preparation of material for efficient shipment, or to an end-user's specifications, by such means as baling, briquetting, compacting, flattening, grinding, crushing, mechanical sorting, shredding, cleaning, and remanufacturing. Processing facilities include the following:

1. **Light processing facility.** A facility occupying an area of under 45,000 square feet of gross collection, processing, and storage area and having up to an average of two (2) outbound truck shipments per day. Light processing facilities are limited to baling, briquetting, crushing, compacting, grinding, shredding, and sorting of source-separated recyclable materials and repairing of reusable materials sufficient to qualify as a certified processing facility. A light processing facility shall not shred, compact, or bale ferrous metals other than food and beverage containers;

2. **Heavy processing facility.** A processing facility other than a light processing facility.

(143) **"Rental housing"** shall mean, for the purposes of condominium conversions pursuant to Section 10-5.1610, any lot having two (2) or more residential dwelling units thereon, and which has not been approved for condominium usage.

(144) **"Residential care facility, limited"** shall mean twenty-four (24) hour non-medical care for six (6) or fewer persons in need of personal services, supervision, protection, or assistance essential for sustaining the activities of daily living. This classification includes only those services and facilities licensed by the State of California.

(145) **"Residential dwelling unit"** shall mean, for the purposes of condominium conversions pursuant to Section 10-5.1610, a unit in rental housing which is intended for human habitation.

a. **"Residential dwelling units, net increase"** shall mean, for the purposes of condominium conversions pursuant to Section 10-2.1610, the difference between the number of residential dwelling units constructed on or after January 1, 1988, and the number of residential dwelling units demolished or converted to condominiums between January 1, 1988, and the date of the most recent vacancy rate survey.

(146) **"Restaurant"** shall include the following. This classification does not include snack shops.

a. **Restaurant, Sitdown.** An establishment which is maintained, operated, and/or advertised or held out to the public as a place where food and beverage are served to the public on demand from a menu during stated business hours, served in and on reusable containers and dinnerware, to be consumed on the premises primarily inside the building at tables, booths or counters, with chairs, benches or stools. This use may include incidental delivery service utilizing no more than two delivery vehicles.

b. **Restaurant, Fast-food.** A fast-food restaurant, i.e. an establishment which is maintained, operated, and/or advertised or held out to the public as a place where food and beverage are served to customers from a serving counter in disposable containers or wrappers and where food and meals are generally prepared in advance for immediate sale, and which may include inside seating, drive-through service, delivery service, and take-out/carry-out service.

c. **Restaurant, Delivery.** An establishment which is maintained, operated, and/or advertised or held out to the public as a place where orders for food and beverages may be placed in person or by telephone, facsimile, telecopier or other off-site means of communication, from a limited menu, and which orders are delivered to a location directed by the customer.

d. **Restaurant, Take-out.** An establishment which is maintained, operated, and/or advertised or held out to the public as a place where food and beverage are served in disposable containers or wrappers from a serving counter for consumption exclusively off the premises.

e. **Restaurant, Pedestrian-oriented.** Any restaurant, other than a delivery restaurant, including no more than 30 indoor seats, and located in a C-2-PD, C-3-PD, C-4-PD, MU-1, or MU-3C pedestrian-oriented commercial zone.

f. **Restaurant, unclassified.** An establishment which is a combination of any of the elements of two (2) or more of the foregoing classes of restaurant.

(147) **"Retail sales"** shall mean an establishment engaged in the retail sale of merchandise not specifically listed under another use classification as defined in this section. This classification includes, but is not limited to: department stores, clothing stores, furniture stores, and businesses retailing the following goods: toys, hobby materials, handcrafted items, jewelry, cameras, photographic supplies, books, electronic equipment, records, sporting goods, kitchen utensils, hardware, appliances, antiques, art supplies, paint and wallpaper, carpeting and floor covering, office supplies, bicycles, and new automotive parts and accessories (excluding service and installation). This classification excludes thrift shops and pawnshops.

(148) **"School"** shall mean any building or part thereof which is designed, constructed or used for education or instruction, whether public or private, in any branch of knowledge.

(149) **"School, private"** shall mean an educational institution having a curriculum comparable to that required in the public schools of the State of California.

(150) **"Service station"** (see "Vehicle sales, leasing, and services").

(151) **"Setback"** shall mean a required open space on an improved lot which is unoccupied by buildings and unobstructed by structures from the ground upward, except for projections and accessory buildings permitted by the provisions of this chapter. Setbacks shall be measured as the shortest distance between a property line and the nearest vertical support or wall of the building, enclosed or covered porch, or other structure.

a. **"Setback, average"** shall mean a variable front or rear setback as determined pursuant to Section 10-5.1520 of this chapter.

b. **"Setback, front"** shall mean a setback extending across the full width of the front of the lot, the minimum and/or average dimensions of which are determined by the standards of property development of the zone in which such lot is located.

c. **"Setback, rear"** shall mean a setback extending across the full width of the rear of a lot, the minimum and/or average dimensions of which are determined by the standards of property development of the zone in which such lot is located.

d. **"Setback, side"** shall mean a setback extending along the full length/depth of the side of the lot from the required front setback to the required rear setback, or to the front and/or rear property lines where no front and/or rear setback is required by the provisions of this chapter, the

minimum and average dimensions of which are determined by the standards of property development of the zone in which such lot is located.

1. **"Exterior side setback"** shall mean a side setback abutting a street.

e. **"Setback between buildings" or "setback between dwelling units"** shall mean a required open space between separate buildings or between separate dwelling units on the same lot or building site. Such setback shall be measured as the minimum distance between the nearest vertical support or wall of each building or enclosed or covered porch.

(152) **"Sign"** shall mean any device for visual communication which shall include any announcement, declaration, demonstration, display, illustration, or insignia, visible from the outside, which is used to advertise or promote the interests of any person, business, group, or enterprise, and shall include the following:

a. **"A-frame sign"** shall mean a free standing, two-sided sign usually hinged at the top or attached in a similar manner, and widening at the bottom to form a shape similar to the letter "A" when viewed from the side. Such signs are usually designed to be portable, hence they are not considered permanent signs.

b. **"Animated sign"** shall mean any sign that uses movement or change of lighting, either natural or artificial, to depict action or create a special effect or scene. Animated signs shall include, but are not limited to: any sign, all or a portion of which rotates, moves, or appears to move in some manner by mechanical, electrical, natural, or other means; and flashing riders, arrows, and other similar attachments which, by method or manner of illumination or lighting, flashes on or off, winks, or blinks, with varying light intensity, shows motion or creates the illusion of motion, or revolves in a manner to create the illusion of being on or off. Animated signs shall not include time-temperature signs.

1. **"Electronic message display"** shall mean an animated sign that displays messages through an electronically controlled lighting pattern against a contrasting background, and which may be programmed to change the message display periodically. The structure containing an electronic message display may also include an "identification sign" as defined in this section.

c. **"Area of sign"** shall mean the entire area within a single continuous perimeter which enclose the extreme limits of writing, representation, emblem or any figure of similar character, together with any frame, background area of sign, structural trim, or other material or color forming an integral part of the display or used to differentiate such sign from the background against which it is placed. Those portions of the supports or base of a sign that do not function as a sign shall not be considered part of the sign area.

d. **"Awning sign" or "canopy sign"** shall mean a non-electric sign that is printed on, painted on, or attached to an awning or canopy.

e. **"Balloon sign"** shall mean one or more balloons used as a permanent or temporary sign or as a means of directing attention to any business or profession, or to a commodity or service sold, offered, or manufactured, or to any entertainment.

f. **"Banner" or "flag"** shall mean any cloth, bunting, plastic, paper, or similar material used for advertising purposes attached to or pinned on or from any structure, staff, pole, line, framing, or vehicle, but not including official national, state, or municipal flags.

g. **"Billboard"** shall mean a structure of any kind erected or used for promoting or advertising an interest other than that of a business, individual, products or service available on the premises where the sign is located. "Billboard" does not include:

1. Official notice issued by any court or public body or officer;

2. Notices posted by any public officer in performance of a public duty or by any person giving legal notice;

3. Directional, warning or information signs or structures required or authorized by law or by federal, state, county or city authority;

Underlined text was adopted by Ord. 2899-03, eff. March 20, 2003, and has not been reviewed or certified by the Coastal Commission and is not effective in the Coastal Zone.

4. A structure erected near the City's boundaries which contains the name of the City and the names of, or any other information regarding, civic, fraternal or religious organizations located therein.

h. **"Construction sign"** shall mean a temporary sign erected on the lot on which construction is taking place, indicating the names of the architects, engineers, contractors, painters and similar artisans, and the owner, financial supporters, sponsors, and similar individuals or firms having a major role or interest with respect to the structure or project.

i. **"Directional sign"** shall mean a sign designed solely to provide direction or guidance to pedestrians or vehicular traffic.

j. **"Directory sign"** shall mean a sign listing the tenants or occupants and their suite numbers of a building or center.

k. **"Hanging sign"** shall mean any sign which is supported or suspended from the underside of an awning, canopy, parapet overhang of a building, or pedestrian arcade.

l. **"Identification sign"** shall mean a sign providing the name, address and lawful use of the activity to which it relates and which sets forth no other advertisement.

m. **"Information sign"** shall mean a sign which provides a service, direction or courtesy information intended to assist the public and which is not displayed for the general purpose of advertising products or services. Information signs shall include the location of business facilities (e.g. store entrances, walk-up windows, self-service operations); and courtesy information (hours of operation, menus, "credit cards accepted," restrooms, "no solicitors"). Information signs shall not include fuel price signs or traffic directional signs, nor shall they be part of any sign whose primary function is business identification.

n. **"Logo"** shall mean a symbol, design, or graphic representation, separate from the sign text that identifies a business, activity product or company. Logo shall not be construed to mean a specific type style.

o. **"Menu board sign"** shall mean a portable or freestanding sign displaying the type and price of food and beverages sold in connection with permitted outdoor dining or a freestanding sign permanently affixed to the ground in connection with drive-through restaurant service. This definition is not meant to apply to signs displaying menu information which are attached to a building (such signs are included within definitions for wall or projecting signs, as the case may be).

p. **"Monument sign"** shall mean an independent structure other than a pole sign supported from grade to the bottom of the sign with the appearance of having a solid base.

q. **"Pennant"** shall mean any all-weather lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in series, designed to move in the wind.

r. **"Pole sign"** shall mean a freestanding sign permanently affixed to the ground by a single pole.

s. **"Political sign"** shall mean a temporary sign supporting or opposing political candidates, ballot propositions, or issues of national, state or local concern.

t. **"Portable sign"** shall mean any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including, but not limited to, signs designed to be transported by means of wheels; A-frames; sandwich board signs; and umbrellas used for advertising.

u. **"Projecting sign"** shall mean any sign which projects from and is supported by a wall of a building with the display surface of the sign perpendicular to the building wall.

v. **"Pylon sign"** shall mean a freestanding sign other than a pole sign, permanently affixed to the ground by supports, but not having the appearance of a solid base.

w. **"Readerboard"** shall mean a sign announcing events, the message of which is periodically changed.

x. **"Real estate sign"** shall mean a temporary sign advertising real property for sale, rent or lease.

y. **"Roof sign"** shall mean a sign erected on a roof or projecting above the eave of a building or coping of a parapet. A sign erected on top of a canopy, arcade, awning or marquee is a roof sign.

z. **"Sign copy"** shall mean the words, letters or symbols displayed on a sign.

aa. **"Temporary sign"** shall mean any sign not constructed or intended for long-term use. Temporary signs include, but are not limited to, banners, flags, pennants, balloons, dirigibles, and beacons and searchlights.

bb. **"Time-temperature sign"** shall mean an electronic or mechanical device which shows time and/or temperature, but contains no business identification or advertising.

cc. **"Vehicle sign"** shall mean any sign permanently or temporarily attached to or placed on a vehicle or trailer.

dd. **"Wall sign"** shall mean any sign affixed to or painted directly upon a building face or wall in such a manner that the face of the sign is substantially parallel to the plane of the building face or wall.

ee. **"Window sign"** shall mean any sign which is displayed on or through a window and which may be viewed from a street, walkway, parking lot, or pedestrian area.

(153) **"Snack shop"** shall mean an establishment which is maintained, operated, and/or advertised or held out to the public as serving snack foods, such as donuts, ice cream, yogurt, candy, cookies, bakery items, beverages, and similar items to be consumed either on the premises or off the premises.

(154) **"Stock cooperative"** shall mean a common interest development in which a corporation is formed or availed of primarily for the purpose of holding title to, either in fee simple or for a term of years, improved real property, and all or substantially all of the shareholders of the corporation receive a right of exclusive occupancy in a portion of the real property, title to which is held by the corporation. The owners' interest in the corporation, whether evidenced by a share of stock, a certificate of membership, or otherwise, shall be deemed to be an interest in a common interest development and a real estate development for purposes of subdivision (f), Section 25100 of the Corporations Code. A "stock cooperative" includes a limited equity housing cooperative which is a stock cooperative that meets the criteria of Section 33007.5 of the Health & Safety Code. For the purposes of this chapter, unless otherwise indicated by the context, "stock cooperative" shall mean the same thing and shall be treated in the same manner as a residential condominium project defined in this section.

(155) **"Story"** shall mean "story" as defined in the currently adopted and effective Building Code of the City, except that references to "grade" in the Building Code definition shall mean "existing grade" as defined in this section of the zoning code.

(156) **"Street"** shall mean a public thoroughfare or right-of-way acquired for use as such, or an approved private thoroughfare or right-of-way, other than an alley, which affords the principal means of access to abutting property, including avenue, place, way, drive, lane, boulevard, highway, road, and any other thoroughfare. "Street" shall include all major and secondary highways, traffic collector streets, and local streets.

(157) **"Street, center line"** shall mean the center line of a street right-of-way as established by official surveys.

(158) **"Street line"** shall mean the boundary line between the street right-of-way and abutting property.

(159) **"Structural alteration"** shall mean any change in the supporting members of a building, such as bearing walls, columns, beams, girders, floor joists, ceiling joints, or roof rafters.

(160) **"Structure"** shall mean anything constructed or erected, an edifice or building of any kind, or any piece of work artificially built up or composed of parts jointed together in some definite manner which structure requires location on or in the ground or is attached to something having a location on or in the ground, including fences, walls, swimming and wading pools, and patios.

(161) **"Swap meet"** shall mean any indoor or outdoor place, location, or 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; and, where a fee may be

charged to prospective buyers for admission, or a fee may be charged for the privilege of offering or displaying such merchandise. The term swap meet is interchangeable with and applicable to: flea markets, auctions, open air markets, farmers markets, or other similarly named or labeled activities; but the term does not include the usual supermarket or department store retail operations.

(162) **"Thrift shop"** shall mean an establishment primarily engaged in the sale of used clothing, household goods, furniture, or appliances. This classification does not include antique shops.

(163) **"Trailer park" or "mobile home park"** shall mean a site designed and equipped for the harboring, parking, or storing of one or more trailers or mobile homes being used as living or sleeping quarters for humans.

(164) **"Tree"** shall mean a plant having at least one well defined stem or trunk and normally attaining a mature height of at least fifteen (15) feet, and having a trunk that shall be kept clear of leaves and branches at least six (6) feet above grade at maturity.

(165) **"Tree removal"** shall mean the destruction or displacement of a tree by cutting, bulldozing, or other mechanical or chemical method which results in physical transportation of the tree from its site and/or death of the tree.

(166) **"Trucking terminal"** shall mean storage and distribution facilities having more than five (5) heavy trucks (having a rating of more than 10,000 pounds and/or an unladen weight of more than 6,000 pounds) on the premises at any one time, but excluding trucking accessory to another industrial use on the site.

(167) **"Use"** shall mean the purpose for which land or a building is arranged, designed, or intended or for which either land or a building is or may be occupied, utilized, or maintained.

(168) **"Vacancy rate"** shall mean the number of vacant residential dwelling units, shown as a percentage of the total number of residential dwelling units as determined by an annual survey of the City's rental business licenses. Notwithstanding anything to the contrary, the annual survey of City rental business licenses measures only vacancies in rental housing with three or more residential dwelling units.

(169) **"Vacancy surplus"** shall mean the number of vacant residential dwelling units in excess of a six (6) percent vacancy rate as determined for a specified year, with no carry-over from preceding years.

(170) **"Vehicle sales, leasing and services"** shall include the following use classifications:

a. **Automobile washing.** Washing, waxing, cleaning, and/or detailing of automobiles or similar light vehicles.

b. **Motor vehicle repair garage.** Any site and improvements used for the repair and maintenance of automobiles, motorcycles, light trucks (having a rating of less than 10,001 pounds, an unladen weight of less than 6,001 pounds, and equipped with an open box-type bed less than nine (9) feet in length), or other similar passenger vehicles licensed by the state Department of Motor Vehicles. This classification shall not include the repair or maintenance of motorhomes or commercial vehicles as defined in Section 3-7.901 of this Code. "Motor vehicle repair garage" shall be construed broadly to include the place where the following types of commonly known garage or shop activities occur: tune-up and muffler work, parts and tire sales and installation, wheel and brake work, engine and transmission overhaul, and installation of car alarms and car stereos. "Motor vehicle repair garage" shall not include automobile wrecking, dismantling, or salvage, motor vehicle body and fender shops, or tire retreading or recapping.

c. **Service station.** An establishment engaging primarily in the retail sale of vehicle fuel and lubricants. This classification includes facilities having service bays for vehicle service and repair. Such service and repair may include the sale of tires, batteries, and other parts and products related to the operation of a motor vehicle; minor tune-up; lubrication and parts replacement; non-mechanical car-washing, polishing, and waxing; and other light work related to preventive maintenance and upkeep, but may not include maintenance and repair of large trucks or other large vehicles, or body and fender work on any vehicles.

d. **Vehicle sales, lease and rentals.** Sale, lease and/or rental of automobiles and light trucks (having a rating of less than 10,001 pounds, an unladen weight of less than 6,001 pounds,

and equipped with an open box-type bed less than nine (9) feet in length), including storage and incidental maintenance and repair.

(171) **"Visual obstruction"** shall mean a fence, hedge, tree, shrub, wall, structure, or other physical obstruction which limits the visibility of persons in motor vehicles or pedestrians approaching intersecting or intercepting streets, alleys, driveways, or other public rights-of-way.

(172) **"Wall" or "fence"** shall mean a structure forming a physical barrier. This shall include concrete, concrete block, wood, chain-link, wrought iron or other materials which are solid and are so assembled as to form a barrier.

(173) **"Warehouse retail"** shall mean an off-price or wholesale retail/warehouse establishment exceeding 70,000 square feet of gross floor area and offering a full range of general merchandise to the public.

(174) **"Warehouse retail, specialty"** shall mean an off-price or wholesale retail/warehouse establishment exceeding 30,000 square feet of gross floor area and offering a limited range of merchandise, serving both wholesale and retail customers.

(175) **"Wholesaling, distribution and storage"** shall mean storage and distribution facilities having five (5) or fewer heavy trucks (having a rating of more than 10,000 pounds and/or an unladen weight of more than 6,000 pounds) on the premises at any one time. Wholesaling establishments may include no more than ten (10) percent or 1,000 square feet of floor area, whichever is less, for the incidental direct sale to consumers of only those goods distributed wholesale. This classification excludes "Mini-warehouses or self-storage facilities" and "Vehicle towing/storage."

a. **"Wholesale dry-cleaning plant"** shall mean a dry cleaning establishment having at least fifty-one (51%) percent of its gross sales to licensed dry cleaners.

(176) **"Zoning map"** shall mean the Official Zoning Map delineating the boundaries of zones within the City of Redondo Beach and designating or displaying the nature of each zone, which is a part of this chapter, on file with the City Clerk and Planning Director, as certified by the Coastal Commission.

ARTICLE 2 -- ZONING DISTRICTS

Sections

SINGLE-FAMILY RESIDENTIAL ZONES

10-5.500 Specific purposes, R-1 single-family residential zones.
10-5.501 Land use regulations: R-1 single-family residential zones.
10-5.503 Development standards: R-1 single-family residential zone.

MULTIPLE-FAMILY RESIDENTIAL ZONES

10-5.510 Specific purposes, R-2, R-3A, RMD, and RH multiple-family residential zones.
10-5.511 Land use regulations: R-2, R-3A, RMD, and RH multiple-family residential zones.
10-5.513 Development standards: R-2 low density multiple-family residential zone.
10-5.515 Development standards: R-3A low density multiple-family residential zone.
10-5.516 Development standards: RMD medium density multiple-family residential zone.
10-5.517 Development standards: RH-1 high density multiple-family residential zone.
10-5.518 Development standards: RH-2 high density multiple-family residential zone.
10-5.519 Development standards: RH-3 high density multiple-family residential zone.

10-5.500 Specific purposes, R-1 single-family residential zones.

In addition to the general purposes listed in Section 10-5.102, the specific purposes of the R-1 single-family residential zone regulations are to:

(a) Provide residential areas to be developed exclusively for single-family dwellings, subject to appropriate site and design standards, consistent with the Coastal Land Use Plan and with the standards of public health, safety, and welfare established by the Municipal Code;

(b) Ensure adequate light, air, privacy, and open space for each dwelling, and protect residents from the harmful effects of excessive noise, population density, traffic congestion, and other adverse environmental effects;

(c) Protect residential areas from public safety hazards;

(d) Achieve design compatibility in each zone between new or enlarged dwellings and surrounding neighborhoods;

(e) Provide sites for public or semi-public land uses needed to complement residential development or requiring a residential environment;

(f) Ensure the provision of public services and facilities needed to accommodate the residential population.

10-5.501 Land use regulations: R-1 single-family residential zones.

In the following schedule the letter "P" designates use classifications permitted in the specified zone and the letter "C" designates use classifications permitted subject to approval of a Conditional Use Permit, as provided in Section 10-5.2506. Where there is neither a "P" nor a "C" indicated under a specified zone, or where a use classification is not listed, that classification is not permitted. The "Additional Regulations" column references regulations located elsewhere in the Municipal Code.

Use Classifications	R-1	Additional Regulations See Section:
Residential Uses		
Single-family residential	P	
Family day care homes: Family day care home, small Family day care home, large	 P P	
Residential care facilities, limited	P	
Commercial Uses		
Home occupations	P	6-1.22(h)
Parking lots	C	10-5.1702(c)(2)
Other Uses		
Adult day care centers	C	
Child day care centers	C	
Churches	C	
Expansion of existing cemeteries	C	
Private schools	C	
Public utility facilities	C	10-5.1614

10-5.503 Development standards: R-1 single-family residential zone.

(a) **Lot area per dwelling unit.** There shall be no more than one dwelling unit for each lot as defined in Section 10-5.402, not to exceed 8.8 dwelling units per net acre except one unit may be constructed on any legal lot as defined in Section 10-5.402 and Section 10-5.1528 of this chapter.

(b) **Building height.** No building or structure shall exceed a height of thirty (30) feet (see definition of building height in Section 10-5.402).

(c) **Stories.** No building shall exceed two (2) stories. (See definition of story in Section 10-5.402).

(d) **Setbacks.** The minimum setback requirements shall be as follows:

(1) **Front setback.** The front setback shall average no less than twenty-five (25%) percent of the depth of the lot or twenty-five (25) feet, whichever is less, except that at no point shall the setback be less than twenty (20) feet (see setback averaging pursuant to Section 10-5.1520).

(2) **Side setback.** There shall be a minimum side setback of five (5) feet the full length of the lot, except as follows:

a. **Lots less than fifty feet in width.** Additions to existing single-family dwellings constructed on lots less than fifty (50) feet in width, with existing side setbacks of less than five (5) feet, shall be permitted to match the existing side setback, provided that the side setback shall not be less than ten (10%) percent of the width of the lot.

(3) **Rear yards.** The rear yard shall average no less than twenty (20%) percent of the depth of the lot or twenty (20) feet, whichever is less, except that at no point shall the yard be less than fifteen (15) feet.

(e) **Outdoor living space.** There shall be a minimum of 800 square feet of outdoor living space provided for each dwelling unit (see standards for outdoor living space in Section 10-5.1510).

(f) **General regulations.** (including, but not limited to, accessory structures, projections into setbacks, and fences and walls) See Article 3 of this chapter.

(g) **Parking regulations.** See Article 5 of this chapter.

(h) **Sign regulations.** See Article 6 of this chapter.

(i) **Landscaping regulations.** See Article 7 of this chapter.

(j) **Coastal Development Permits.** See Article 10 of this chapter.

(k) **Procedures.** See Article 12 of this chapter.

(l) **Water Quality Measures.** See Chapter 7, Title 5 of the Redondo Beach Municipal Code.

10-5.510 Specific purposes, R-2, R-3A, RMD, and RH multiple-family residential zones.

In addition to the general purposes listed in Section 10-5.102, the specific purposes of the multiple-family residential zone regulations are to:

(a) Provide appropriately located areas for multiple-family residential development consistent with the Coastal Land Use Plan, and with the standards of public health, safety, and welfare established by the Municipal Code;

(b) Provide an adequate supply and range of housing types to accommodate the City's future population growth;

(c) Achieve a high level of design quality consistent with the surrounding neighborhood;

(d) Ensure adequate light, air, privacy, and open space for each dwelling;

(e) Protect residential areas from public safety hazards;

(f) Provide sites for public or semi-public land uses needed to complement residential development or requiring a residential environment;

(g) Ensure the provision of public services and facilities needed to accommodate the residential population.

(h) The additional purposes of each multiple-family residential zone are:

(1) **R-2 and R-3A low density multiple-family residential zones**. To provide opportunities for low density multi-family residential land use, including attached or detached units in condominiums, duplexes, and apartments, and designed to convey the visual character of single family residential neighborhoods.

(2) **RMD medium density multiple-family residential zone**. To provide opportunities for medium density multi-family residential land use, including attached or detached units in condominiums, duplexes, and apartments, with standards appropriate for such development and designed to convey a distinctive residential neighborhood quality.

(3) **RH high density multiple-family residential zones.** To provide opportunities for higher density multi-family residential land use, including apartments and condominiums, with standards appropriate for such development and designed to convey a distinctive residential neighborhood quality.

10-5.511 Land use regulations: R-2, R-3A, RMD, and RH multiple-family residential zones.

In the following schedule the letter "P" designates use classifications permitted in the specified zone and the letter "C" designates use classifications permitted subject to approval of

a Conditional Use Permit, as provided in Section 10-5.2506. Where there is neither a "P" nor a "C" indicated under a specified zone, or where a use classification is not listed, that classification is not permitted. The "Additional Regulations" column references regulations located elsewhere in the Municipal Code.

Use Classifications	R-2	R-3A	RMD	RH-1	RH-2	RH-3	Additional Regulations See Section:
Residential Uses							
Single-family residential	P	P	P	P	P	P	
Multiple-family residential	C	C	C	C	C	C	
Condominiums	C	C	C	C	C	C	10-5.1608
Family day care homes: Family day care home, small Family day care home, large	 P P	 P P	 P P	 P P	 P P	 P P	
Residential care facilities, limited	P	P	P	P	P	P	
Commercial Uses							
Home occupations	P	P	P	P	P	P	6-1.22(h)
Parking lots	C	C	C	C	C	C	10-5.1702(c)(2)
Other Uses							
Adult day care centers	C	C	C	C	C	C	
Child day care centers	C	C	C	C	C	C	
Churches	C	C	C	C	C	C	
Convalescent facilities	C	C	C	C	C	C	
Private schools	C	C	C	C	C	C	
Public utility facilities	C	C	C	C	C	C	10-5.1614

10-5.513 Development standards: R-2 low density multiple-family residential zone.

(a) **Lot area per dwelling unit.** The maximum number of dwelling units permitted on a lot shall be as follows:

(1) Lots less than 6,000 square feet: one dwelling unit.

(2) Lots 6,000 square feet or greater: not more than one dwelling unit for each 2,984 square feet of lot area.

(3) Maximum density of 14.6 dwelling units per net acre except one unit may be constructed on any legal lot as defined in Section 10-5.402 and Section 10-5.1528 of this chapter.

(b) **Permitted lot combinations.** Two (2) or more lots may be combined only when all of the requirements of subsections (b)(1), (b)(2), and (b)(3) of this section are satisfied. (This subsection is not intended to permit the combination of two (2) or more typical or standard-sized

lots or to permit developments of a mass and scale inconsistent with the character of the neighborhood.)

(1) One of the following conditions exists:

a. One or more of the lots is less than 5,000 square feet in area, or

b. One or more of the lots has no legal access from a public street or alley, or

c. One or more of the lots is subject to other unique circumstances such as unusual lot size, shape or topography, and the combining of the lots will help achieve an improved development more consistent with the character of development in the neighborhood;

(2) A parcel map is approved pursuant to the standards and requirements set forth in Chapter 1, Title 10 of the Municipal Code, the Subdivision Map Act and Article 10 of this chapter; and

(3) The proposed combination is brought in connection with applications for Planning Commission Design Review and a Conditional Use Permit for a development consistent with the development standards applicable to the zone.

(c) **Building height.** No building or structure shall exceed a height of thirty (30) feet (see definition of building height in Section 10-5.402).

(d) **Stories.** No building shall exceed two (2) stories (see definition of story in Section 10-5.402).

(e) **Setbacks.** The minimum setback requirements shall be as follows:

(1) **Front setback.** The front setback shall average no less than twenty (20) feet, but at no point be less than fifteen (15) feet.

(2) **Side setback.** There shall be a minimum side setback of five (5) feet the full length of the lot, except as follows:

a. **Single-family dwellings on lots less than fifty feet in width.** Additions to existing single-family dwellings constructed on lots less than fifty (50) feet in width, with existing side setbacks of less than five (5) feet, shall be permitted to match the existing side setback, provided that the side setback shall not be less than ten (10%) percent of the width of the lot.

b. **Lots exceeding fifty feet of frontage.** The side setback requirement shall increase one foot for each fifty (50) feet or fraction thereof of lot frontage in excess of the first fifty (50) feet of lot frontage.

(3) **Rear setback.** The rear setback shall average no less than fifteen (15) feet, but at no point be less than ten (10) feet.

(f) **Outdoor living space.** A minimum amount of outdoor living space shall be provided on each improved lot according to the number and type of dwelling units constructed on such lot as follows: (see standards for outdoor living space in Section 10-5.1510).

(1) Single-family dwelling: 800 square feet.

(2) Condominiums: 450 square feet per dwelling unit.

(3) Multiple-family dwellings: 400 square feet per dwelling unit.

(g) **General regulations.** (including, but not limited to, accessory structures, projections into setbacks, and fences and walls) See Article 3 of this chapter.

(h) **Parking regulations.** See Article 5 of this chapter.

(i) **Sign regulations.** See Article 6 of this chapter.

(j) **Landscaping regulations.** See Article 7 of this chapter.

(k) **Coastal Development Permits.** See Article 10 of this chapter.

(l) **Procedures.** See Article 12 of this chapter.

(m) **Water Quality Measures.** See Chapter 7, Title 5 of the Redondo Beach Municipal Code.

10-5.515 Development standards: R-3A low density multiple-family residential zone.

(a) **Lot area per dwelling unit.** The maximum number of dwelling units permitted on a lot shall be as follows:

(1) Lots less than 5,000 square feet: one dwelling unit.

(2) Lots 5,000 square feet or greater: not more than one dwelling unit for each 2,490 square feet of lot area.

(3) Maximum density of 17.5 dwelling units per net acre except one unit may be constructed on any legal lot as defined in Section 10-5.402 and Section 10-5.1528 of this chapter.

(b) **Permitted lot combinations.** Two (2) or more lots may be combined only when all of the following requirements are satisfied:

(1) The front lot line of the combined lots shall not exceed 100 feet,

(2) A parcel map is approved pursuant to the standards and requirements set forth in Chapter 1, Title 10 of the Municipal Code, the Subdivision Map Act and Article 10 of this chapter;

(3) The proposed combination is brought in connection with an application for a Conditional Use Permit for a development consistent with the development standards applicable to the zone.

(c) **Building height.** No building or structure shall exceed a height of thirty (30) feet (see definition of building height in Section 10-5.402).

(d) **Stories.** No building shall exceed two (2) stories (see definition of story in Section 10-5.402).

(e) **Setbacks.** The minimum setback requirements shall be as follows:

(1) **Front setback.** The front setback shall average no less than eighteen (18) feet, but at no point be less than fourteen (14) feet.

(2) **Side setback.** There shall be a minimum side setback of five (5) feet the full length of the lot, except as follows:

a. **Single-family dwellings on lots less than fifty feet in width.** Additions to existing single-family dwellings constructed on lots less than fifty (50) feet in width, with existing side setbacks of less than five (5) feet, shall be permitted to match the existing side setback, provided that the side setback shall not be less than ten (10%) percent of the width of the lot.

b. **Lots exceeding fifty feet of frontage.** The side setback requirement shall increase one foot for each fifty (50) feet or fraction thereof of lot frontage in excess of the first fifty (50) feet of lot frontage.

(3) **Rear setback.** The rear setback shall average no less than fifteen (15) feet, but at no point be less than ten (10) feet.

(f) **Outdoor living space.** A minimum amount of outdoor living space shall be provided on each improved lot according to the number and type of dwelling units constructed on such lot as follows: (see standards for outdoor living space in Section 10-5.1510).

(1) Single-family dwelling: 800 square feet.

(2) Condominiums: 350 square feet per dwelling unit.

(3) Multiple-family dwellings: 350 square feet per dwelling unit.

(g) **General regulations.** (including, but not limited to, accessory structures, projections into setbacks, and fences and walls) See Article 3 of this chapter.

(h) **Parking regulations.** See Article 5 of this chapter.

(i) **Sign regulations.** See Article 6 of this chapter.

(j) **Landscaping regulations.** See Article 7 of this chapter.

(k) **Coastal Development Permits.** See Article 10 of this chapter.

(l) **Procedures.** See Article 12 of this chapter.

(m) **Water Quality Measures.** See Chapter 7, Title 5 of the Redondo Beach Municipal Code.

10-5.516 Development standards: RMD medium density multiple-family residential zone.

(a) **Lot area per dwelling unit.** The maximum number of dwelling units permitted on a lot shall be as follows:

(1) Lots less than 5,000 square feet: one dwelling unit.

(2) Lots 5,000 square feet or greater: not more than one dwelling unit for each 1,870 square feet of lot area.

(3) Maximum density of 23.3 dwelling units per net acre except one unit may be constructed on any legal lot as defined in Section 10-5.402 and Section 10-5.1528 of this chapter.

(b) **Permitted lot combinations.** Two (2) or more lots may be combined provided that the following requirements are satisfied:

(1) A parcel map is approved pursuant to the standards and requirements set forth in Chapter 1, Title 10 of the Municipal Code, the Subdivision Map Act and Article 10 of this chapter;

(2) The proposed combination is brought in connection with an application for a Conditional Use Permit for a development consistent with the development standards applicable to the zone.

(c) **Building height.** No building or structure shall exceed a height of thirty (30) feet (see definition of building height in Section 10-5.402).

(d) **Stories.** No building shall exceed two (2) stories (see definition of story in Section 10-5.402).

(e) **Setbacks.** The minimum setback requirements shall be as follows:

(1) **Front setback.** The front setback shall average no less than eighteen (18) feet, but at no point be less than twelve (12) feet.

(2) **Side setback.** There shall be a minimum side setback of five (5) feet the full length of the lot, except as follows:

a. **Single-family dwellings on lots less than fifty feet in width.** Additions to existing single-family dwellings constructed on lots less than fifty (50) feet in width, with existing side setbacks of less than five (5) feet, shall be permitted to match the existing side setback, provided that the side setback shall not be less than ten (10%) percent of the width of the lot.

b. **Lots exceeding fifty feet of frontage.**

1. The side setback requirement shall be six (6) feet where the lot frontage is greater than fifty (50) feet and not more than 100 feet.

2. The side setback requirement shall be ten (10) feet where the lot frontage is greater than 100 feet and not more than 150 feet.

3. The side setback requirement shall be fifteen (15) feet where the lot frontage is greater than 150 feet.

(3) **Rear setback.** The rear setback shall average no less than fifteen (15) feet, but at no point be less than ten (10) feet.

(f) **Outdoor living space.** A minimum amount of outdoor living space shall be provided on each improved lot according to the number and type of dwelling units constructed on such lot as follows: (see standards for outdoor living space in Section 10-5.1510).

(1) Single-family dwelling: 800 square feet.

(2) Condominiums: 350 square feet per dwelling unit.

(3) Multiple-family dwellings: 350 square feet per dwelling unit.

(g) **General regulations.** (including, but not limited to, accessory structures, projections into setbacks, and fences and walls) See Article 3 of this chapter.

(h) **Parking regulations.** See Article 5 of this chapter.

(i) **Sign regulations.** See Article 6 of this chapter.

(j) **Landscaping regulations.** See Article 7 of this chapter.

(h) **Parking regulations.** See Article 5 of this chapter.

(i) **Sign regulations.** See Article 6 of this chapter.

(j) **Landscaping regulations.** See Article 7 of this chapter.

(k) **Coastal Development Permits.** See Article 10 of this chapter.

(l) **Procedures.** See Article 12 of this chapter.

(m) **Water Quality Measures.** See Chapter 7, Title 5 of the Redondo Beach Municipal Code.

10-5.517 Development standards: RH-1 high density multiple-family residential zone.

(a) **Lot area per dwelling unit.** The maximum number of dwelling units permitted on a lot shall be not more than one dwelling unit for each 1,556 square feet of lot area, not to exceed 28 dwelling units per net acre except one unit may be constructed on any legal lot as defined in Section 10-5.402 and Section 10-5.1528 of this chapter.

(b) **Permitted lot combinations.** Two (2) or more lots may be combined provided that the following requirements are satisfied:

(1) A parcel map is approved pursuant to the standards and requirements set forth in Chapter 1, Title 10 of the Municipal Code, the Subdivision Map Act and Article 10 of this chapter;

(2) The proposed combination is brought in connection with an application for a Conditional Use Permit for a development consistent with the development standards applicable to the zone;

(c) **Building height.** No building or structure shall exceed a height of thirty (30) feet (see definition of building height in Section 10-5.402).

(d) **Stories.** No building shall exceed two (2) stories (see definition of story in Section 10-5.402).

(e) **Setbacks.** The minimum setback requirements shall be as follows:

(1) **Front setback.** The front setback shall average no less than fifteen (15) feet, but at no point be less than twelve (12) feet.

(2) **Side setback.** There shall be a minimum side setback of five (5) feet the full length of the lot, except as follows:

a. **Single-family dwellings on lots less than fifty feet in width.** Additions to existing single-family dwellings constructed on lots less than 50 feet in width, with existing side setbacks of less than five (5) feet, shall be permitted to match the existing side setback, provided that the side setback shall not be less than ten (10%) percent of the width of the lot.

b. **Lots exceeding fifty feet of frontage.**

1. The side setback requirement shall be six (6) feet where the lot frontage is greater than fifty (50) feet and not more than 100 feet.

2. The side setback requirement shall be ten (10) feet where the lot frontage is greater than 100 feet and not more than 150 feet.

3. The side setback requirement shall be fifteen (15) feet where the lot frontage is greater than 150 feet.

(3) **Rear setback.** The rear setback shall average no less than fifteen (15) feet, but at no point be less than ten (10) feet.

(f) **Outdoor living space.** A minimum amount of outdoor living space shall be provided on each improved lot according to the number and type of dwelling units constructed on such lot as follows: (see standards for outdoor living space in Section 10-5.1510).

(1) Single-family dwelling: 800 square feet.

(2) Condominiums: 200 square feet per dwelling unit.

(3) Multiple-family dwellings: 200 square feet per dwelling unit.

(g) **General regulations.** (including, but not limited to, accessory structures, projections into setbacks, and fences and walls) See Article 3 of this chapter.

(h) **Parking regulations.** See Article 5 of this chapter.

(i) **Sign regulations.** See Article 6 of this chapter.

(j) **Landscaping regulations.** See Article 7 of this chapter.

(k) **Coastal Development Permits.** See Article 10 of this chapter.

(l) **Procedures.** See Article 12 of this chapter.

(m) **Water Quality Measures.** See Chapter 7, Title 5 of the Redondo Beach Municipal Code.

10-5.518 Development standards: RH-2 high density multiple-family residential zone.

(a) **Lot area per dwelling unit.** The maximum number of dwelling units permitted on a lot shall be not more than one dwelling unit for each 1,556 square feet of lot area, not to exceed 28 dwelling units per net acre except one unit may be constructed on any legal lot as defined in Section 10-5.402 and Section 10-5.1528 of this chapter.

(b) **Permitted lot combinations.** Two (2) or more lots may be combined provided that the following requirements are satisfied:

(1) A parcel map is approved pursuant to the standards and requirements set forth in Chapter 1, Title 10 of the Municipal Code, the Subdivision Map Act and Article 10 of this chapter;

(2) The proposed combination is brought in connection with an application for a Conditional Use Permit for a development consistent with the development standards applicable to the zone;

(c) **Building height.** No building or structure shall exceed a height of thirty-five (35) feet (see definition of building height in Section 10-5.402).

(d) **Stories.** No building shall exceed three (3) stories (see definition of story in Section 10-5.402).

(e) **Setbacks.** The minimum setback requirements shall be as follows:

(1) **Front setback.** The front setback shall average no less than fifteen (15) feet, but at no point be less than twelve (12) feet.

(2) **Side setback.** There shall be a minimum side setback of five (5) feet the full length of the lot, except as follows:

a. **Single-family dwellings on lots less than fifty feet in width.** Additions to existing single-family dwellings constructed on lots less than fifty (50) feet in width, with existing side setbacks of less than five (5) feet, shall be permitted to match the existing side setback, provided that the side setback shall not be less than ten (10%) percent of the width of the lot.

b. **Lots exceeding fifty feet of frontage.**

1. The side setback requirement shall be six (6) feet where the lot frontage is greater than fifty (50) feet and not more than 100 feet.

2. The side setback requirement shall be ten (10) feet where the lot frontage is greater than 100 feet and not more than 150 feet.

3. The side setback requirement shall be fifteen (15) feet where the lot frontage is greater than 150 feet.

(3) **Rear setback.** The rear setback shall average no less than fifteen (15) feet, but at no point be less than ten (10) feet.

(f) **Outdoor living space.** A minimum amount of outdoor living space shall be provided on each improved lot according to the number and type of dwelling units constructed on such lot as follows: (see standards for outdoor living space in Section 10-5.1510).

(1) Single-family dwelling: 800 square feet.

(2) Condominiums: 200 square feet per dwelling unit.

(3) Multiple-family dwellings: 200 square feet per dwelling unit.

(g) **General regulations.** (including, but not limited to, accessory structures, projections into setbacks, and fences and walls) See Article 3 of this chapter.

(h) **Parking regulations.** See Article 5 of this chapter.

(i) **Sign regulations.** See Article 6 of this chapter.

(j) **Landscaping regulations.** See Article 7 of this chapter.

(k) **Coastal Development Permits.** See Article 10 of this chapter.

(l) **Procedures.** See Article 12 of this chapter.

(m) **Water Quality Measures.** See Chapter 7, Title 5 of the Redondo Beach Municipal Code.

10-5.519 Development standards: RH-3 high density multiple-family residential zone.

(a) **Lot area per dwelling unit.** The maximum number of dwelling units permitted on a lot shall be not more than one dwelling unit for each 1,556 square feet of lot area, not to exceed 28 dwelling units per net acre except one unit may be constructed on any legal lot as defined in Section 10-5.402 and Section 10-5.1528 of this chapter.

(b) **Permitted lot combinations.** Two (2) or more lots may be combined provided that the following requirements are satisfied:

(1) A parcel map is approved pursuant to the standards and requirements set forth in Chapter 1, Title 10 of the Municipal Code, the Subdivision Map Act and Article 10 of this chapter;

(2) The proposed combination is brought in connection with an application for a Conditional Use Permit for a development consistent with the development standards applicable to the zone;

(c) **Building height.** No building or structure shall exceed a height of thirty-five (35) feet, except that building heights of up to forty-five (45) feet may be granted in conjunction with the granting of a density bonus for the purpose of providing low- and moderate-income housing (see definition of building height in Section 10-5.402; see density bonus requirements in Article 9 of this chapter).

(d) **Stories.** No building shall exceed three (3) stories (see definition of story in Section 10-5.402).

(e) **Setbacks.** The minimum setback requirements shall be as follows:

(1) **Front setback.** The front setback shall average no less than fifteen (15) feet, but at no point be less than twelve (12) feet.

(2) **Side setback.** There shall be a minimum side setback of five (5) feet the full length of the lot, except as follows:

a. **Single-family dwellings on lots less than fifty feet in width.** Additions to existing single-family dwellings constructed on lots less than fifty (50) feet in width, with existing side setbacks of less than five (5) feet, shall be permitted to match the existing side setback, provided that the side setback shall not be less than ten (10%) percent of the width of the lot.

b. **Lots exceeding fifty feet of frontage.**

1. The side setback requirement shall be six (6) feet where the lot frontage is greater than fifty (50) feet and not more than 100 feet.

2. The side setback requirement shall be ten (10) feet where the lot frontage is greater than 100 feet and not more than 150 feet.

3. The side setback requirement shall be fifteen (15) feet where the lot frontage is greater than 150 feet.

(3) **Rear setback.** The rear setback shall average no less than fifteen (15) feet, but at no point be less than ten (10) feet.

(f) **Outdoor living space.** A minimum amount of outdoor living space shall be provided on each improved lot according to the number and type of dwelling units constructed on such lot as follows: (see standards for outdoor living space in Section 10-5.1510).

(1) Single-family dwelling: 800 square feet.
(2) Condominiums: 200 square feet per dwelling unit.
(3) Multiple-family dwellings: 200 square feet per dwelling unit.

(g) **General regulations.** (including, but not limited to, accessory structures, projections into setbacks, and fences and walls) See Article 3 of this chapter.

(h) **Parking regulations.** See Article 5 of this chapter.

(i) **Sign regulations.** See Article 6 of this chapter.

(j) **Landscaping regulations.** See Article 7 of this chapter.

(k) **Coastal Development Permits.** See Article 10 of this chapter.

(l) **Procedures.** See Article 12 of this chapter.

(m) **Water Quality Measures.** See Chapter 7, Title 5 of the Redondo Beach Municipal Code.

C-2, C-3, and C-4 COMMERCIAL ZONES

Sections

10-5.600 Specific purposes, C-2, C-3, and C-4 Commercial and Pedestrian-oriented Commercial zones.
10-5.611 Additional land use regulations: C-1 Commercial zone.
10-5.612 Development standards: C-1 Commercial zone.
10-5.620 Land use regulations: C-2, C-2A, C-2B, and C-2-PD Commercial zones.
10-5.621 Additional land use regulations: C-2, C-2A, C-2B, and C-2-PD Commercial zones.
10-5.622 Development standards: C-2 Commercial zone.
10-5.623 Development standards: C-2A Commercial zone.
10-5.624 Development standards: C-2B Commercial zone.
10-5.625 Development standards: C-2-PD Pedestrian-oriented Commercial zone.
10-5.630 Land use regulations: C-3, C-3B, and C-3-PD Commercial zones.
10-5.631 Additional land use regulations: C-3, C-3B, and C-3-PD Commercial zones.
10-5.632 Development standards: C-3 Commercial zone.
10-5.634 Development standards: C-3B Pedestrian-oriented Commercial zone.
10-5.635 Development standards: C-3-PD Pedestrian-oriented Commercial zone.
10-5.640 Land use regulations: C-4 and C-4-PD Commercial zones.
10-5.641 Additional land use regulations: C-4 and C4-PD Commercial zones.
10-5.642 Development standards: C-4 Commercial zone.
10-5.645 Development standards: C-4-PD Pedestrian-oriented Commercial zone.

10-5.600 Specific purposes, C-2, C-3, and C-4 commercial and pedestrian-oriented commercial zones.

In addition to the general purposes listed in Section 10-5.102, the specific purposes of the C-1, C-2, C-3, and C-4 commercial zone regulations are to:

(a) Provide appropriately located areas consistent with the Coastal Land Use Plan for a full range of neighborhood, community-oriented and visitor-serving retail sales, services, professional offices, recreation and other commercial uses;

(b) Strengthen the city's economic base, and provide employment opportunities close to home for residents of the City;

(c) Minimize the impact of commercial development on adjacent residential districts;

(d) Ensure that the appearance and effects of commercial buildings and uses are harmonious with the character of the area in which they are located;

(e) Provide, where appropriate, areas for the development of a distinct pedestrian scaled "village" environment which primarily serves the needs of local residents and visitors to the Coastal Zone and enhances pedestrian activity.

10-5.620 Land use regulations: C-2, C-2A, and C-2B commercial zones, and C-2-PD pedestrian-oriented commercial zone.

In the following schedule the letter "P" designates use classifications permitted in the specified zone and the letter "C" designates use classifications permitted subject to approval of a Conditional Use Permit, as provided in Section 10-5.2506. Where there is neither a "P" nor a "C" indicated under a specified zone, or where a use classification is not listed, that classification is not permitted. The "Additional Regulations" column references regulations located elsewhere in the Municipal Code.

Use Classifications	**C-2**	**C-2A**	**C-2B**	**C-2-PD**	**Additional Regulations See Section:**
Commercial Uses					
Ambulance services	C	C	C	---	
Animal sales and services:					
Animal feed and supplies	P	P	P	P	
Animal grooming	C	C	C	C	
Animal hospitals	C	C	C	---	
Animal sales	C	C	C	C	
Artist's studios	P	P	P	P	
Banks and savings and loans	P	P	P	P	
with drive-up service	C	C	C	C	
Bars and cocktail lounges	C	C	C	C	10-5.1600
Building material sales	C	C	C	---	
Business and trade schools	C	C	C	C	
Check-cashing businesses	C	C	C	C	10-5.1600
Commercial printing	P	P	P	---	
Commercial printing, limited	P	P	P	P	
Commercial recreation	C	C	C	C	10-5.1600
Communications facilities	C	C	C	C	
Drive-up services	C	C	C	C	
Fire arm sales	C	C	C	C	10-5.1600
Food and beverage sales:					
30,000 sq. ft. or less floor area	P	P	P	P	
more than 30,000 sq. ft. floor area	P	P	P	C	10-5.621
Hotels and motels	C	C	C	C	
Laboratories	C	C	C	---	

Use Classifications	C-2	C-2A	C-2B	C-2-PD	Additional Regulations See Section:
Liquor stores	C	C	C	C	10-5.1600
Maintenance and repair services	P	P	P	P	
Mortuaries	C	C	C	---	
Offices	P	P	P	P	10-5.621
Personal convenience services	P	P	P	P	
Personal improvement services	C	C	C	C	
Plant nurseries	C	C	C	C	
Recycling collection facilities:					10-5.1616
Reverse vending machines	P	P	P	P	
Small collection facilities	C	C	C	C	
Restaurants:					
2,000 sq. ft. or less floor area with no drive-up service	P	P	P	P	
more than 2,000 sq. ft. floor area or with drive-up service	C	C	C	C	
Retail sales:					
30,000 sq. ft. or less floor area	P	P	P	P	
more than 30,000 sq. ft. floor area	P	P	P	C	10-5.621
Snack shops	P	P	P	P	
Thrift shops	C	C	C	C	10-5.1600
Vehicle sales and services:					
Sales, leasing, and rentals	C	---	C	---	
Automobile washing	C	---	C	---	
Service stations	C	---	---	---	10-5.1602
Motor vehicle repair garages	C	---	C	---	10-5.1604
Other Uses					
Adult day care centers	C	C	C	C	
Antennae for public communications	C	C	C	C	
Child day care centers	C	C	C	C	
Churches	C	C	C	C	
Clubs and lodges	C	C	C	C	
Cultural institutions	C	C	C	C	
Government offices	P	P	P	P	10-5.621
Parking lots	C	C	C	C	
Public safety facilities	C	C	C	C	
Public utility facilities	C	C	C	C	10-5.1614
Recreation facilities	C	C	C	C	
Schools, public or private	C	C	C	C	

10-5.621 Additional land use regulations.

(a) **C-2-PD zone.**

(1) **Offices.** Offices are permitted only on the second floor and/or above, or on the ground floor to the rear of other permitted retail or service uses provided that the pedestrian character of the corridor is not disrupted.

(2) **Uses exceeding 30,000 square feet.** Uses exceeding 30,000 square feet shall be prohibited except where they are designed to be compatible with the intended pedestrian-oriented character of the zone, pursuant to the requirements for a Conditional Use Permit (Section 10-5.2506).

10-5.622 Development standards: C-2 commercial zone.

(a) **Floor area ratio.** The floor area ratio (F.A.R.) of all buildings on a lot shall not exceed 0.5 (see definition of floor area ratio in Section 10-5.402).

(b) **Building height.** No building or structure shall exceed a height of thirty (30) feet (see definition of building height in Section 10-5.402).

(c) **Stories.** No building shall exceed two (2) stories (see definition of story in Section 10-5.402).

(d) **Setbacks.** The minimum setback requirements shall be as follows:

(1) **Front setback.** There shall be a minimum front setback of five (5) feet the full width of the lot, except where a lot is contiguous to a residentially zoned lot fronting on the same street, in which case the required front setback shall be the same as required for the contiguous residential lot.

(2) **Side setback.**

a. There shall be a minimum side setback of ten (10) feet the full length of the lot on the street side of a corner or reverse corner lot.

b. No side setback shall be required along the interior lot lines, except where the side lot line is contiguous to a residential zone, in which case the following standards shall apply:

1. There shall be a minimum side setback of twenty (20) feet the full length of the lot;

2. The required side setback may be modified pursuant to Planning Commission Design Review (Section 10-5.2502).

(3) **Rear setback.** No rear setback shall be required, except where the rear lot line is contiguous to a residential zone, in which case the following standards shall apply:

a. There shall be a minimum rear setback of twenty (20) feet the full width of the lot;

b. The required rear setback may be modified pursuant to Planning Commission Design Review (Section 10-5.2502).

(e) **General regulations.** See Article 3 of this chapter.

(f) **Parking regulations.** See Article 5 of this chapter.

(g) **Sign regulations.** See Article 6 of this chapter.

(h) **Landscaping regulations.** See Article 7 of this chapter.

(i) **Coastal Development Permits.** See Article 10 of this chapter.

(j) **Procedures.** See Article 12 of this chapter.

(k) **Water Quality Measures.** See Chapter 7, Title 5 of the Redondo Beach Municipal Code.

10-5.623 Development standards: C-2A commercial zone.

(a) **Floor area ratio.** The floor area ratio (F.A.R.) of all buildings on a lot shall not exceed 0.5 (see definition of floor area ratio in Section 10-5.402).

(b) **Building height.** No building or structure shall exceed a height of thirty (30) feet. (See definition of building height in Section 10-5.402).

(c) **Stories.** No building shall exceed two (2) stories (see definition of story in Section 10-5.402).

(d) **Setbacks.** The minimum setback requirements shall be as follows:

(1) **Front setback.** There shall be a minimum front setback of ten (10) feet the full width of the lot, except where a lot is contiguous to a residentially zoned lot fronting on the same street, in which case the required front setback shall be the same as required for the contiguous residential lot.

(2) **Side setback.**

a. There shall be a minimum side setback of ten (10) feet the full length of the lot on the street side of a corner or reverse corner lot.

b. No side setback shall be required along the interior lot lines, except where the side lot line is contiguous to a residential zone, in which case the following standards shall apply:

1. There shall be a minimum side setback of twenty (20) feet the full length of the lot;

2. The required side setback may be modified pursuant to Planning Commission Design Review (Section 10-5.2502).

(3) **Rear setback.** No rear setback shall be required, except where the rear lot line is contiguous to a residential zone, in which case the following standards shall apply:

a. There shall be a minimum rear setback of twenty (20) feet the full width of the lot;

b. The required rear setback may be modified pursuant to Planning Commission Design Review (Section 10-5.2502).

(e) **General regulations.** See Article 3 of this chapter.

(f) **Parking regulations.** See Article 5 of this chapter.

(g) **Sign regulations.** See Article 6 of this chapter.

(h) **Landscaping regulations.** See Article 7 of this chapter.

(i) **Coastal Development Permits.** See Article 10 of this chapter.

(j) **Procedures.** See Article 12 of this chapter.

(k) **Water Quality Measures.** See Chapter 7, Title 5 of the Redondo Beach Municipal Code.

10-5.624 Development standards: C-2B commercial zone.

(a) **Floor area ratio.** The floor area ratio (F.A.R.) of all buildings on a lot shall not exceed 0.5 (see definition of floor area ratio in Section 10-5.402).

(b) **Building height.** No building or structure shall exceed a height of thirty (30) feet (see definition of building height in Section 10-5.402).

(c) **Stories.** No building shall exceed two (2) stories (see definition of story in Section 10-5.402).

(d) **Setbacks.** The minimum setback requirements shall be as follows:

(1) **Front setback.** There shall be a minimum front setback of five (5) feet the full width of the lot, except where a lot is contiguous to a residentially zoned lot fronting on the same street, in which case the required front setback shall be the same as required for the contiguous residential lot.

(2) **Side setback.**

a. There shall be a minimum side setback of ten (10) feet the full length of the lot on the street side of a corner or reverse corner lot.

b. No side setback shall be required along the interior lot lines, except where the side lot line is contiguous to a residential zone, in which case the following standards shall apply:

1. There shall be a minimum side setback of twenty (20) feet the full length of the lot;

2. The required side setback may be modified pursuant to Planning Commission Design Review (Section 10-5.2502).

(3) **Rear setback.** No rear setback shall be required, except where the rear lot line is contiguous to a residential zone, in which case the following standards shall apply:

a. There shall be a minimum rear setback of twenty (20) feet the full width of the lot;

b. The required rear setback may be modified pursuant to Planning Commission Design Review (Section 10-5.2502).

(e) **General regulations.** See Article 3 of this chapter.

(f) **Parking regulations.** See Article 5 of this chapter.

(g) **Sign regulations.** See Article 6 of this chapter.

(h) **Landscaping regulations.** See Article 7 of this chapter.

(i) **Coastal Development Permits.** See Article 10 of this chapter.

(j) **Procedures.** See Article 12 of this chapter.

(k) **Water Quality Measures.** See Chapter 7, Title 5 of the Redondo Beach Municipal Code.

10-5.625 Development standards: C-2-PD pedestrian-oriented commercial zone.

(a) **Floor area ratio.** The floor area ratio (F.A.R.) of all buildings on a lot shall not exceed 0.5 (see definition of floor area ratio in Section 10-5.402).

(b) **Building height.** No building or structure shall exceed a height of thirty (30) feet (see definition of building height in Section 10-5.402).

(c) **Stories.** No building shall exceed two (2) stories (see definition of story in Section 10-5.402).

(d) **Setbacks.** The minimum setback requirements shall be as follows:

(1) **Front setback.-+**

a. **Minimum required.** There shall be a minimum front setback of three (3) feet the full width of the lot, except that display windows may project to the front property line, provided that the bottom of the projection is no less than three (3) feet above the adjacent sidewalk grade. However, where a lot is contiguous to a residentially zoned lot fronting on the same street, the required front setback shall be the same as required for the contiguous residential lot.

b. **Maximum permitted.** The front setback shall not exceed ten (10) feet for fifty (50%) percent of the linear frontage of the building, except areas contiguous with the structure and used for outdoor dining or courtyards shall be exempt from this requirement. This setback area shall not be used for parking.

(2) **Side setback.**

a. There shall be a minimum side setback of ten (10) feet the full length of the lot on the street side of a corner or reverse corner lot.

b. No side setback shall be required along the interior lot lines, except where the side lot line is contiguous to a residential zone, in which case the following standards shall apply:

1. There shall be a minimum side setback of twenty (20) feet the full length of the lot;

2. The required side setback may be modified pursuant to Planning Commission Design Review (Section 10-5.2502).

(3) **Rear setback.** No rear setback shall be required, except where the rear lot line is contiguous to a residential zone, in which case the following standards shall apply:

a. There shall be a minimum rear setback of twenty (20) feet the full width of the lot;

b. The required rear setback may be modified pursuant to Planning Commission Design Review (Section 10-5.2502).

(e) **General regulations.** See Article 3 of this chapter.

(f) **Parking regulations.** See Article 5 of this chapter.

(g) **Sign regulations.** See Article 6 of this chapter.

(h) **Landscaping regulations.** See Article 7 of this chapter.

(i) **Coastal Development Permits.** See Article 10 of this chapter.

(j) **Procedures.** See Article 12 of this chapter.

(k) **Water Quality Measures.** See Chapter 7, Title 5 of the Redondo Beach Municipal Code.

10-5.630 Land use regulations: C-3 and C-3B commercial zones, and C-3-PD pedestrian-oriented commercial zone.

In the following schedule the letter "P" designates use classifications permitted in the specified zone and the letter "C" designates use classifications permitted subject to approval of a Conditional Use Permit, as provided in Section 10-5.2506. Where there is neither a "P" nor a "C" indicated under a specified zone, or where a use classification is not listed, that classification is not permitted. The "Additional Regulations" column references regulations located elsewhere in the Municipal Code.

Use Classifications	**C-3**	**C-3B**	**C-3-PD**	**Additional Regulations See Section:**
Commercial Uses				
Ambulance services	C	---	---	
Animal sales and services:				
Animal feed and supplies	P	P	P	
Animal grooming	C	C	C	
Animal hospitals	C	---	---	
Animal sales	C	C	C	
Artist's studios	P	P	P	
Banks and savings and loans	P	P	P	
with drive-up service	C	C	C	
Bars and cocktail lounges	C	C	C	10-5.1600
Building material sales	C	---	---	
Business and trade schools	C	C	C	
Check-cashing businesses	C	C	C	10-5.1600
Commercial printing	P	---	---	
Commercial printing, limited	P	P	P	
Commercial recreation	C	C	C	10-5.1600
Communications facilities	C	C	C	
Drive-up services	C	C	C	
Fire arm sales	C	C	C	10-5.1600

Use Classifications	C-3	C-3B	C-3-PD	Additional Regulations See Section:
Food and beverage sales:				
30,000 sq. ft. or less floor area	P	P	P	
more than 30,000 sq. ft. floor area	P	C	C	10-5.631
Hotels and motels	C	C	C	
Laboratories	C	---	---	
Liquor stores	C	C	C	
Maintenance and repair services	P	P	P	
Mortuaries	C	---	---	
Offices	P	P	P	10-5.631
Personal convenience services	P	P	P	
Personal improvement services	C	C	C	
Plant nurseries	C	C	C	
Recycling collection facilities:				10-5.1616
Reverse vending machines	P	P	P	
Small collection facilities	C	C	C	
Restaurants:				
2,000 sq. ft. or less floor area with no drive-up service	P	P	P	
more than 2,000 sq. ft. floor area or with drive-up service	C	C	C	
Retail sales:				
30,000 sq. ft. or less floor area	P	P	P	
more than 30,000 sq. ft. floor area	P	C	C	10-5.631
Snack shops	P	P	P	
Thrift shops	C	C	C	10-5.1600
Vehicle sales and services:				
Sales, leasing, and rentals	C	---	---	
Automobile washing	C	---	---	
Service stations	C	---	---	10-5.1602
Motor vehicle repair garages	C	---	---	10-5.1604
Other Uses				
Adult day care centers	C	C	C	
Antennae for public communications	C	C	C	
Child day care centers	C	C	C	
Churches	C	C	C	
Clubs and lodges	C	C	C	
Cultural institutions	C	C	C	
Government offices	P	P	P	10-5.631
Parking lots	C	C	C	
Public safety facilities	C	C	C	
Public utility facilities	C	C	C	10-5.1614
Recreation facilities	C	C	C	

Use Classifications	C-3	C-3B	C-3-PD	Additional Regulations See Section:
Schools, public or private	C	C	C	

10-5.631 Additional land use regulations.

(a) **C-3-PD and C-3B zones.**

(1) **Offices.** Offices are permitted only on the second floor and/or above, or on the ground floor to the rear of other permitted retail or service uses provided that the pedestrian character of the corridor is not disrupted, except that such ground floor uses along the street frontage are permitted in the C-3-PD zone within the Riviera Village overlay zone (see Section 10-5.1315).

(2) **Uses exceeding 30,000 square feet.** Uses exceeding 30,000 square feet shall be prohibited except where they are designed to be compatible with the intended pedestrian-oriented character of the zone, pursuant to the requirements for a Conditional Use Permit (Section 10-5.2506).

10-5.632 Development standards: C-3 commercial zone.

(a) **Floor area ratio.** The floor area ratio (F.A.R.) of all buildings on a lot shall not exceed 0.7 (see definition of floor area ratio in Section 10-5.402).

(b) **Building height.** No building or structure shall exceed a height of thirty (30) feet (see definition of building height in Section 10-5.402).

(c) **Stories.** No building shall exceed two (2) stories (see definition of story in Section 10-5.402).

(d) **Setbacks.** The minimum setback requirements shall be as follows:

(1) **Front setback.** There shall be a minimum front setback of five (5) feet the full width of the lot, except where a lot is contiguous to a residentially zoned lot fronting on the same street, in which case the required front setback shall be the same as required for the contiguous residential lot.

(2) **Side setback.**

a. There shall be a minimum side setback of ten (10) feet the full length of the lot on the street side of a corner or reverse corner lot.

b. No side setback shall be required along the interior lot lines, except where the side lot line is contiguous to a residential zone, in which case the following standards shall apply:

1. There shall be a minimum side setback of twenty (20) feet the full length of the lot;

2. The required side setback may be modified pursuant to Planning Commission Design Review (Section 10-5.2502).

(3) **Rear setback.** No rear setback shall be required, except where the rear lot line is contiguous to a residential zone, in which case the following standards shall apply:

a. There shall be a minimum rear setback of twenty (20) feet the full width of the lot;

b. The required rear setback may be modified pursuant to Planning Commission Design Review (Section 10-5.2502).

(e) **General regulations.** See Article 3 of this chapter.

(f) **Parking regulations.** See Article 5 of this chapter.

(g) **Sign regulations.** See Article 6 of this chapter.

(h) **Landscaping regulations.** See Article 7 of this chapter.

(i) **Coastal Development Permits.** See Article 10 of this chapter.

(j) **Procedures.** See Article 12 of this chapter.

(k) **Water Quality Measures.** See Chapter 7, Title 5 of the Redondo Beach Municipal Code.

10-5.634 Development standards: C-3B pedestrian-oriented commercial zone.

(a) **Floor area ratio.** The floor area ratio (F.A.R.) of all buildings on a lot shall not exceed 0.7 (see definition of floor area ratio in Section 10-5.402).

(b) **Building height.** No building or structure shall exceed a height of thirty (30) feet (see definition of building height in Section 10-5.402).

(c) **Stories.** No building shall exceed two (2) stories (see definition of story in Section 10-5.402).

(d) **Setbacks.** The minimum setback requirements shall be as follows:

(1) **Front setback.**

a. **Minimum required.** There shall be a minimum front setback of ten (10) feet the full width of the lot, except as follows:

1. Display windows may project three (3) feet into the required front setback provided that the bottom of the projection is no less than three (3) feet above the adjacent sidewalk grade.

2. Unenclosed pedestrian arcades, outdoor dining areas, and similar unenclosed features contributing to a pedestrian-oriented environment may project seven (7) feet into the required setback.

3. Where a lot is contiguous to a residentially zoned lot fronting on the same street, the required front setback shall be the same as required for the contiguous residential lot.

b. **Maximum permitted.** The front setback shall not exceed fifteen (15) feet for fifty (50%) percent of the linear frontage of the building, except areas contiguous with the structure and used for outdoor dining or courtyards shall be exempt from this requirement. This setback area shall not be used for parking.

(2) **Side setback.**

a. There shall be a minimum side setback of ten (10) feet the full length of the lot on the street side of a corner or reverse corner lot.

b. No side setback shall be required along the interior lot lines, except where the side lot line is contiguous to a residential zone, in which case the following standards shall apply:

1. There shall be a minimum side setback of twenty (20) feet the full length of the lot;

2. The required side setback may be modified pursuant to Planning Commission Design Review (Section 10-5.2502).

(3) **Rear setback.** No rear setback shall be required, except where the rear lot line is contiguous to a residential zone, in which case the following standards shall apply:

a. There shall be a minimum rear setback of twenty (20) feet the full width of the lot;

b. The required rear setback may be modified pursuant to Planning Commission Design Review (Section 10-5.2502).

(e) **General regulations.** See Article 3 of this chapter.

(f) **Parking regulations.** See Article 5 of this chapter.

(g) **Sign regulations.** See Article 6 of this chapter.

(h) **Landscaping regulations.** See Article 7 of this chapter.

(i) **Coastal Development Permits.** See Article 10 of this chapter.

(j) **Procedures.** See Article 12 of this chapter.

(k) **Water Quality Measures.** See Chapter 7, Title 5 of the Redondo Beach Municipal Code.

10-5.635 Development standards: C-3-PD pedestrian-oriented commercial zone.

(a) **Floor area ratio.** The floor area ratio (F.A.R.) of all buildings on a lot shall not exceed 0.7 (see definition of floor area ratio in Section 10-5.402).

(b) **Building height.** No building or structure shall exceed a height of thirty (30) feet (see definition of building height in Section 10-5.402).

(c) **Stories.** No building shall exceed two (2) stories (see definition of story in Section 10-5.402).

(d) **Setbacks.** The minimum setback requirements shall be as follows:

(1) **Front setback.**

a. **Minimum required.** There shall be a minimum front setback of three (3) feet the full width of the lot, except that display windows may project to the front property line, provided that the bottom of the projection is no less than three feet above the adjacent sidewalk grade. However, where a lot is contiguous to a residentially zoned lot fronting on the same street, the required front setback shall be the same as required for the contiguous residential lot.

b. **Maximum permitted.** The front setback shall not exceed ten (10) feet for fifty (50%) percent of the linear frontage of the building, except areas contiguous with the structure and used for outdoor dining or courtyards shall be exempt from this requirement. This setback area shall not be used for parking.

(2) **Side setback.**

a. There shall be a minimum side setback of ten (10) feet the full length of the lot on the street side of a corner or reverse corner lot.

b. No side setback shall be required along the interior lot lines, except where the side lot line is contiguous to a residential zone, in which case the following standards shall apply:

1. There shall be a minimum side setback of twenty (20) feet the full length of the lot;

2. The required side setback may be modified pursuant to Planning Commission Design Review (Section 10-5.2502).

(3) **Rear setback.** No rear setback shall be required, except where the rear lot line is contiguous to a residential zone, in which case the following standards shall apply:

a. There shall be a minimum rear setback of twenty (20) feet the full width of the lot;

b. The required rear setback may be modified pursuant to Planning Commission Design Review (Section 10-5.2502).

(e) **General regulations.** See Article 3 of this chapter.

(f) **Parking regulations.** See Article 5 of this chapter.

(g) **Sign regulations.** See Article 6 of this chapter.

(h) **Landscaping regulations.** See Article 7 of this chapter.

(i) **Coastal Development Permits.** See Article 10 of this chapter.

(j) **Procedures.** See Article 12 of this chapter.

(k) **Water Quality Measures.** See Chapter 7, Title 5 of the Redondo Beach Municipal Code.

10-5.640 Land use regulations: C-4 commercial zone and C-4-PD pedestrian-oriented commercial zone.

In the following schedule the letter "P" designates use classifications permitted in the specified zone and the letter "C" designates use classifications permitted subject to approval of a Conditional Use Permit, as provided in Section 10-5.2506. Where there is neither a "P" nor a "C" indicated under a specified zone, or where a use classification is not listed, that classification

is not permitted. The "Additional Regulations" column references regulations located elsewhere in the Municipal Code.

Use Classifications	C-4	C-4-PD	Additional Regulations See Section:
Commercial Uses			
Ambulance services	C	---	
Animal sales and services:			
Animal feed and supplies	P	P	
Animal grooming	C	C	
Animal hospitals	C	---	
Animal sales	C	C	
Artist's studios	P	P	
Banks and savings and loans	P	P	
with drive-up service	C	C	
Bars and cocktail lounges	C	C	10-5.1600
Building material sales	C	---	
Business and trade schools	C	C	
Check-cashing businesses	C	C	10-5.1600
Commercial printing	P	---	
Commercial printing, limited	P	P	
Commercial recreation	C	C	10-5.1600
Communications facilities	C	C	
Drive-up services	C	C	
Fire arm sales	C	C	10-5.1600
Food and beverage sales:			
30,000 sq. ft. or less floor area	P	P	
more than 30,000 sq. ft. floor area	P	C	10-5.641
Hotels and motels	C	C	
Laboratories	C	---	
Liquor stores	C	C	
Maintenance and repair services	P	P	
Mortuaries	C	---	
Offices	P	P	10-5.641
Personal convenience services	P	P	
Personal improvement services	C	C	
Plant nurseries	C	C	
Recycling collection facilities:			10-5.1616
Reverse vending machines	P	P	
Small collection facilities	C	C	
Restaurants:			
2,000 sq. ft. or less floor area with no drive-up service	P	P	
more than 2,000 sq. ft. floor area or with drive-up service	C	C	

Use Classifications	C-4	C-4-PD	Additional Regulations See Section:
Retail sales:			
30,000 sq. ft. or less floor area	P	P	
more than 30,000 sq. ft. floor area	P	C	10-5.641
Snack shops	P	P	
Thrift shops	C	C	10-5.1600
Vehicle sales and services:			
Sales, leasing, and rentals	C	---	
Automobile washing	C	---	
Service stations	C	---	10-5.1602
Motor vehicle repair garages	C	---	10-5.1604
Other Uses			
Adult day care centers	C	C	
Antennae for public communications	C	C	
Child day care centers	C	C	
Churches	C	C	
Clubs and lodges	C	C	
Cultural institutions	C	C	
Government offices	P	P	10-5.641
Parking lots	C	C	
Public safety facilities	C	C	
Public utility facilities	C	C	10-5.1614
Recreation facilities	C	C	
Schools, public or private	C	C	

10-5.641 Additional land use regulations.

(a) **C-4-PD zone.**

(1) **Offices.** Offices are permitted only on the second floor and/or above, or on the ground floor to the rear of other permitted retail or service uses provided that the pedestrian character of the corridor is not disrupted, except that such ground floor uses along the street frontage are permitted in the C-4-PD zone within the Riviera Village overlay zone (see Section 10-5.1315).

(2) **Uses exceeding 30,000 square feet.** Uses exceeding 30,000 square feet shall be prohibited except where they are designed to be compatible with the intended pedestrian-oriented character of the zone, pursuant to the requirements for a Conditional Use Permit (Section 10-5.2506).

10-5.642 Development standards: C-4 commercial zone.

(a) **Floor area ratio.** The floor area ratio (F.A.R.) of all buildings on a lot shall not exceed 1.0 (see definition of floor area ratio in Section 10-5.402).

(b) **Building height.** No building or structure shall exceed a height of forty-five (45) feet (see definition of building height in Section 10-5.402).

(c) **Stories.** No building shall exceed three (3) stories (see definition of story in Section 10-5.402).

(d) **Setbacks.** The minimum setback requirements shall be as follows:

(1) **Front setback.** There shall be a minimum front setback of five (5) feet the full width of the lot, except where a lot is contiguous to a residentially zoned lot fronting on the same street, in which case the required front setback shall be the same as required for the contiguous residential lot.

(2) **Side setback.**

a. There shall be a minimum side setback of ten (10) feet the full length of the lot on the street side of a corner or reverse corner lot.

b. No side setback shall be required along the interior lot lines, except where the side lot line is contiguous to a residential zone, in which case the following standards shall apply:

1. There shall be a minimum side setback of twenty (20) feet the full length of the lot;

2. The required side setback may be modified pursuant to Planning Commission Design Review (Section 10-5.2502).

(3) **Rear setback.** No rear setback shall be required, except where the rear lot line is contiguous to a residential zone, in which case the following standards shall apply:

a. There shall be a minimum rear setback of twenty (20) feet the full width of the lot;

b. The required rear setback may be modified pursuant to Planning Commission Design Review (Section 10-5.2502).

(4) **Third story setback.** Within the first thirty (30) feet of property depth, all building elevations above the second floor shall have a minimum average setback of five (5) feet from the second floor building face.

(e) **General regulations.** See Article 3 of this chapter.

(f) **Parking regulations.** See Article 5 of this chapter.

(g) **Sign regulations.** See Article 6 of this chapter.

(h) **Landscaping regulations.** See Article 7 of this chapter.

(i) **Coastal Development Permits.** See Article 10 of this chapter.

(j) **Procedures.** See Article 12 of this chapter.

(k) **Water Quality Measures.** See Chapter 7, Title 5 of the Redondo Beach Municipal Code.

10-5.645 Development standards: C-4-PD pedestrian-oriented commercial zone.

(a) **Floor area ratio.** The floor area ratio (F.A.R.) of all buildings on a lot shall not exceed 1.0 (see definition of floor area ratio in Section 10-5.402).

(b) **Building height.** No building or structure shall exceed a height of forty-five (45) feet (see definition of building height in Section 10-5.402).

(c) **Stories.** No building shall exceed three (3) stories (see definition of story in Section 10-5.402).

(d) **Setbacks.** The minimum setback requirements shall be as follows:

(1) **Front setback.**

a. **Minimum required.** There shall be a minimum front setback of three (3) feet the full width of the lot, except that display windows may project to the front property line, provided that the bottom of the projection is no less than three feet above the adjacent sidewalk grade. However, where a lot is contiguous to a residentially zoned lot fronting on the same street, the required front setback shall be the same as required for the contiguous residential lot.

b. **Maximum permitted.** The front setback shall not exceed ten (10) feet for fifty (50%) percent of the linear frontage of the building, except areas contiguous with the structure and used for outdoor dining or courtyards shall be exempt from this requirement. This setback area shall not be used for parking.

(2) **Side setback.**

a. There shall be a minimum side setback of ten (10) feet the full length of the lot on the street side of a corner or reverse corner lot.

b. No side setback shall be required along the interior lot lines, except where the side lot line is contiguous to a residential zone, in which case the following standards shall apply:

1. There shall be a minimum side setback of twenty (20) feet the full length of the lot;

2. The required side setback may be modified pursuant to Planning Commission Design Review (Section 10-5.2502).

(3) **Rear setback.** No rear setback shall be required, except where the rear lot line is contiguous to a residential zone, in which case the following standards shall apply:

a. There shall be a minimum rear setback of twenty (20) feet the full width of the lot;

b. The required rear setback may be modified pursuant to Planning Commission Design Review (Section 10-5.2502).

(4) **Third story setback.** Within the first thirty (30) feet of property depth, all building elevations above the second floor shall have a minimum average setback of five (5) feet from the second floor building face.

(e) **General regulations.** See Article 3 of this chapter.

(f) **Parking regulations.** See Article 5 of this chapter.

(g) **Sign regulations.** See Article 6 of this chapter.

(h) **Landscaping regulations.** See Article 7 of this chapter.

(i) **Coastal Development Permits.** See Article 10 of this chapter.

(j) **Procedures.** See Article 12 of this chapter.

(k) **Water Quality Measures.** See Chapter 7, Title 5 of the Redondo Beach Municipal Code.

MU MIXED-USE ZONES

Sections

10-5.800 W Waterfront zones.
10-5.802 CC Catalina Corridor zone.
10-5.900 Specific purposes, MU-3 Mixed-use zones.
10-5.910 Land use regulations: MU-3 Mixed-use zones.
10-5.911 Additional land use regulations: MU-3 Mixed-use zones.
10-5.912 Performance standards: MU-3 Mixed-use zones.
10-5.915 Development standards: MU-3 Mixed-use zone.
10-5.917 Development standards: MU-3B Mixed-use zone.
10-5.918 Development standards: MU-3C Mixed-use zone.

10-5.800 W Waterfront zones.

All development and uses in the W Waterfront zone, the W-VCS Waterfront Village Core South zone, and the W-VCN Waterfront Village Core North zone are subject to the applicable standards and requirements of the Heart of the City Specific Plan (attachment A to this Coastal LUP Implementing Ordinance). All regulations of Title 10, Chapter 5 of the Municipal Code (Zoning Ordinance) shall also be applied to property in the W Waterfront zones, except that where any conflict exists between the Zoning Ordinance for the Coastal Zone and the requirements of the Heart of the City Specific Plan as contained in attachment A, the requirements of attachment A shall take precedence.

10-5.802 CC Catalina Corridor zone.

All development and uses in the CC Catalina Corridor zone are subject to the applicable standards and requirements of the Heart of the City Specific Plan (attachment B to this Coastal LUP Implementing Ordinance). All regulations of Title 10, Chapter 5 of the Municipal Code (Zoning Ordinance) shall also be applied to property in the CC Catalina Corridor zone, except that where any conflict exists between the Zoning Ordinance for the Coastal Zone and the requirements of the Heart of the City Specific Plan as contained in attachment B, the requirements of attachment B shall take precedence.

10-5.900 Specific purposes, MU-3 mixed-use zones.

In addition to the general purposes listed in Section 10-5.102, the specific purposes of the MU-3 mixed use zones are to:

(a) Encourage residential uses in conjunction with commercial activities in order to create an active street life, enhance the vitality of businesses, and reduce vehicular traffic;

(b) Provide appropriately located areas consistent with the Coastal Land Use Plan for a full range of neighborhood, community-oriented and visitor-serving retail sales, services, professional offices, and other commercial uses;

(c) Strengthen the City's economic base, and provide employment opportunities close to home for residents of the City;

(d) Ensure that commercial and residential uses in a development are designed to be compatible with each other;

(e) Ensure that the appearance and effects of buildings and uses are harmonious with the character of the area in which they are located;

Text in *italics* applies to the area of deferred certification, Area 2 of the Coastal Zone and has not been reviewed or certified by the Coastal Commission and is not effective in the Coastal Zone.

10-5.910 Land use regulations: MU-3, MU-3B, and MU-3C mixed-use zones.

In the following schedule the letter "P" designates use classifications permitted in the specified zone and the letter "C" designates use classifications permitted subject to approval of a Conditional Use Permit, as provided in Section 10-5.2506. Where there is neither a "P" nor a "C" indicated under a specified zone, or where a use classification is not listed, that classification is not permitted. The "Additional Regulations" column references regulations located elsewhere in the Municipal Code.

Use Classifications	MU-3	MU-3B MU-3C	Additional Regulations See Section:
Residential Uses			
Multi-family residential	C	C	10-5.911(b)
Condominiums	C	C	10-5.911(b)
Family day care home, small	P	P	
Family day care home, large	P	P	
Residential care, limited	P	P	
Commercial Uses			
Animal sales and services:			
Animal feed and supplies	P	P	
Animal grooming	C	C	10-5.911(a)
Animal hospitals	C	C	10-5.911(a)
Animal sales	C	C	10-5.911(a)
Artist's studios	P	P	
Banks and savings and loans	P	P	
with drive-up service	C	C	10-5.911(a)
Bars and cocktail lounges	C	C	10-5.1600
Business and trade schools	C	C	
Commercial printing, limited	P	P	
Commercial recreation	C	C	10-5.1600
Communications facilities	C	C	
Drive-up services	C	C	10-5.911(a)
Food and beverage sales:			
30,000 sq. ft. or less floor area	P	P	
more than 30,000 sq. ft. floor area	C	C	10-5.911(c)
Hotels and motels	C	C	10-5.911(a)
Liquor stores	C	C	10-5.1600
Maintenance and repair services	P	P	
Offices	P	P	10-5.911(d)
Personal convenience services	P	P	
Personal improvement services	C	C	
Plant nurseries	C	C	

Use Classifications	MU-3	MU-3B MU-3C	Additional Regulations See Section:
Recycling collection facilities:			10-5.1616
Reverse vending machines	P	P	10-5.911(a)
Small collection facilities	C	C	10-5.911(a)
Restaurants:			
2,000 sq. ft. or less floor area with no drive-up service	P	P	
more than 2,000 sq. ft. floor area or with drive-up service	C	C	
Retail sales:			
less than 30,000 sq. ft. floor area	P	P	
30,000 sq. ft. or more floor area	C	C	10-5.911(c)
Snack shops	P	P	
Thrift shops	C	C	10-5.1600
Vehicle sales and services:			
Service stations	C	---	10-5.1602; 10-5.911(a)
Other Uses			
Adult day care centers	C	C	
Antennae for public communications	C	C	
Child day care centers	C	C	
Churches	C	C	
Clubs and lodges	C	C	
Cultural institutions	C	C	
Government offices	P	P	10-5.911(d)
Parking lots	C	C	
Public safety facilities	C	C	
Public utility facilities	C	C	10-5.1614
Recreation facilities	C	C	
Schools, public or private	C	C	

10-5.911 Additional land use regulations: MU-3 mixed-use zones.

(a) **Commercial uses prohibited in mixed-use projects.** The following commercial uses are prohibited when located on a site containing both residential and commercial uses:

(1) Animal grooming; animal hospitals; animal sales.
(2) Bars and cocktail lounges.
(3) Drive-up services associated with any commercial use.
(4) Hotels and motels.
(5) Liquor stores.
(6) Recycling collection facilities.
(7) Service stations.

(8) Thrift shops.

(b) **Residential uses.** Residential dwelling units may only be located on the second floor and higher of structures developed with commercial uses on the lower levels.

(c) **Uses exceeding 30,000 square feet.** Uses exceeding 30,000 square feet shall be prohibited except where they are designed to be compatible with the intended pedestrian-oriented character of the zone, pursuant to the requirements for a Conditional Use Permit (Section 10-5.2506).

(d) **Offices.** Offices are permitted only on the second floor and/or above, or on the ground floor to the rear of other permitted retail or service uses provided that the pedestrian character of the corridor is not disrupted, except that such ground floor uses along the street frontage are permitted in the MU-3C zone within the Riviera Village overlay zone (see Section 10-5.1315).

10-5.912 Performance standards: MU-3 mixed-use zones.

(a) **Purpose.** The purpose of this Section is to ensure that residential uses in mixed-use zones are not adversely impacted by the adjacent commercial uses, including, but not limited to traffic, noise, and safety impacts. In the interests of both the residents and the businesses, no Conditional Use Permit shall be approved for a mixed-use project combining residential and commercial uses on the same site, unless the project is designed to meet the following performance standards, in addition to all other applicable regulations of this chapter.

(1) **Noise.**

a. Residential units shall be constructed so that interior noise levels do not exceed an Ldn of 45 dB(A) in any habitable room.

b. Commercial uses shall be designed and operated, and hours of operation limited where appropriate, so that neighboring residents are not exposed to offensive noise, especially from traffic or late- night activity. No amplified music shall be audible to neighboring residents.

c. Common walls between residential and non-residential uses shall be constructed to minimize the transmission of noise and vibration.

(2) **Security.**

a. The residential units shall be designed to ensure the security of residents, including, but not limited to, the provision of separate and secured entrances and exits that are directly accessible to secured parking areas.

b. Nonresidential and residential uses located on the same floor shall not have common entrance hallways or common balconies.

c. Parking spaces for nonresidential and residential uses shall be specifically designated by posting, pavement marking, and/or physical separation.

(3) **Lighting.**

a. All outdoor lighting associated with commercial uses shall be designed so as not to adversely impact surrounding residential uses, while also providing a sufficient level of illumination for access and security purposes. Such lighting shall not blink, flash, occilate, or be of unusually high intensity of brightness.

b. Parking areas shall be illuminated so as to provide appropriate visibility and security during hours of darkness.

(4) **Odors, dust, vibration.** No commercial use shall be designed or operated so as to expose residents to offensive odors, dust, electrical interference, and/or vibration.

(5) **Refuse storage and location.** The residential units shall maintain a separate refuse storage container from that used by the commercial uses. It shall be clearly marked for residential use only and use by commercial uses is prohibited.

10-5.915 Development standards: MU-3 mixed-use zone.

(a) **Floor area ratio.** (See definition of floor area ratio in Section 10-5.402).

(1) **Commercial uses.** For projects containing only commercial uses, the floor area ratio (F.A.R.) of all buildings on a lot shall not exceed 1.0.

(2) **Mixed-use.** For projects including both commercial and residential uses, the floor area ratio (F.A.R.) of all buildings on a lot shall not exceed 1.5. The following shall also apply:

a. **Maximum commercial floor area.** All floor area exceeding a floor area ratio of 0.7 shall be developed for residential uses.

b. **Minimum commercial floor area.** The commercial component of mixed-use projects shall have a minimum floor area ratio of 0.3.

(b) **Residential density.** The maximum number of dwelling units on a lot shall be one unit for each 1,245 square feet of lot area, not to exceed 35 dwelling units per net acre except one unit may be constructed on any legal lot as defined in Section 10-5.402 and Section 10-5.1528 of this chapter.

(c) **Minimum lot size, mixed-use projects.** No projects containing both commercial and residential uses shall be permitted on lots with less than 15,000 square feet of lot area.

(d) **Building height.** (See definition of building height in Section 10-5.402).

(1) **Commercial uses.** For projects containing only commercial uses, no building or structure shall exceed a height of thirty (30) feet.

(2) **Mixed-use.** For projects including both commercial and residential uses, no building or structure shall exceed a height of forty-five (45) feet.

(e) **Stories.** (See definition of story in Section 10-5.402).

(1) **Commercial uses.** For projects containing only commercial uses, no building shall exceed two (2) stories.

(2) **Mixed-use.** For projects including both commercial and residential uses, no building shall exceed three (3) stories.

(f) **Setbacks.** The minimum setback requirements shall be as follows:

(1) **Front setback.**

a. **Minimum required.** There shall be a minimum front setback of ten (10) feet the full width of the lot, except as follows:

1. Display windows may project three (3) feet into the required front setback provided that the bottom of the projection is no less than three (3) feet above the adjacent sidewalk grade.

2. Unenclosed pedestrian arcades, outdoor dining areas, and similar unenclosed features contributing to a pedestrian-oriented environment may project seven (7) feet into the required setback.

3. Where a lot is contiguous to a residentially zoned lot fronting on the same street, the required front setback shall be the same as required for the contiguous residential lot.

b. **Maximum permitted.** In commercial or mixed-use projects, the front setback shall not exceed fifteen (15) feet for fifty (50%) percent of the linear frontage of the building, except areas contiguous with the structure and used for outdoor dining or courtyards shall be exempt from this requirement. This setback area shall not be used for parking.

(2) **Side setback.**

a. There shall be a minimum side setback of ten (10) feet the full length of the lot on the street side of a corner or reverse corner lot.

b. No side setback shall be required along the interior lot lines, except where the side lot line is contiguous to a residential zone, in which case the following standards shall apply:

1. There shall be a minimum side setback of twenty (20) feet the full length of the lot;

2. The required side setback may be modified pursuant to Planning Commission Design Review (Section 10-5.2502).

(3) **Rear setback.** No rear setback shall be required, except where the rear lot line is contiguous to a residential zone, in which case the following standards shall apply:

a. There shall be a minimum rear setback of twenty (20) feet the full width of the lot;

b. The required rear setback may be modified pursuant to Planning Commission Design Review (Section 10-5.2502).

(4) **Second story setback.** The second story shall have a minimum setback of eighteen (18) feet from any property line abutting a street.

(5) **Third story setback.** Within the first thirty (30) feet of property depth, all building elevations above the second floor shall have a minimum average setback of five (5) feet from the second floor building face.

(g) **Outdoor living space.** Each dwelling unit shall be provided a minimum of 200 square feet of outdoor living space (see standards for outdoor living space in Section 10-5.1510).

(h) **General regulations.** See Article 3 of this chapter.

(i) **Parking regulations.** See Article 5 of this chapter.

(j) **Sign regulations.** See Article 6 of this chapter.

(k) **Landscaping regulations.** See Article 7 of this chapter.

(l) **Coastal Development Permits.** See Article 10 of this chapter.

(m) **Procedures.** See Article 12 of this chapter.

(n) **Water Quality Measures.** See Chapter 7, Title 5 of the Redondo Beach Municipal Code.

10-5.917 Development standards: MU-3B mixed-use zone.

(a) **Floor area ratio.** (See definition of floor area ratio in Section 10-5.402).

(1) **Commercial uses.** For projects containing only commercial uses, the floor area ratio (F.A.R.) of all buildings on a lot shall not exceed 1.0.

(2) **Mixed-use.** For projects including both commercial and residential uses, the floor area ratio (F.A.R.) of all buildings on a lot shall not exceed 1.5. The following shall also apply:

a. **Maximum commercial floor area.** All floor area exceeding a floor area ratio of 0.7 shall be developed for residential uses.

b. **Minimum commercial floor area.** The commercial component of mixed-use projects shall have a minimum floor area ratio of 0.3.

(b) **Residential density.** The maximum number of dwelling units on a lot shall be one unit for each 1,245 square feet of lot area, not to exceed 35 dwelling units per net acre except one unit may be constructed on any legal lot as defined in Section 10-5.402 and Section 10-5.1528 of this chapter.

(c) **Minimum lot size, mixed-use projects.** No projects containing both commercial and residential uses shall be permitted on lots with less than 15,000 square feet of lot area.

(d) **Building height.** (See definition of building height in Section 10-5.402).

(1) **Commercial uses.** For projects containing only commercial uses, no building or structure shall exceed a height of thirty (30) feet.

(2) **Mixed-use.** For projects including both commercial and residential uses, no building or structure shall exceed a height of forty-five (45) feet.

(e) **Stories.** (See definition of story in Section 10-5.402).

(1) **Commercial uses.** For projects containing only commercial uses, no building shall exceed two (2) stories.

(2) **Mixed-use.** For projects including both commercial and residential uses, no building shall exceed three (3) stories.

(f) **Setbacks.** The minimum setback requirements shall be as follows:

(1) **Front setback.**

a. **Minimum required.** There shall be a minimum front setback of ten (10) feet the full width of the lot, except as follows:

1. Display windows may project three (3) feet into the required front setback provided that the bottom of the projection is no less than three (3) feet above the adjacent sidewalk grade.

2. Unenclosed pedestrian arcades, outdoor dining areas, and similar unenclosed features contributing to a pedestrian-oriented environment may project seven (7) feet into the required setback.

3. Where a lot is contiguous to a residentially zoned lot fronting on the same street, the required front setback shall be the same as required for the contiguous residential lot.

b. **Maximum permitted.** In commercial or mixed-use projects, the front setback shall not exceed fifteen (15) feet for fifty (50%) percent of the linear frontage of the building, except areas contiguous with the structure and used for outdoor dining or courtyards shall be exempt from this requirement. This setback area shall not be used for parking.

(2) **Side setback.**

a. There shall be a minimum side setback of ten (10) feet the full length of the lot on the street side of a corner or reverse corner lot.

b. No side setback shall be required along the interior lot lines, except where the side lot line is contiguous to a residential zone, in which case the following standards shall apply:

1. There shall be a minimum side setback of twenty (20) feet the full length of the lot;

2. The required side setback may be modified pursuant to Planning Commission Design Review (Section 10-5.2502).

(3) **Rear setback.** No rear setback shall be required, except where the rear lot line is contiguous to a residential zone, in which case the following standards shall apply:

a. There shall be a minimum rear setback of twenty (20) feet the full width of the lot;

b. The required rear setback may be modified pursuant to Planning Commission Design Review (Section 10-5.2502).

(4) **Second story setback.** The second story shall have a minimum setback of eighteen (18) feet from any property line abutting a street.

(5) **Third story setback.** Within the first thirty (30) feet of property depth, all building elevations above the second floor shall have a minimum average setback of five (5) feet from the second floor building face.

(g) **Outdoor living space.** Each dwelling unit shall be provided a minimum of 200 square feet of outdoor living space (see standards for outdoor living space in Section 10-5.1510).

(h) **General regulations.** See Article 3 of this chapter.

(i) **Parking regulations.** See Article 5 of this chapter.

(j) **Sign regulations.** See Article 6 of this chapter.

(k) **Landscaping regulations.** See Article 7 of this chapter.

(l) **Coastal Development Permits.** See Article 10 of this chapter.

(m) **Procedures.** See Article 12 of this chapter.

(n) **Water Quality Measures.** See Chapter 7, Title 5 of the Redondo Beach Municipal Code.

10-5.918 Development standards: MU-3C mixed-use zone.

(a) **Floor area ratio.** (See definition of floor area ratio in Section 10-5.402).

(1) **Commercial uses.** For projects containing only commercial uses, the floor area ratio (F.A.R.) of all buildings on a lot shall not exceed 1.0.

(2) **Mixed-use.** For projects including both commercial and residential uses, the floor area ratio (F.A.R.) of all buildings on a lot shall not exceed 1.5. The following shall also apply:

a. **Maximum commercial floor area.** All floor area exceeding a floor area ratio of 0.7 shall be developed for residential uses.

b. **Minimum commercial floor area.** The commercial component of mixed-use projects shall have a minimum floor area ratio of 0.3.

(b) **Residential density.** The maximum number of dwelling units on a lot shall be one unit for each 1,245 square feet of lot area, not to exceed 35 dwelling units per net acre except one unit may be constructed on any legal lot as defined in Section 10-5.402 and Section 10-5.1528 of this chapter.

(c) **Minimum lot size, mixed-use projects.** No projects containing both commercial and residential uses shall be permitted on lots with less than 15,000 square feet of lot area.

(d) **Building height.** No building or structure shall exceed a height of forty-five (45) feet (see definition of building height in Section 10-5.402).

(e) **Stories.** No building shall exceed three (3) stories (see definition of story in Section 10-5.402).

(f) **Setbacks.** The minimum setback requirements shall be as follows:

(1) **Front setback.**

a. **Minimum required.** There shall be a minimum front setback of three (3) feet the full width of the lot, except that display windows may project to the front property line, provided that the bottom of the projection is no less than three (3) feet above the adjacent sidewalk grade. However, where a lot is contiguous to a residentially zoned lot fronting on the same street, the required front setback shall be the same as required for the contiguous residential lot.

b. **Maximum permitted.** The front setback shall not exceed ten (10) feet for fifty (50%) percent of the linear frontage of the building, except areas contiguous with the structure and used for outdoor dining or courtyards shall be exempt from this requirement. This setback area shall not be used for parking.

(2) **Side setback.**

a. There shall be a minimum side setback of ten (10) feet the full length of the lot on the street side of a corner or reverse corner lot.

b. No side setback shall be required along the interior lot lines, except where the side lot line is contiguous to a residential zone, in which case the following standards shall apply:

1. There shall be a minimum side setback of twenty (20) feet the full length of the lot;

2. The required side setback may be modified pursuant to Planning Commission Design Review (Section 10-5.2502).

(3) **Rear setback.** No rear setback shall be required, except where the rear lot line is contiguous to a residential zone, in which case the following standards shall apply:

a. There shall be a minimum rear setback of twenty (20) feet the full width of the lot;

b. The required rear setback may be modified pursuant to Planning Commission Design Review (Section 10-5.2502).

(4) **Second story setback for residential uses.** All residential uses on the second floor shall be set back from the first floor building elevation facing the street, pursuant to

Planning Commission Design Review (Section 10-5.2502), in order to provide appropriate separation from activity in the public right-of-way.

(5) **Third story setback.** Within the first thirty (30) feet of property depth, all building elevations above the second floor shall have a minimum average setback of five (5) feet from the second floor building face.

(g) **Outdoor living space.** Each dwelling unit shall be provided a minimum of 200 square feet of outdoor living space (see standards for outdoor living space in Section 10-5.1510).

(h) **General regulations.** See Article 3 of this chapter.

(i) **Parking regulations.** See Article 5 of this chapter.

(j) **Sign regulations.** See Article 6 of this chapter.

(k) **Landscaping regulations.** See Article 7 of this chapter.

(l) **Coastal Development Permits.** See Article 10 of this chapter.

(m) **Procedures.** See Article 12 of this chapter.

(n) **Water Quality Measures.** See Chapter 7, Title 5 of the Redondo Beach Municipal Code.

PUBLIC AND INSTITUTIONAL ZONES

Sections

10-5.1100 Specific purposes, P Public and Institutional zones.
10-5.1110 Land use regulations: P-CIV Civic Center zone, P-RVP Riviera Village Parking zone, P-CF Community Facility zone, and P-PRO Parks, Recreation, and Open Space zone.
10-5.1111 Additional land use regulations, P Public and Institutional zones.
10-5.1112 Development standards: P-CIV Civic Center zone.
10-5.1113 Development standards: P-RVP Riviera Village Parking zone.
10-5.1116 Development standards: P-CF Community Facility zone.
10-5.1117 Development standards: P-PRO Parks, Recreation, and Open Space zone.

10-5.1100 Specific purposes, P public and institutional zones.

In addition to the general purposes listed in Section 10-5.102, the specific purposes of the P Public and Institutional zone regulations are to:

(a) Provide lands for park, beaches, recreation and open space areas, schools, civic center uses, cultural facilities, public safety facilities, and other public uses which are beneficial to the community and visitors to the coastal zone;

(b) Establish appropriate and flexible development standards for the development of necessary public uses and facilities;

(c) Allow the Planning Commission and City Council to consider the most appropriate use of a site following discontinuance of a public or utility use without the encumbrance of a pre-determined zoning designation that may or may not provide appropriate regulations for the development of the site;

(d) Ensure that public buildings and uses are designed to be compatible with other buildings and uses on the site and with the neighborhood in which they are located.

(e) Maximize public access to the beaches, parks and other recreation and open space areas within the coastal zone.

10-5.1110 Land use regulations: P-CIV Civic Center zone, P-RVP Riviera Village parking zone, P-CF community facility zone, and P-PRO parks, recreation, and open space zone.

In the following schedule the letter "P" designates use classifications permitted in the specified zone and the letter "C" designates use classifications permitted subject to approval of a Conditional Use Permit, as provided in Section 10-5.2506. Where there is neither a "P" nor a "C" indicated under a specified zone, or where a use classification is not listed, that classification is not permitted. The "Additional Regulations" column references regulations located elsewhere in the Municipal Code.

Use Classifications	P-CIV	P-RVP	P-CF	P-PRO	Additional Regulations See Section:
Public and Other Uses					
Parks, parkettes, open space, recreational facilities, beaches, and coastal bluffs	P	P	P	P	10-5.1111(a) 10-5.1111(b) 10-5.1111(c)
Public buildings in parks, recreation areas, open space areas, and beaches	C	C	C	C	10-5.1111(a) 10-5.1111(b) 10-5.1111(c)
Adult education centers	--	---	C	---	
Agricultural and horticultural uses	C	---	C	C	10-5.1111(a) 10-5.1111(c)
Child day care centers	C	---	C	C	10-5.1111(a) 10-5.1111(c)
Community centers	C	---	C	C	10-5.1111(a) 10-5.1111(c)
Cultural institutions	C	---	C	C	10-5.1111(a) 10-5.1111(c)
Government maintenance facilities	C	---	C	C	10-5.1111(a)
Government offices	C	---	C	C	10-5.1111(a) 10-5.1111(c)
Public gymnasiums and athletic clubs	C	---	C	C	10-5.1111(a) 10-5.1111(c)
Hospitals	--	---	C	---	
Medical offices and health-related facilities	--	---	C	---	
Nurseries, wholesale and retail	C	---	C	C	10-5.1111(a) 10-5.1111(c)
Performance art facilities	C	---	C	C	10-5.1111(a) 10-5.1111(c)
Parking lots	C	C	C	C	10-5.1111(a) 10-5.1111(c)
Public safety facilities	C	---	C	C	10-5.1111(a) 10-5.1111(c)
Public utility facilities	C	C	C	C	10-5.1614 10-5.1111(a) 10-5.1111(c)
Schools, public and private	---	---	C	---	
Accessory uses/structures	P	P	P	P	10-5.1111(b) 10-5.1111(c)

10-5.1111 Additional land use regulations, P public and institutional zones.

(a) **Recreation and Parks Commission Review, P-PRO zone.** In the P-PRO parks, recreation, and open space zone, all applications for uses and development shall be referred to the Recreation and Parks Commission for its study and recommendations before submission to the appropriate decision-making body.

(b) **Accessory uses and structures.**

(1) **Development standards.** Permitted accessory uses and structures, including, but not limited to, storage sheds, maintenance buildings, lighting fixtures, view decks, rest rooms, flag poles, and concession stands, shall be subject to the height, setback, and floor area ratio standards of the zone in which it is located, except that height and setback standards may be modified subject to Planning Commission Design Review. In zones where no height standard is specified, permitted accessory uses and structures exceeding a height of thirty (30) feet shall be subject to Planning Commission Design Review, except that flag poles, lighting fixtures, and similar structures which do not contain floor area and which exceed a height of thirty (30) feet may be approved by the Planning Director. In zones where no maximum floor area ratio is specified, any building exceeding 1,000 square feet shall be subject to Planning Commission Design Review.

(c) **Preservation of public beach.** The beach and coastal bluffs south of Torrance Boulevard and west of Esplanade shall be maintained and preserved for public beach, open space and public recreational use. Notwithstanding Section 10-5.1110, the beach and coastal bluffs shall not be permitted to be developed with any of the uses listed other than beaches, coastal bluffs, and accessory uses and structures as listed in subsection (b) of Section 10-5.1110. The existing beach parking lot west of Esplanade at the southerly boundary of the City shall also be retained.

10-5.1112 Development standards: P-CIV Civic Center zone.

(a) **Floor area ratio.** The floor area ratio (F.A.R.) of all buildings on a lot shall not exceed 1.25 (see definition of floor area ratio in Section 10-5.402).

(b) **Building height.** No building or structure shall exceed a height of forty-five (45) feet (see definition of building height in Section 10-5.402).

(c) **Stories.** No building shall exceed three (3) stories (see definition of story in Section 10-5.402).

(d) **Setbacks.** The minimum setback requirements shall be as follows:

(1) **Abutting Pacific Coast Highway.**

a. There shall be a minimum setback of ten (10) feet from the property line abutting Pacific Coast Highway.

b. There shall be a minimum setback of twenty (20) feet from the property line abutting Pacific Coast Highway for portions of the building where the building height exceeds twenty (20) feet.

(2) **Abutting Broadway.** There shall be a minimum setback of twenty (20) feet from the property line abutting Broadway.

(3) **Abutting Carnelian Street.** There shall be a minimum setback of twenty (20) feet from the property line abutting Carnelian Street.

(4) **Abutting Diamond Street.**

a. There shall be a minimum setback of ten (10) feet from the property line abutting Diamond Street.

b. There shall be a minimum setback of twenty (20) feet from the property line abutting Diamond Street for portions of the building where the building height exceeds twenty (20) feet.

(e) **General regulations.** See Article 3 of this chapter.
(f) **Parking regulations.** See Article 5 of this chapter.
(g) **Sign regulations.** See Article 6 of this chapter.
(h) **Landscaping regulations.** See Article 7 of this chapter.
(i) **Coastal Development Permits.** See Article 10 of this chapter.
(j) **Procedures.** See Article 12 of this chapter.
(k) **Water Quality Measures.** See Chapter 7, Title 5 of the Redondo Beach Municipal Code.

10-5.1113 Development standards: P-RVP Riviera Village parking zone.

(a) **Floor area ratio.** The floor area ratio shall not exceed 1.0 (see definition of floor area ratio in Section 10-5.402.
(b) **Building height.** Height of buildings or structures shall not exceed a height of thirty (30) feet (see definition of building height in Section 10-5.402).
(c) **Stories.** No building shall exceed two (2) stories (see definition of story in Section 10-5.402).
(d) **Setbacks.** Setbacks shall be determined subject to Planning Commission Design Review.
(e) **General regulations.** See Article 3 of this chapter.
(f) **Parking regulations.** See Article 5 of this chapter.
(g) **Sign regulations.** See Article 6 of this chapter.
(h) **Landscaping regulations.** See Article 7 of this chapter.
(i) **Coastal Development Permits.** See Article 10 of this chapter.
(j) **Procedures.** See Article 12 of this chapter.
(k) **Water Quality Measures.** See Chapter 7, Title 5 of the Redondo Beach Municipal Code.

10-5.1116 Development standards: P-CF community facility zone.

(a) **Floor area ratio.** The floor area ratio shall be determined subject to Planning Commission Design Review.
(b) **Building height.** Height of buildings or structures shall not exceed a height of forty-five (45) feet or thirty (30) feet within 300 feet from the beach (see definition of building height in Section 10-5.402).
(c) **Stories.** No building shall exceed three (3) stories or two (2) stories within 300 feet of the beach (see definition of story in Section 10-5.402).
(d) **Setbacks.** Setbacks shall be determined subject to Planning Commission Design Review.
(e) **General regulations.** See Article 3 of this chapter.
(f) **Parking regulations.** See Article 5 of this chapter.
(g) **Sign regulations.** See Article 6 of this chapter.
(h) **Landscaping regulations.** See Article 7 of this chapter.
(i) **Coastal Development Permits.** See Article 10 of this chapter.
(j) **Procedures.** See Article 12 of this chapter.
(k) **Water Quality Measures.** See Chapter 7, Title 5 of the Redondo Beach Municipal Code.

10-5.1117 Development standards: P-PRO parks, recreation, and open space zone.

(a) **Floor area ratio.** The floor area ratio (F.A.R.) of all buildings on a lot shall not exceed 0.25 (see definition of floor area ratio in Section 10-5.402).

(b) **Building height.** No building or structure shall exceed a height of thirty (30) feet (see definition of building height in Section 10-5.402).

(c) **Stories.** No building shall exceed two (2) stories (see definition of story in Section 10-5.402).

(d) **Setbacks.** Setbacks shall be determined subject to Planning Commission Design Review.

(e) **General regulations.** See Article 3 of this chapter.

(f) **Parking regulations.** See Article 5 of this chapter.

(g) **Sign regulations.** See Article 6 of this chapter.

(h) **Landscaping regulations.** See Article 7 of this chapter.

(i) **Coastal Development Permits.** See Article 10 of this chapter.

(j) **Procedures.** See Article 12 of this chapter.

(k) **Water Quality Measures.** See Chapter 7, Title 5 of the Redondo Beach Municipal Code.

OVERLAY ZONES

Sections

(PLD) PLANNED DEVELOPMENT OVERLAY ZONE
10-5.1200 Specific purposes, (PLD) Planned Development Overlay zone.
10-5.1210 Relationship of (PLD) Planned Development Overlay zone to underlying zone.
10-5.1212 Submittal of a development plan.

(MU) MIXED-USE OVERLAY ZONE
10-5.1220 Specific purposes, (MU) Mixed-use Overlay zone.
10-5.1222 Relationship of (MU) Mixed-use Overlay zone to underlying zone.
10-5.1224 Additional land use regulations: (MU) Mixed-use Overlay zone.
10-5.1226 Performance standards: (MU) Mixed-use Overlay zone.

(RIV) RIVIERA VILLAGE OVERLAY ZONE
10-5.1300 Specific purposes, (RIV) Riviera Village Overlay zone.
10-5.1310 Relationship of Riviera Village Overlay zone to underlying zone.
10-5.1315 Riviera Village Overlay zone area boundary.
10-5.1320 Development standards: (RIV) Overlay zone.

(H) HISTORIC OVERLAY ZONE
10-5.1400 Specific purposes, (H) Historic Overlay zone.
10-5.1410 Relationship of Historic Overlay zone to underlying zone.
10-5.1415 Eligibility requirements: (H) Historic Overlay zone.
10-5.1420 Land use regulations: (H) Historic Overlay zone.

10-5.1200 Specific purposes, (PLD) planned development overlay zone.

In addition to the general purposes listed in Section 10-5.102, the specific purposes of the (PLD) planned development overlay zone are to:

(a) Encourage and provide a means for effectuating the development of a more desirable environment by the application of site planning techniques not permitted through the literal application of the zoning and subdivision regulations;

(b) Establish a procedure for the development of larger parcels of land in order to reduce or eliminate the rigidity and inequities that otherwise may result from application of site standards designed primarily for the typical lot;

(c) Ensure orderly and thorough planning and review procedures that will result in quality urban design;

(d) Encourage variety and avoid monotony in larger developments by allowing greater freedom in selecting the means to provide access, light, open space, and amenity;

(e) Provide a mechanism whereby the City may authorize desirable developments in conformity with the Coastal Land Use Plan without inviting speculative rezoning applications.

10-5.1210 Relationship of (PLD) planned development overlay zone to underlying zone.

(a) Where the (PLD) planned development overlay zone has been imposed, the land use regulations of the existing land use zone (herein referred to as the "underlying" zone) shall remain in full force. In addition, the following development standards of the underlying zone shall

remain in full force: floor area ratio, building height, parking and lot area per dwelling unit. All other development standards, zoning and subdivision regulations may be varied as desirable or essential to accomplish the objectives of this section, pursuant to Planned Development Review (Section 10-5.2514), further provided that such standards are consistent with all applicable requirements of the Coastal Land Use Plan.

(b) Where imposed, the (PLD) planned development overlay zone designation shall be added to the underlying zone designation to establish a new zone designation. The zone of the affected properties shall thereafter be designated on the precise land use plan by the symbol of the underlying zone, followed by the parenthetically enclosed letters "PLD" or (PLD).

10-5.1212 Submittal of a development plan.

(a) No application for the (PLD) planned development overlay zone designation shall be considered except in conjunction with project development plans. Such application shall be subject to the procedures pursuant to Planned Development Review (Section 10-5.2514).

10-5.1220 Specific purposes, (MU) mixed-use overlay zone.

In addition to the general purposes listed in Section 10-5.102, the specific purposes of the (MU) mixed-use overlay zone are to:

(a) Encourage residential uses in conjunction with commercial activities in order to create an active street life, enhance the vitality of businesses, and reduce vehicular traffic;

(b) Provide opportunities for horizontal mixed-use developments by permitting existing residential and commercial zones to be combined into unified development sites;

(c) Encourage compatibility between residential and commercial uses in areas where residential zones directly abut commercial zones, by permitting greater design flexibility across the existing boundaries of the two zones;

(d) Ensure that the appearance and effects of buildings and uses are harmonious with the character of the area in which they are located.

10-5.1222 Relationship of (MU) mixed-use overlay zone to underlying zone.

(a) Where the (MU) mixed-use overlay zone has been imposed, the land use regulations and development standards of the existing land use zone (herein referred to as the "underlying" zone) shall remain in full force, except as follows:

(1) Commercial land uses may extend into the rear one-third (1/3) of the lot in the underlying residential zone. The maximum floor area ratio applicable to the underlying commercial zone may also be applied to the portion of the underlying residential zone which is developed with commercial uses.

(2) Residential land uses may extend into the rear one-half (1/2) of the lot in the underlying commercial zone. Residential uses may also be located above first floor commercial uses within any portion of the underlying commercial zone. The lot area per dwelling unit standards applicable to the underlying residential zone may also be applied to the portion of the underlying commercial zone which is developed with residential uses.

(3) Development standards contained in the Zoning Ordinance, other than for floor area ratio, building height, lot area per dwelling unit, and parking, may be varied as desirable or essential to accomplish the objectives of this section, pursuant to Planning Commission Design Review (Section 10-5.2502), further provided that such standards are consistent with all applicable requirements of the Coastal Land Use Plan.

(b) Where imposed, the (MU) mixed-use overlay zone designation shall be added to the underlying zone designation to establish a new zone designation. The zone of the affected properties shall thereafter be designated on the Zoning Map by the symbol of the underlying zone, followed by the parenthetically enclosed letters "MU" or (MU).

10-5.1224 Additional land use regulations: (MU) mixed-use overlay zone.

(a) **Minimum lot size, mixed-use projects.** No projects containing both commercial and residential uses shall be permitted on sites with less than 30,000 square feet of lot area.

(b) **Commercial uses prohibited in mixed-use projects.** The following commercial uses are prohibited when located on a site containing both residential and commercial uses:

(1) Animal grooming; animal hospitals; animal sales.
(2) Bars and cocktail lounges.
(3) Drive-up services associated with any commercial use.
(4) Hotels and motels.
(5) Liquor stores.
(6) Recycling collection facilities.
(7) Service stations.
(8) Thrift shops.

10-5.1226 Performance standards: (MU) mixed-use overlay zone.

(a) **Purpose.** The purpose of this section is to ensure that residential uses in the (MU) mixed-use overlay zone are not adversely impacted by the adjacent commercial uses, including, but not limited to traffic, noise, and safety impacts. In the interests of both the residents and the businesses, no Conditional Use Permit shall be approved for a mixed-use project combining residential and commercial uses on the same site, unless the project is designed to meet the following performance standards, in addition to all other applicable regulations of this chapter.

(1) **Noise.**

a. Residential units shall be constructed so that interior noise levels do not exceed an Ldn of 45 dB(A) in any habitable room.

b. Commercial uses shall be designed and operated, and hours of operation limited where appropriate, so that neighboring residents are not exposed to offensive noise, especially from traffic or late- night activity. No amplified music shall be audible to neighboring residents.

c. Common walls between residential and non-residential uses shall be constructed to minimize the transmission of noise and vibration.

(2) **Security.**

a. The residential units shall be designed to ensure the security of residents, including, but not limited to, the provision of separate and secured entrances and exits that are directly accessible to secured parking areas.

b. Nonresidential and residential uses located on the same floor shall not have common entrance hallways or common balconies.

c. Parking spaces for nonresidential and residential uses shall be specifically designated by posting, pavement marking, and/or physical separation.

(3) **Lighting.**

a. All outdoor lighting associated with commercial uses shall be designed so as not to adversely impact surrounding residential uses, while also providing a sufficient level of illumination for access and security purposes. Such lighting shall not blink, flash, occilate, or be of unusually high intensity of brightness.

b. Parking areas shall be illuminated so as to provide appropriate visibility and security during hours of darkness.

(4) **Odors, dust, vibration.** No commercial use shall be designed or operated so as to expose residents to offensive odors, dust, electrical interference, and/or vibration.

(5) **Refuse storage and location.** The residential units shall maintain a separate refuse storage container from that used by the commercial uses. It shall be clearly marked for residential use only and use by commercial uses is prohibited.

10-5.1300 Specific purposes, (RIV) Riviera Village overlay zone.

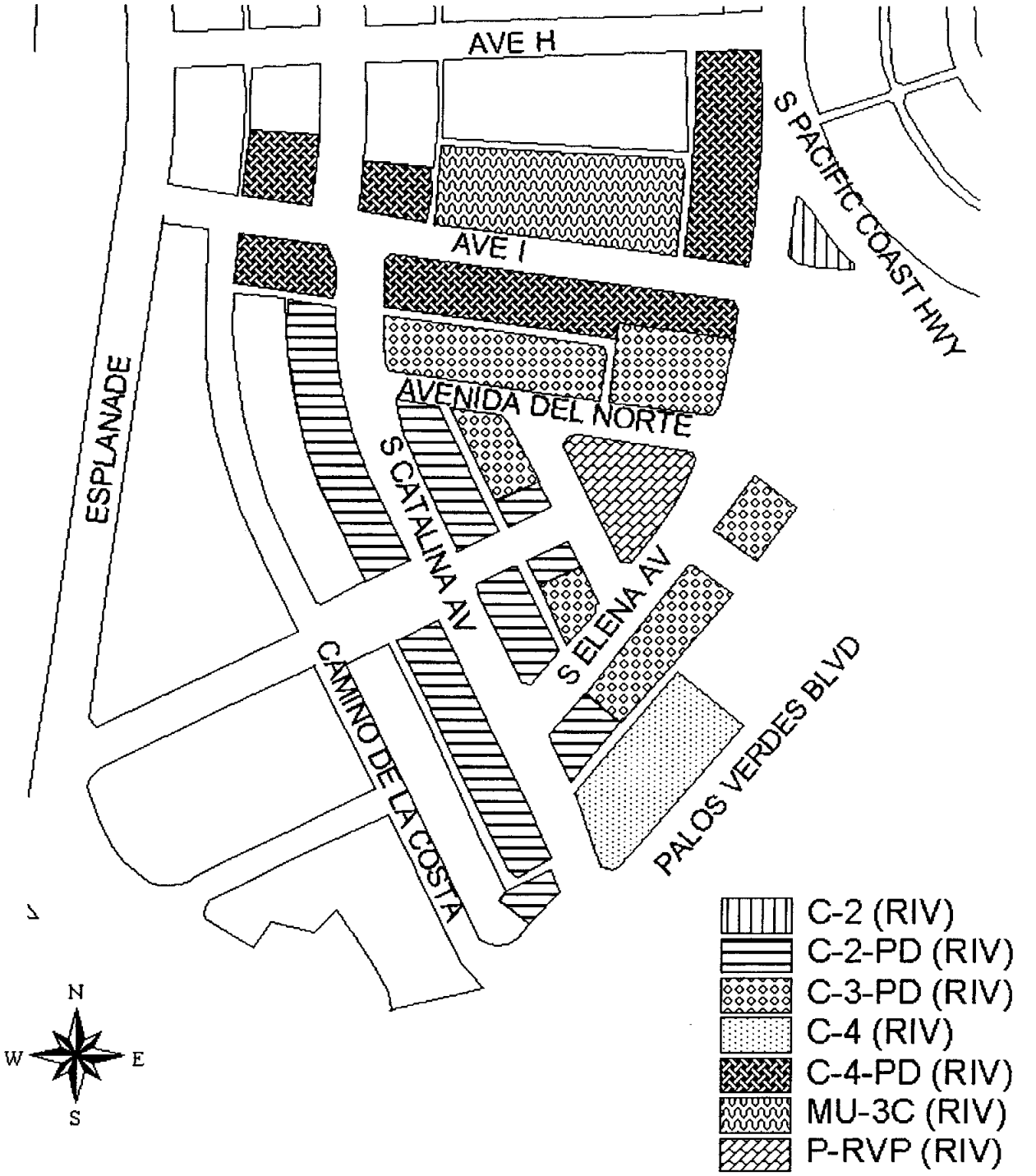
The specific purpose of the RIV Riviera Village overlay zone is to implement the City's Coastal Land Use Plan by assuring development consistent with the maintenance of the Riviera Village as a primarily local-serving commercial zone with a distinct "village-like" environment characterized by a high level of pedestrian activity.

10-5.1310 Relationship of (RIV) Riviera Village overlay zone to underlying zone.

(a) Where the Riviera Village overlay zone has been imposed the requirements of the existing land use zone (herein referred to as the "underlying" zone) shall remain in full force and effect in addition to the requirements of the Riviera Village overlay zone. Where imposed, the Riviera Village overlay zone designation shall be added to the underlying zone designation to establish a new zone designation. The zone of the affected properties shall thereafter be designated on the precise land use plan by the symbol of the underlying zone, followed by the parenthetically enclosed letters "RIV" or (RIV).

(b) The RIV Riviera Village overlay zone shall apply to the area designated (RIV) on the official zoning map of the city (depicted in Section 10-5.1315 below), and shall be combined with the requirements of the underlying base zone for such area.

10-5.1315 Riviera Village overlay zone area boundary.



10-5.1320 Development standards: (RIV) overlay zone.

Development standards shall be those of the underlying base zone, except as follows:

(a) No development requiring review by the Planning Commission or City Council shall be approved unless the following written findings are made in addition to any other findings required by this chapter:

(1) The development is compatible with the general design and bulk of other surrounding structures in the same underlying zone.

(2) The development is sited and designed to convey a "village" character, making use of the following elements to the extent determined appropriate:

a. Siting of structures on common pedestrian walkways, courtyards, and other open spaces;

b. Incorporation of arcades and other setbacks along the street frontage;

c. Use of multiple building volumes and masses to avoid the appearance of large-scale "box" designs;

d. Incorporation of extensive facade modulation and articulation and design details;

e. Use of roofline and height variations to break up massing and provide visual interest;

f. Use of unified architectural styles;

g. Clear identification of building entrances;

h. Extensive use of landscape (planting beds, raised planters, containers, or window boxes); and

i. Use of signage that is pedestrian-oriented in scale and design.

10-5.1400 Specific purposes, (H) historic overlay zone.

The preservation of some historic buildings within the City may be threatened by limitations to their modern utility. The intent and purpose of the historic overlay zone is to prevent the destruction or demolition of historic buildings by permitting landmark and historic district buildings to be used for alternative uses. The establishment and application of special zoning regulations for landmark and historic district buildings is also intended to assist in achieving the purpose and intent of the Preservation Ordinance as set forth in Section 10-4.102 of the Redondo Beach Municipal Code.

10-5.1410 Relationship of (H) historic overlay zone to underlying zone.

Where the historic overlay zone has been imposed, the requirements of the existing land use zone (herein referred to as the "underlying" zone) shall remain in full force and effect in addition to the requirements of the historic overlay zone. Where imposed, the historic overlay zone designation shall be added to the underlying zone designation to establish a new zone designation. The zone of the affected properties shall thereafter be designated on the precise land use plan by the symbol of the underlying zone, followed by a parenthetically enclosed letter "H" or (H).

10-5.1415 Eligibility requirements: (H) historic overlay zone.

(a) No property shall be eligible for imposition of the historic overlay zone unless and until such property is designated as a landmark or is within a designated historic district pursuant to Article 2, Chapter 4, Title 10 of the Redondo Beach Municipal Code.

(b) In the event that a property loses its status as a landmark or part of a historic district, the provisions of Section 10-5.1420 of this chapter shall thereafter be rendered inapplicable to such property.

10-5.1420 Land use regulations: (H) historic overlay zone.

(a) In addition to uses permitted in the underlying zone, any use permitted in any zone may be permitted in the historic overlay zone subject to obtaining a conditional use permit pursuant to the provisions of Section 10-5.2506 of this chapter (Conditional Use Permits) and subject to the findings in subsection (b) of this section.

(b) In addition to the criteria contained in Section 10-5.2506 of this chapter, Conditional Use Permits shall be granted pursuant to this section only when all of the following written findings are made:

(1) The nature and the characteristics of the use are such that it will be compatible with and will not adversely impact the surrounding area and historic district, if a district has been formed;

(2) The use is reasonably necessary for the continued preservation of the historically significant building in which it is to be located, and is compatible with the historic character of the building.

(3) Visitor serving or pedestrian-oriented commercial uses shall be given priority in the reuse of the historically significant buildings located in commercial areas.

ARTICLE 3 -- GENERAL REGULATIONS

Sections

RESIDENTIAL ZONES
10-5.1500 Accessory structures in residential zones.
10-5.1502 Setbacks between dwelling units on the same lot in residential zones.
10-5.1504 Establishing finished grade in residential zones.

RESIDENTIAL AND MIXED-USE ZONES
10-5.1510 Outdoor living space requirements in residential and mixed-use zones.
10-5.1512 Minimum dwelling unit sizes in residential and mixed-use zones.
10-5.1514 Private storage space in residential and mixed-use zones.

ALL ZONES
10-5.1520 Setback averaging in all zones.
10-5.1522 Building projections in all zones.
10-5.1524 Fences, hedges, walls, and obstructions in all zones.
10-5.1526 Outside storage and displays in all zones.
10-5.1528 Lot standards in all zones.
10-5.1530 Screening of mechanical equipment in all zones.
10-5.1532 Metal, unorthodox, and unusual buildings in all zones.
10-5.1534 Antennas and satellite dishes in all zones.
10-5.1536 Solid waste enclosures.
10-5.1538 Allocation of space for recyclable materials.
10-5.1540 Stormwater and Urban Runoff Pollution Control
10-51542 Geologic Hazards

10-5.1500 Accessory structures in residential zones.

(a) **Setbacks between buildings.** The minimum distance between a dwelling unit and an accessory structure, or between two (2) accessory structures on the same site shall be five (5) feet.

(b) **Stories.** No accessory building shall exceed one story in height.

(c) **Accessory structures occupying a rear setback.** Accessory structures occupying any portion of a required rear setback in any residential zone shall be subject to the following standards:

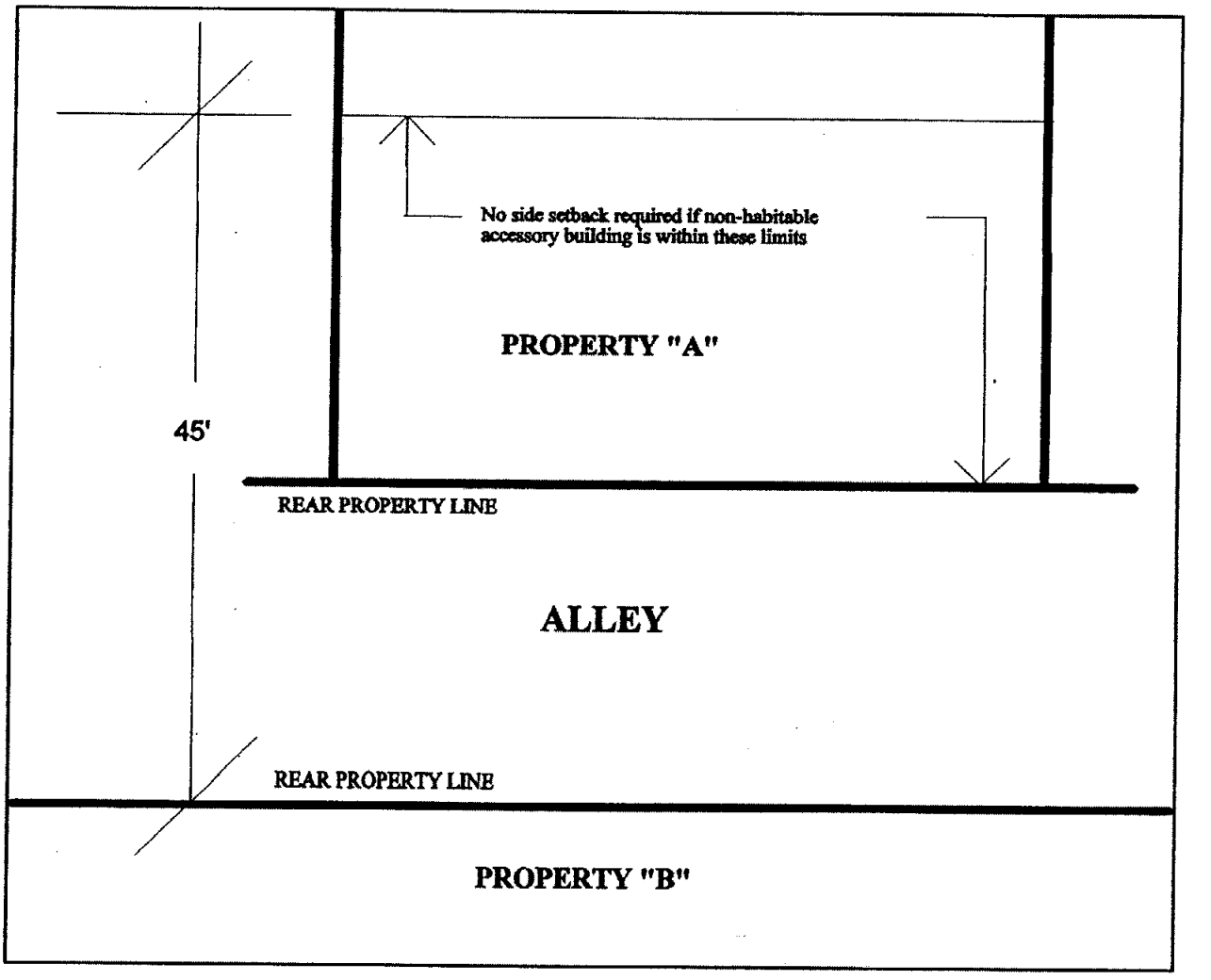
(1) **Height.** No accessory structure shall exceed fifteen (15) feet in height. The perimeter walls shall not exceed ten (10) feet in height as measured from existing grade to the point of intersection with the top of the plate. A parapet may not extend more than three (3) feet above the top of plate.

(2) **Floor area.** No accessory structure or combination of accessory structures, any portion of which is located in the required rear setback, shall exceed 800 square feet in gross floor area.

(3) **Side setbacks.** The total side setback, measured from each side property line to the wall of the structure, shall equal not less than ten (10) feet. Further, if any portion of the accessory structure is located forward of the rear twenty-three (23) feet of the lot, or if the structure is habitable, a minimum side setback of five (5) feet shall be required on each side of the structure.

a. **Property abutting alleys.** Notwithstanding the foregoing, no side setback shall be required for a nonhabitable accessory structure if no portion of the accessory structure is located forward of a line drawn parallel to and forty-five (45) feet from the property line abutting the opposite side of the alley (see illustration below).

ILLUSTRATION OF SECTION 10-5.1500(c)(3)(a)
RELATING TO PROPERTY ABUTTING AN ALLEY



b. **Corner lots.** Notwithstanding the foregoing, there shall be a minimum five (5) foot exterior side setback for an accessory structure located in the required rear setback of a corner lot.

c. **Reverse corner lots.** There shall be a minimum exterior side setback equal to the required front setback of the adjoining key lot (see illustration below).

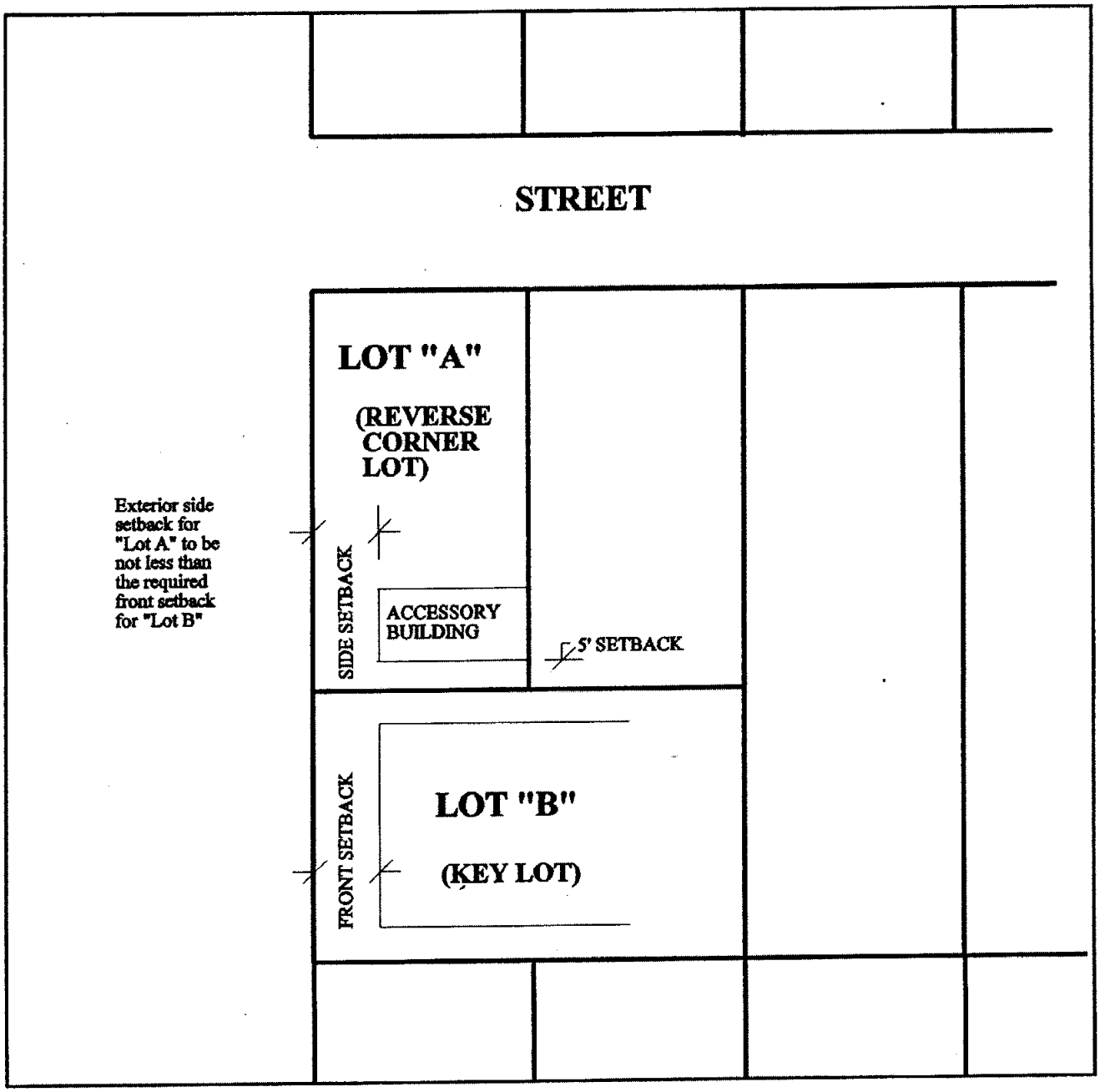
(4) **Rear setbacks.** No rear setback is required, except as follows:

a. **Habitable structure.** A habitable structure shall have a minimum rear setback of five (5) feet.

b. **Garage facing an alley.** A garage having its opening facing an alley shall be located a minimum of twenty-five (25) feet from the opposite side of the alley right-of-way line.

c. **Reverse corner lots.** There shall be a minimum five (5) foot rear setback (see illustration below).

ILLUSTRATION OF SECTIONS 10-5.1500(c)(3)(c) and 10-5.1500(c)(4)(c) RELATING TO ACCESSORY BUILDINGS ON REVERSE CORNER LOTS



(d) **One story garage occupying a required front setback.** A private garage in a residential zone, whether attached or detached, which is accessory to a single-family dwelling may be permitted to occupy the required front setback of a lot when such lot has an elevation of four (4) feet or more above or below the street elevation within thirty (30) feet of the street-abutting property line, and only if a Modification is obtained pursuant to Section 10-5.2508 and the project conforms to the following development standards:

(1) No portion of the private garage shall occupy any required side setback or be less than five (5) feet from the front lot line.

(2) The maximum width of the private garage shall not exceed twenty-three (23) feet.

(3) There shall be private interior access to the garage from the dwelling, where feasible.

(4) The garage door shall be a roll-up type operated by an automatic garage door opener.

(5) The height of the private garage shall not exceed one story, nor shall the top of the plate (ceiling line) of the garage exceed ten (10) feet in height above the finished floor of the garage and eleven (11) feet above the sidewalk elevation.

(6) Any permitted deck shall have a safety railing of not more than forty-two (42) inches in height along the perimeter of such deck.

10-5.1502 Setbacks between dwelling units on the same lot in residential zones.

The minimum setback between detached dwelling units on the same lot or building site shall not be less than twenty (20) feet. For the purposes of this section, dwelling units shall be deemed attached if the abutting units share a common wall for a minimum distance of ten (10) feet.

10-5.1504 Establishing finished grade in residential zones.

(a) **Street-facing building elevations.** Except where permitted garages, driveways, and walkways occur, the finished grade shall be no less than existing grade or two (2) feet below the level of the finished first floor, whichever is lower, in the setback along all building elevations facing a public street.

(b) **Side and rear elevations.** The finished grade shall be no more than thirty (30) inches above existing grade in side setbacks and rear setbacks.

10-5.1510 Outdoor living space requirements in residential and mixed-use zones.

(a) **Purpose.** Each residential and mixed-use zone establishes a minimum square footage of required outdoor living space per dwelling unit. Calculation of outdoor living space depends on the location and dimensions of the space. It is the purpose of these standards to encourage a design where all or most of the outdoor living space is private and that public outdoor living space is secondary.

(b) **Minimum area requirements: R-1, R-2, R-3A, and RMD zones.** Notwithstanding the total outdoor living space required by the zone, each dwelling unit shall be developed with at least one private patio, balcony, deck (not including roof decks), or yard, as described in subsection (c) of this section, with a minimum area of 300 square feet including bonuses, and a minimum dimension of ten (10) feet.

(c) **Qualifying outdoor living space areas: all residential and mixed use zones.** The following types and sizes of space, developed to the following standards, shall qualify as outdoor living space for dwelling units in all residential and mixed-use zones:

(1) **Private patios, balconies, and decks.**

a. **Location, dimensions, and design.** Private patios and decks having a minimum dimension of ten (10) feet by (10) feet and private balconies having a minimum dimension of five (5) feet by ten (10) feet shall qualify if they are located at approximately the same level as the dwelling unit which they serve, and are open to the sky for fifty (50%) percent of their actual area and enclosed by no more than three (3) building walls.

b. **Calculating outdoor living space.** Qualifying outdoor living space shall be counted based on the actual area of the space except as follows:

1. Private balconies not located immediately adjacent to either a kitchen, dining room, living room or similar communal area shall be counted at fifty (50%) percent of the actual area.

2. A bonus of 150 percent of actual area shall be granted for private balconies which have minimum dimensions of seven (7) feet by ten (10) feet and are located immediately adjacent to either a kitchen, dining room, living room or similar communal area.

3. A bonus of 200 percent of actual area shall be granted for private patios, balconies, and decks which have minimum dimensions of ten (10) feet by fifteen (15) feet and are located immediately adjacent to either a kitchen, dining room, living room or similar communal area.

(2) **Private and public roof decks.**

a. **Location, dimensions and design.** Private and public roof decks shall qualify if they have a minimum dimension of fifteen (15) feet by fifteen (15) feet. Accessibility, surfacing, screening, and architectural treatment shall be compatible with the architectural design of the dwelling.

b. **Calculating outdoor living space.** Roof decks shall be counted at fifteen (15%) percent of their actual area.

(3) **Public exterior courts, pools, and activity areas.**

a. **Location, dimensions and design.** Public exterior courts, pools and activity areas shall qualify if they have a minimum dimension of twenty (20) feet by twenty (20) feet, and have not less than twenty (20%) percent of their total area devoted to unusable decorative landscaping. Any portion of a public exterior court or activity area which is not devoted to decorative landscaping shall be either surfaced with decorative architectural materials or developed as sports, game, and/or play equipment areas, putting greens, gardens, reflection pools, fountains, or other similar uses. Porous pavement or other similar water quality Best Management Practices (BMPs) shall be encouraged.

b. **Calculating outdoor living space.** Public exterior courts, pools and activity areas shall be counted at 100 percent of their actual area, but shall not comprise more than fifty (50%) percent of the total outdoor living space requirement for the development.

(4) **Public interior recreation rooms.**

a. **Location, dimension, and design.** Recreation rooms shall qualify if they are located immediately adjacent to a public space that qualifies as outdoor living space under the provisions of this section, such as an exterior court or pool, and have a minimum dimension of twenty (20) feet by twenty (20) feet. Interior recreation rooms shall be furnished and maintained with indoor recreational facilities and/or equipment, such as gymnastic equipment, sauna baths, and game tables, which are accessible to all tenants within the development.

b. **Calculating outdoor living space.** A recreation room shall be counted at 100 percent of its actual area, but shall not comprise more than twenty-five (25%) percent of the total outdoor living space requirement for the development.

(5) **Required and non-required setbacks.**

a. **Location, dimensions, and design.** Required side setbacks, required rear setbacks, required building separations, and non-required setback areas on the ground level shall qualify as outdoor living space if they are ten (10) feet or more in width. Required and non-required setbacks counted as outdoor living space shall be developed in accordance with the standards of one or more of the above specified types of outdoor living space.

b. **Calculating outdoor living space.** The creditable area of required and non-required setbacks, where they are for the sole use of one dwelling, shall be calculated in the same manner used for private patios and decks.

(6) **Other types of outdoor living space.** Space which does not fall within the above categories of outdoor living space may qualify as outdoor living space if:

a. It conforms to the purpose and intent of this section; and

b. It is not specifically prohibited in this section.

(7) **Nonqualified outdoor living space.** The following types of space shall not, under any circumstances, qualify as outdoor living space:

a. Required front setbacks;

b. Areas that do not have the minimum dimensions to qualify as outdoor living space under the provisions of this section.

c. Pedestrian accessways, walkways, corridors, ramps, and catwalks if not an integral part of a space that qualifies as outdoor living space under the provisions of this section;

d. Areas beneath pedestrian accessways, walkways, corridors, ramps, and catwalks if not an integral part of a space that qualifies as outdoor living space under the provisions of this section;

e. Areas devoted to automobiles and other vehicles, including, but not limited to, driveways, parking spaces, turning radii, aisles, and required planters within open parking areas;

f. Areas devoted to trash enclosures or containers;

g. Areas devoted to public utility vaults, meters, pumps, and similar apparatus unless their existence is visually unapparent and functionally unobtrusive to an area that otherwise qualifies as outdoor living space under the provisions of this section;

h. Areas devoted to ventilation and air shafts unless their existence is visually unapparent and functionally unobtrusive to an area that otherwise qualifies as outdoor living space under the provisions of this section;

i. Areas with a slope greater than five (5%) percent with the exception of decoratively landscaped mounds within an area that otherwise qualifies as outdoor living space under the provisions of this section.

10-5.1512 Minimum dwelling unit sizes in residential and mixed-use zones.

In all residential and mixed-use zones the minimum allowable dwelling unit sizes shall be as follows:

(a) Single-family dwelling units: 800 square feet; and

(b) Multiple-family dwelling units: 500 square feet.

10-5.1514 Private storage space in residential and mixed-use zones.

(a) **Purpose.** The intent of this section is to require private storage space over and above that normally associated with the day-to-day functioning of the unit (such as linen or clothes closets or food pantries) in order enhance the livability of dwelling units and maintain the availability of required parking areas for parking of motor vehicles.

(c) **Dwelling units in all zones.**

(1) All dwelling units in any residential or mixed-use zone shall have a minimum of 400 cubic feet of enclosed, weatherproofed, and lockable private storage space for each unit in one or more locations.

(2) A minimum of 200 cubic feet of such requirement shall be provided in a single location within individual storage lockers, cabinets, or closets. Such space shall have a minimum horizontal surface area of twenty-five (25) square feet and a minimum interior dimension of forty-two (42) inches. The space, if a reach-in type, shall have an opening of forty-two (42) inches by six (6) feet or, if a walk-in type, shall have a minimum clear access opening of thirty (30) inches by six (6) feet eight (8) inches.

(3) The balance of the required storage space may be located in understairs closets, attic areas with finished subflooring which is accessible by a pull-down ladder or similar means, or other areas not normally associated with the day-to-day functioning of the unit.

10-5.1520 Setback averaging in all zones.

(a) **Purpose.** The intent of setback averaging is as follows:

(1) To avoid a monotonous and undifferentiated development pattern along streets by encouraging building designs with varied elevations and volumes;

(2) To provide greater design flexibility in the treatment of interior and exterior space;

(3) To achieve functionally improved floor plans; and

(4) To provide for a setback area equivalent to that which would be achieved without the use of averaging, and to ensure that no setback dimension is reduced to a point where it adversely affects the health, safety, and welfare of the neighborhood.

(b) **Method of calculating average setbacks.** Where averaging of setbacks is permitted in a zone, the following rules shall apply in determining the average setback required (see illustration below):

(1) In residential zones, the averageable width shall equal the lot width excluding required side setbacks and the minimum width of a driveway extending along the side of the building.

(2) In commercial and other nonresidential zones, the averageable width shall be the same as the building width.

(3) The average area of the setback shall equal the square footage resulting from multiplying the required average setback of the zone by the averageable width.

(4) No portion of a setback area exceeding the required average setback dimension by more than six (6) feet shall contribute to the total required area of the average setback.

(5) No building line shall extend closer than the minimum setback specified for the zone in which it is located.

(6) Setback areas shall be clear from ground to sky, except for allowable building projections pursuant to Section 10-5.1522.

ILLUSTRATION OF SECTION 10-5.1520
RELATING TO SETBACK AVERAGING FOR RESIDENTIAL DEVELOPMENTS

COMPUTING THE AVERAGE (the following cases are for illustration purposes only)

CASE 1: Garage in front; no driveway along side setback (see drawing 'A' and example below)

lot width		side yard #1		side yard #2		averageable width
50'	-	5'	-	5'	=	40'

averageable width		required average setback		required setback area
40'	X	25'	=	1,000 sq. ft.

For both the front and rear setbacks:

A) Subtract the required side setback dimensions from the total width.

B) Multiply the lot width minus the side setbacks by the required average setback. This figure is the number of square feet required for the averaged front or rear setback.

CASE 2: Garage in rear; driveway extending along side setback (see drawing 'B' and example below)

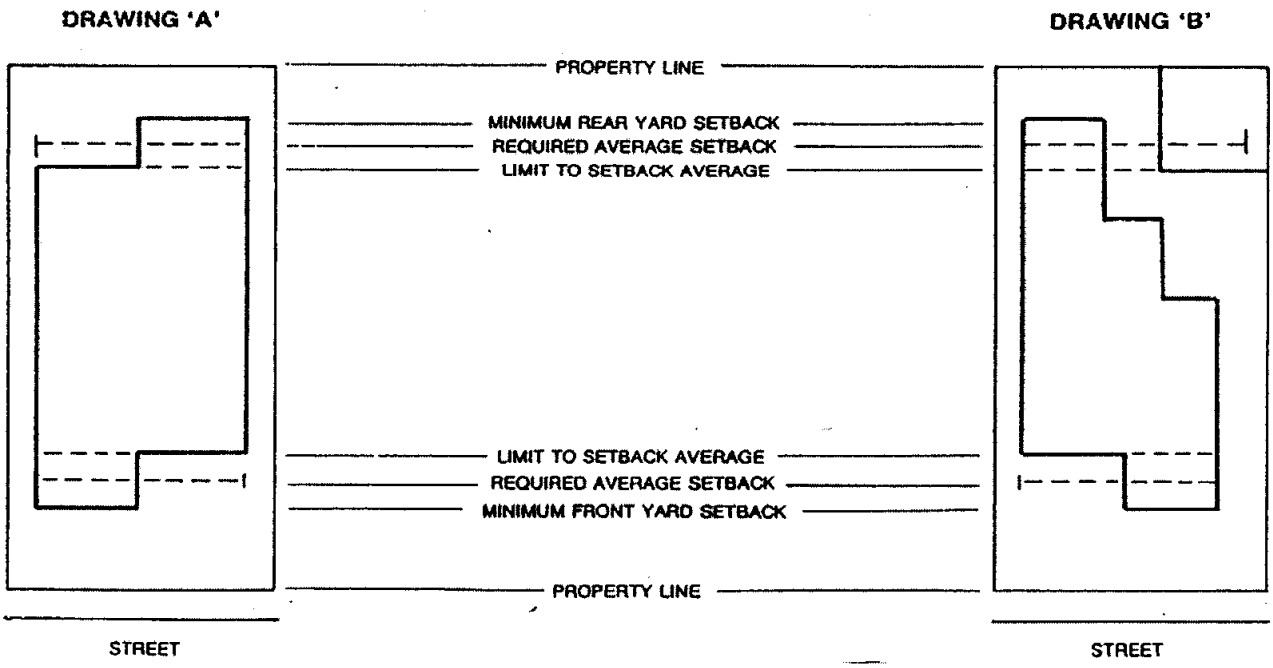
lot width		side yard #1		driveway width		averageable width
50'	-	5'	-	11'	=	34'

averageable width		required average setback		required setback area
34'	X	25'	=	850 sq. ft.

Front setback (for rear setback follow procedure in Case 1):

A) Subtract the one required side setback and the minimum driveway width from the total width. The example assumes the minimum driveway width is 11' (see Article 5 to obtain actual driveway width requirements).

B) Multiply the lot width minus the side setback and minus the minimum driveway width by the required average front setback. This figure is the number of square feet required for the averaged front setback.



1. The depth of a setback is measured from property line to the building line (wall).
2. Where the building line of the second story extends over (cantilevers) the first story, the second story defines the setback.
3. Building setbacks in excess of 6' 0" past the required average setback will be credited at 6' 0" past the average setback.
4. Where a structural support, such as a post for an entry or a deck is present, this support will define the building line.
5. No building line shall extend closer than the minimum setback.
6. Refer to Section 10-5.1522 relating to permitted architectural projections into required setbacks.

10-5.1522 Building and other projections in all zones.

(a) **Projections into required setbacks.** The following projections may be permitted into required setbacks and setbacks between buildings:

(1) **All zones.** Cornices, eaves, belt courses, sills, water heaters, cantilevered bay windows not containing any floor area, awnings affixed to the building facade, and fireplace chimneys or any other similar architectural feature may project into a required side setback one-half (1/2) the distance of the required side setback, or thirty (30) inches, whichever is less, and may project into a required front or rear setback, or into the required setback between buildings no more than thirty (30) inches.

(2) **All residential zones.**

a. **Unenclosed balconies.** Except as provided below, unenclosed balconies may project a five (5) foot maximum distance into any front, side, or rear setback or required space between buildings, provided they are removed a minimum horizontal distance of twelve (12) feet from the front property line, ten (10) feet from the rear property line, five (5) feet from the side property line, and ten (10) feet from any accessory building. Railings or walls of that portion of balconies which project into required setbacks or setbacks between buildings shall not extend more than forty-two (42) inches from the floor level of the balcony. For coastal bluff properties, no unenclosed balconies may project into any rear setback.

b. **Unenclosed stairways.** Except as provided below, unenclosed stairways and landing places shall be allowed to project into any required setback a maximum distance of six (6) feet but not closer than thirty (30) inches from any property line; provided, however, no unenclosed stairway or landing shall be allowed to encroach into any required setback area where such stairway provides access above the first story of any structure. For coastal bluff properties, no unenclosed stairways and landing places may project into any required rear setback.

c. **Decks and patios.** Except as provided below, no side or rear setback is required for decks and patios not more than thirty (30) inches in height above existing grade. Decks and patios not more than thirty (30) inches in height above existing grade may project a maximum distance of six (6) feet into the required front setback. Notwithstanding anything in this title to the contrary, a safety railing shall be permitted as necessary to meet the minimum requirements under the Uniform Building Code. Decks and patios shall be consistent with Chapter 7, Title 5 of the Redondo Beach Municipal Code. For coastal bluff properties, no deck or patio may project on to the bluff face.

d. **Flagpoles.** Flagpoles may encroach into any setback provided that the height of the zone in which it is located is not exceeded.

e. **Pools and spas.** Except as provided below, pools and spas, above and below ground, may encroach any distance into a required side setback, rear setback, and/or setback between buildings. Mechanical equipment for pools and spas may encroach any distance into a required rear setback or setback between buildings. No pool, spa, and/or associated mechanical equipment shall encroach into a required front setback. For coastal bluff properties, no pool or spa may project onto the bluff face.

f. **Other architectural features and structures.** Arbors, architectural archways, bowers, pergolas, lampposts, and other architectural features or structures deemed as similar by the Planning Director, may project into any required setback subject to Administrative Design Review (Section 10-5.2500), provided the following standards are not exceeded:

1. **Height.** No lamppost, arbor, architectural archway, bower, pergola, or similar structure located within an otherwise required setback shall exceed a height of nine (9) feet.

2. **Horizontal dimensions.** No arbor, architectural archway, bower, pergola, or similar structure located within an otherwise required front setback shall exceed a length of

six (6) feet parallel to any street frontage with a maximum total projected roof area of thirty (30) square feet.

(3) **All commercial and mixed-use zones.**

a. **Canopies.** Canopies no more than twelve (12) feet in width and leading to a building entrance may project any distance into a required setback subject to Administrative Design Review (Section 10-5.2500), further provided that no portion of the canopy shall be less than eight (8) feet above finished grade. This section shall not be interpreted to prohibit encroachment over the public right-of way where otherwise allowed.

b. **Awnings.** Notwithstanding subsection (1) of Section 10-5.1522(a), awnings may project any distance into a required setback subject to Administrative Design Review (Section 10-5.2500), further provided that no portion of the awning shall be less than eight (8) feet above finished grade. This shall not be interpreted to prohibit encroachment over the public right-of way where otherwise allowed.

(b) **Projections above permitted height.** The following structures may be permitted to project above the permitted height limit of the zone in which it is located, provided the structure contains no habitable floor area and the limitations indicated for each are observed:

(1) Mechanical equipment and housing, including screening, exceeding the height limits of the zone in which the site is located by a maximum of four (4) feet;

(2) Chimneys, provided that the projection above the height limit of the zone is only to the extent necessary to comply with building and fire codes;

(3) Television and radio whip antennae exceeding the height limits of the zone in which the site is located by a maximum of ten (10) feet;

(4) Church steeples and bell towers exceeding the height limits of the zone in which the site is located by a maximum of fifteen (15) feet, subject to Planning Commission Design Review (pursuant to Section 10-5.2502);

(5) Flagpoles exceeding the height limits of the zone in which the site is located by a maximum of ten (10) feet, and further provided that in any nonresidential zone flagpoles exceeding the height limits of the zone shall be subject to Planning Commission Design Review (pursuant to Section 10-5.2502);

(6) Architectural design elements integral to the overall design character of a building and intended to distinguish its design (such as a finial, pinnacle, or weathervane), provided that the design element does not significantly increase the mass or bulk of the building, and subject to the following procedures:

a. In residential zones, Planning Commission Design Review (pursuant to Section 10-5.2502) is required for any proposed design element exceeding the height limit of the zone by more than six (6) feet or for any design element proposed in conjunction with a project otherwise subject to Planning Commission Design Review. Proposed design elements exceeding the height limit of the zone by no more than six (6) feet shall be subject to Administrative Design Review (pursuant to Section 10-5.2500) when not in conjunction with a project otherwise subject to Planning Commission Design Review;

b. In non-residential zones, Planning Commission Design Review (pursuant to Section 10-5.2502) is required for any proposed design element exceeding the height limit of the zone.

10-5.1524 Fences, hedges, walls, and obstructions in all zones.

(a) **Purpose.** This section is intended to provide for the regulation of the height and location of fences, walls, and similar obstructions, for the purpose of providing for light, air, and privacy, safeguarding the public welfare by preventing visual obstructions at street and highway intersections and the protection of public access. The provisions of this section shall not be

deemed to set aside or reduce the requirements established for security fencing, either by local, State, or federal laws, or by the safety requirements of the Board of Education.

(b) **Height.** For the purposes of this section, "height" shall mean the vertical distance from existing grade to the top of the fence, hedge, or wall, except in a required front or exterior side setback where the finished grade is lower than the existing grade, height shall be measured from the finished grade. The following standards shall apply:

(1) **All residential zones.**

a. **Front setbacks.** No fence, hedge, or wall over forty-two (42) inches in height shall be permitted within any required front setback.

b. **Rear and side setbacks.** Except as permitted in subsections (c) and (e) of this section, no fence, hedge, or wall greater than six (6) feet in height shall be permitted within any required rear setback or side setback.

c. **Reverse corner lots in residential zones.** Notwithstanding subsection (b)(1)(b) of this section, no fence, wall, or hedge over forty-two (42) inches in height shall be permitted within a triangular area at the corner of the lot abutting the front setback of the key lot, which triangle shall be formed by the rear and exterior side lot lines and a diagonal line drawn between two (2) points located fifteen (15) feet along the rear and exterior side lot lines from their point of intersection (see illustration below).

(2) **All nonresidential zones.**

a. **Front and exterior side setbacks.** No fence, hedge, or wall over forty-two (42) inches in height shall be permitted within any required front or exterior side setback.

b. **Rear and interior side setbacks.** Except as permitted in subsections (c) and (e) of this section, no fence, hedge, or wall greater than six (6) feet in height shall be permitted within any required rear setback or interior side setback.

(c) **Walls required.**

(1) **Multiple-family residential zones, wall required.** A six (6) foot high decorative masonry wall, or a six (6) foot high decorative wall of mixed construction utilizing a masonry base and masonry pilasters, which shall compose at least thirty (30%) percent of such wall, and such other materials as the Planning Department may approve for not more than seventy (70%) percent of such wall, shall be provided along the side and rear lot boundaries for two (2) or more dwelling units, except along the street side of corner lots. The requirement may be waived under the following circumstances:

a. The wall would be between two (2) adjacent lots which are being developed concurrently, and not requiring a wall will enhance the aesthetic character of the project;

b. The wall would be duplicating the function of an existing wall on the adjacent property which conforms to the intent and requirements of this subsection.

(2) **Boundaries between zones, wall required.**

a. Where a residential and a commercial zone share a common boundary along a property line, a wall shall be constructed with a minimum height of six (6) feet and a maximum height of eight (8) feet, except where such wall abuts the required residential zone front setback, such wall shall not exceed forty-two (42) inches in height.

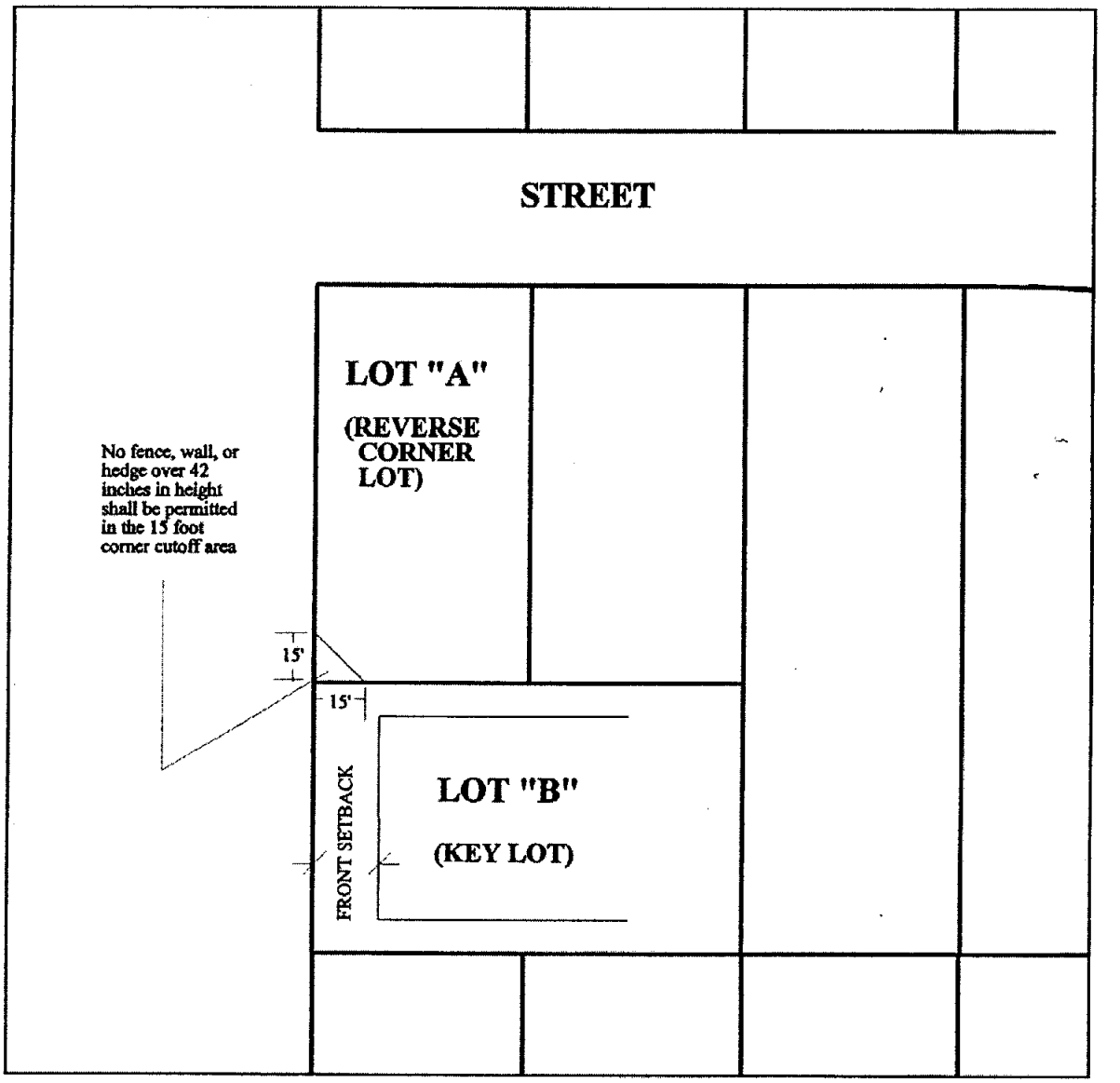
(d) **Maintenance of visibility at street and alley corners in all zones.**

(1) All corner lots shall maintain for safety vision purposes a triangular area at the street intersection corner of the lot, which triangle shall be formed by the front and side lot lines and a diagonal line drawn between two points located fifteen (15) feet along the front and side lot lines from their point of intersection or, in the case of a rounded lot corner, from the point of intersection of such lot lines if extended. Within such triangular area, no tree, fence, shrub, or other physical obstruction higher than thirty-six (36) inches above the established sidewalk grade shall be permitted.

(2) Where a lot abuts both a street and an alley, a triangular area shall be maintained for safety vision purposes at the intersection of the street and alley, which triangle shall be

formed by the lot lines abutting the street and alley and a diagonal line drawn between two (2) points located fifteen (15) feet along each lot line from their point of intersection or, in the case of a rounded lot corner, from the point of intersection of such lot lines if extended. Within such triangular area, no tree, fence, shrub, or other physical obstruction higher than thirty-six (36) inches above the established curb grade shall be permitted.

ILLUSTRATION OF SECTION 10-5.1524(b)(1)(c)
RELATING TO FENCE HEIGHT FOR REVERSE CORNER LOTS



(e) **Swimming pools and hot tubs in all zones.** Swimming pools and hot tubs shall be entirely enclosed by buildings, fences, or walls not less than six (6) feet nor more than eight (8) feet in height. Such fences shall be equipped with self-latching gates with the latches not less than four (4) feet above the ground. All fencing shall be in place and approved by the Building Division before water is run into the pool.

10-5.1526 Outside storage and displays in all zones.

(a) **Commercial uses in any zone.** All commercial uses in any zone shall be conducted within an enclosed building, and no outside storage or display of merchandise or commodities shall be permitted, except in conjunction with the following use classifications in zones where such uses are permitted or conditionally permitted:

(1) Plant nurseries, except that no outside display of merchandise in front of the building or on any portion of the lot facing a public street shall be permitted, except for the display of plants only;

(2) New and used automobile, camper, trailer, motorcycle, bicycle, and boat dealers, and other similar uses, except that no outside display of accessories connected with such uses shall be permitted;

(3) Automobile service stations, subject to the provisions of Section 10-5.1602 of this chapter;

(4) Automobile waxing, cleaning, and detailing in conjunction with uses classified as "vehicle sales, leasing and services";

(5) Outdoor dining, except that no outdoor preparation of food or beverages shall be permitted;

(6) Miniature golf courses, swimming pools, tennis courts, and other similar commercial recreation uses, except that no outside storage or display of merchandise shall be permitted;

(7) Marinas and marina-related facilities.

(b) **Residential zones.** No outside storage of materials or equipment shall be allowed in any residential zone, except as allowed under subsection (c) of this section.

(c) **Construction activities.** Building materials which are to be used in the construction or renovation of a building may be temporarily stored on the premises where such building is to be built or renovated for not more than sixty (60) days in advance of the commencement of the date of construction. In the event of any failure to proceed promptly with construction, the Building Official may serve written notice upon the owner requiring removal of such building materials.

(d) **Storage and shipping containers.** Storage containers, shipping containers, or other movable type containers shall not be permitted outside a building in any zone except as allowed for recycling facilities pursuant to Section 10-5.1616 or as a temporary use pursuant to Section 10-5.2520.

10-5.1528 Lot standards in all zones.

(a) **Creation of new lots in residential zones.** Lots hereafter created by lot splits or subdivisions in the Coastal Zone shall comply with the following minimum standards:

(1) **Minimum lot size in residential zones.**

a. Minimum lot area: 5,000 square feet.

b. Minimum lot width: fifty (50) feet at the street line, except as follows:

1. Cul-de-sac lots shall have a minimum width of thirty-five (35) feet at the street line.

2. On blocks where the prevailing lot width is approximately forty (40) feet or less, lots shall have a minimum width of forty (40) feet at the street line.

c. Minimum lot depth: 100 feet.

(b) **Existing lots in multi-family residential zones varying in size due to errors.** Lots in multi-family residential zones which vary not more than one lineal foot in width or depth from the

prevailing lot size in a subdivision because of errors in the original survey and platting of the subdivision shall be considered the same as the prevailing lot size for the purpose of computing the lot area per dwelling unit and the required turning radius into a ninety (90) degree parking stall.

(c) **Unbuildable lots in all zones.**

(1) No coastal development permit shall be issued for any use or structure on any parcel of land which is less than a "lot," as defined in Section 10-5.402, except that on parcels which do not qualify as legal lots, as defined in Section 10-5.402, which were separated in ownership and improved with dwellings prior to September 9, 1964, such dwellings may be rebuilt, remodeled, or structurally expanded pursuant to the applicable requirements for nonconforming structures and nonconforming uses (Article 8 of this Chapter).

10-5.1530 Screening of mechanical equipment in all zones.

Mechanical equipment and utilities, with the exception of solar heating panels, shall be architecturally screened from view. Roof-top mechanical equipment and appurtenances to be used in the operation or maintenance of a building shall be installed so as not to be visible from any point at or below the roof level of the subject building. This requirement shall apply in construction of new buildings, and in any alteration of mechanical systems of existing buildings that results in significant changes in such roof-top equipment and appurtenances. The features so regulated shall in all cases be either enclosed by outer building walls or parapets, or grouped and screened in a manner architecturally compatible with the building. Minor features not exceeding one foot in height shall be exempted from this regulation, except that such minor features shall be of a color that minimizes glare and blends in with the building.

10-5.1532 Metal, unorthodox, and unusual buildings in all zones.

(a) No building permit shall be issued for the construction of any building within the City which utilizes galvanized iron or a sheet metal or aluminum exterior covering for all or part of the structure, or which utilizes construction materials which are substantially different than normally used, or which are of a character or appearance which may be injurious to the property values in the immediate area or contrary to the public health, safety, and welfare of the community without first obtaining approval of the Planning Commission pursuant to the provisions of Section 10-5.2502 (Planning Commission Design Review); provided, however, the provisions of this section shall not apply to the following:

(1) Open metal patio additions to conventional housing or apartment construction, which additions shall be used exclusively for outdoor recreation areas only and shall not be remodeled or enclosed as habitable living areas;

(2) Approved metal or aluminum siding designed for conventionally built structures;

(3) Metal tool sheds, used as accessory buildings only, which do not exceed 120 square feet in projected roof area;

(b) Storage containers, shipping containers, or other movable type containers shall not be permitted outside a building in any zone except as allowed for recycling facilities pursuant to Section 10-5.1616 or as a temporary use pursuant to Section 10-5.2520.

10-5.1534 Antennas and satellite dishes in all zones.

(a) **Purpose.** To ensure that antennas do not have an adverse impact on aesthetic values and public safety in all zones, antennas shall be located where they are least visible from public rights-of-way, beaches, parks or other recreation areas and designated view corridors. The intent is not to discriminate against dish antennas in favor of other communications facilities.

(b) **Criteria.**

(1) **Height.** Antennas shall comply with the height standard of the zone in which they are located, except television and radio whip antennas may exceed the height standard pursuant to Section 10-5.1522(b).

(2) **Location.** No antenna pole shall be located in front of the building facade facing any street, or be located within any required front or side setback. No antenna located in a required rear setback shall exceed a height of fifteen (15) feet. Antennas shall be placed so as to reduce to the extent possible any adverse aesthetic impacts on adjacent properties, public beaches, parks or other recreation areas or designated view corridors.

(3) **Maximum dimension.** No dish-type antenna shall exceed a diameter of eight (8) feet, except that larger dish-type antenna may be allowed in non-residential zones if approved by Planning Commission Design Review pursuant to Section 10-5.2502.

(4) **Screening.** Antenna shall be effectively screened from public view to the extent feasible. The structural base of the antenna, including all bracing and appurtenances, shall be screened from public view and adjoining properties by walls, fences, buildings, landscape, or combinations thereof to the extent feasible.

(5) **Condominiums.** Television antennas shall be subject to Section 10-5.1608(d)(4)(f) of this chapter.

(6) **Undergrounding.** All exterior wires and/or cables necessary for operation of the antenna shall be placed underground, except for wires or cables attached flush with the surface of a building or the structure of the antenna.

(7) **Surface materials and finishes.** Highly reflective surfaces shall not be permitted.

(8) **Sharing antennas.** Groupings of antenna poles shall be prohibited where they adversely impact the visual character of the area. If the antenna installation is subject to discretionary approval, the applicants may be required to provide for sharing of the same antenna structure for use by potential future applicants where it is technically feasible and where this will reduce adverse visual impacts resulting from separate structures.

(c) **Building permit required.** No antenna shall be installed without first obtaining a building permit as determined by the Building Official.

10-5.1536 Solid waste enclosures.

(a) **Solid waste enclosure required.** Solid waste enclosures shall be required for the following developments:

(1) **Commercial or industrial developments.** A solid waste enclosure shall be required for any new commercial or industrial development or any addition of 500 square feet or more of floor area to an existing commercial or industrial development.

(2) **Multiple-family developments.** A solid waste enclosure shall be required for any new multiple-family development of four (4) or more dwelling units or any addition of 500 square feet or more of floor area to an existing multiple-family development of four (4) or more dwelling units.

Notwithstanding the above, floor area additions to existing developments may be permitted without complying with the solid waste enclosure requirements if it is physically impossible to

locate the solid waste enclosure on the site without relocating all or a portion of the existing structure or without increasing or creating any nonconforming condition on the lot.

(b) **Submittal of plans.** All development projects subject to the requirements of this section shall submit plans showing the proposed design, size, and location of solid waste enclosures and collection bins.

(c) **Development standards.**

(1) **Enclosure.** The solid waste storage area shall be enclosed on three (3) sides with permanent materials and on the fourth side with an access gate. A roof may be permitted over the top of the enclosure.

(2) **Material.** The solid waste storage area shall be constructed of solid block, brick, masonry, or other similar material.

(3) **Access gate.** The access gate shall be no less than five (5) feet wide, shall obscure the view of solid waste containers, and shall be constructed of metal or another similar durable material.

(4) **Location.**

a. No solid waste storage area on a lot in a residential zone shall be located in the front yard area, defined for the purposes of this section as the area measured from the front property line to a line parallel with the face of the front wall of the main building located the greatest distance from the front property line and extending the full width of the lot.

b. Solid waste storage areas shall be located so as not to create a fire hazard as determined by the Building Official based on the design and materials of the solid waste enclosure. More than one location may be required if the storage area capacity is inadequate to service the building or does not meet applicable health and safety standards.

(5) **Sprinklers.** Where required by the Fire Department, fire sprinklers approved by the Fire Department shall be installed in the solid waste storage area.

(6) **Accessibility.** The solid waste enclosure shall be located to provide reasonable accessibility to solid waste collection vehicles.

(7) **Size of solid waste enclosure area and bin capacity.**

a. **Multiple-family developments.** The minimum dimensions of solid waste enclosures shall be as indicated in the following table. The number and capacity of bins and frequency of pick-up shall be as determined necessary by the City to protect the public health and safety.

Number of Units	Size of Area	Recommended Total Capacity of Bin or Bins
4-7	One location with minimum dimensions of four and one-half (4 1/2) feet by eight (8) feet	Three (3) cubic yards
8-14	Two locations, each having a minimum dimension of four and one-half (4 1/2) feet by eight (8) feet; or one location having a minimum dimension of four and one-half (4 1/2) feet by fifteen (15) feet or eight (8) feet by nine (9) feet	Six (6) cubic yards
15-21	Two locations, one having a minimum dimension of four and one-half (4 1/2) feet by eight (8) feet and the other having a minimum dimension of four and one-half (4 1/2) feet by fifteen (15) feet or eight (8) feet by nine (9) feet; or three locations, each having a minimum dimension of four and one-half (4 1/2) feet by eight (8) feet	Nine (9) cubic yards

22 or more	Two (2) or more locations having large enough dimensions to accommodate the required number and size of bins.	12 cubic feet per unit

b. **Commercial or industrial developments.** The minimum dimensions of solid waste enclosures shall be four and one-half (4 1/2) feet by eight (8) feet for developments with less than 5,000 square feet of gross floor area; and eight (8) feet by nine (9) feet or four and one-half (4 1/2) feet by fifteen (15) feet for developments with 5,000 to 20,000 square feet of gross floor area. Additional area may be required as determined necessary by the City for developments of more than 20,000 square feet of gross floor area. The number and capacity of bins and frequency of pick-up shall be as determined necessary by the City to protect the public health and safety.

(8) **Maintenance.**

a. The solid waste enclosure shall be maintained in a good state of repair.

b. The accessibility of the enclosure for trash collection purposes shall be maintained at all times.

c. Access gates to the solid waste enclosure shall be kept closed except when in use.

d. Solid waste enclosures shall not be used for any purpose other than for storing solid waste containers for collection.

10-5.1538 Allocation of space for recyclable materials.

(a) **Recycling area required.** Recycling areas shall be required for the following developments. Such requirements shall be in addition to the requirements for solid waste enclosures pursuant to Section 10-5.1536:

(1) **Commercial or industrial developments.** A recycling area shall be required for any new commercial or industrial development or any addition of 500 square feet or more of floor area to an existing commercial or industrial development.

(2) **Multiple-family developments.** A recycling area shall be required for any new multiple- family development of nine (9) or more dwelling units or any addition of 500 square feet or more of floor area to an existing multiple-family development of nine (9) or more dwelling units.

(b) **Submittal of plans.** All development projects subject to the requirements of this section shall submit plans showing the proposed design, size, and location of recycling areas and recycling containers or bins.

(c) **Recycling and solid waste disposal statements for commercial or industrial developments.** For commercial or industrial developments subject to the requirements of this section, plans shall be accompanied by a recycling and solid waste disposal statement, in a form approved by the City Engineer, describing the proposed recyclable materials to be collected and the method of collection.

(d) **Development standards.**

(1) **Location.** Areas for recycling shall be distributed to provide a high level of convenience and accessibility to persons who deposit, collect, and load the recyclable materials. Whenever feasible, areas for collecting and loading recyclable materials shall be adjacent to solid waste collection areas.

(2) **Number of bins.**

a. **Multiple-family developments.** Multiple-family developments of nine (9) to twenty (20) dwelling units shall provide a minimum of one pair of City approved recycling

containers or bins. An additional pair of City approved recycling containers or bins shall be provided for each additional twenty (20) dwelling units or fraction thereof.

b. **Commercial or industrial developments.** Commercial and industrial developments shall provide an adequate number of City approved recycling containers as necessary to accommodate all recyclable material.

(3) **Dimension of recycling areas.**

a. **Multiple-family developments.** Recycling areas in multiple-family developments shall be a minimum of forty-eight (48) inches by fifty-four (54) inches in area with a minimum height of seventy-two (72) inches.

b. **Commercial or industrial developments.** The dimensions of recycling areas shall be as determined necessary by the City based on the nature of the uses on the site.

(4) **Protection of materials.** Recycling areas or the bins or containers placed therein must provide protection against adverse environmental conditions, such as rain, which might render the collected materials unmarketable.

(5) **Sprinklers.** Where required by the Fire Department, fire sprinklers approved by the Fire Department shall be installed in the recycling area.

(6) **Maintenance.**

a. The recycling area shall be maintained in a good state of repair.

b. The accessibility of the recycling area shall be maintained at all times.

c. Where there are access gates to a recycling area, such gates shall be kept closed except when in use.

d. Recycling areas shall not be used for any purpose other than for storing recyclable materials for collection.

(e) **Data collection system for commercial or industrial developments.** Commercial and industrial developments shall be required to maintain on an ongoing basis, in a form approved by the City Engineer, a record of the amount and type of material recycled and the amount of material disposed of.

10-5.1540 Stormwater and Urban Runoff Pollution Control.

(a) All development shall be in conformance with the storm water standards of the State of California as implemented by Chapter 7of Title 5 of the Redondo Beach Municipal Code (Stormwater and Urban Runoff Pollution Control Regulations), the Stormwater Pollution Mitigation Guidelines for Development Projects and the most recent standards of the Regional Water Quality Control Board pursuant to the Standard Urban Storm Water Mitigation Plan. Such development shall conform to any amendment to, or re-issuance of these state, federal and municipal standards.

(b) All development on the first row of lots adjacent to the beach that is not exempt from the requirement to obtain a Coastal Development Permit pursuant to Section 10-5.2208(a) of this article shall be considered a "priority project" pursuant to Section 5-7.210 of the Redondo Beach Municipal Code and therefore subject to preparation and implementation of an Urban Stormwater Mitigation Plan pursuant to the provisions contained in Chapter 7, Title 5 of the Redondo Beach Municipal Code.

(c) All development shall be designed to minimize the creation of impervious surfaces, and, to the maximum extent possible, to reduce directly-connected impervious area on the site. Setback areas should remain permeable (vegetated, porous pavement, crushed gravel, etc.) where feasible.

10-5.1542 Geologic Hazards.

(a) The applicant for any development located below elevation 15 feet above mean sea level shall provide information concerning the height and force of likely tsunami run-up on the property. The Planning Director may waive this requirement if he or she determines that accurate maps concerning the extent, velocity and depth of likely tsunami run-up is available in a

certified EIR that addresses applicable beach areas of the City. The Planning Director shall require all development located within a possible tsunami run-up zone to install, as appropriate, warning systems and other measures to minimize loss of life due to a tsunami.

(b) If the development proposed is located on an existing slope greater than 2:1 or on artificial fill, new construction may be permitted only on the basis of detailed, site specific geologic and soil studies.

(c) All structures located on fill or on alluvial deposits shall provide an analysis of the potential for seismic hazards, including liquefaction. The design of such structures shall include measures to minimize damage and loss of life and property from such hazards. All earthquake studies shall also comply with the latest recommendations of the California Department of Mines and Geology and the Seismic Safety Commission and shall adhere to all applicable building codes.

(d) New or substantially reconstructed structures on ocean fronting parcels shall be permitted only if they are sited and designed so that no future shoreline protective devices will be necessary to protect them from storm waves and bluff erosion. The City shall require as an enforceable condition of any coastal development permit for such a structure that no shoreline protective structure shall be allowed in the future to protect the development from bluff erosion or wave uprush.

ARTICLE 4 -- SPECIAL USE REGULATIONS

Sections:

10-5.1600 **Bars and cocktail lounges, arcades, billiard parlors, thrift shops, liquor stores, and check cashing and firearms businesses.**
10-5.1602 **Service stations.**
10-5.1604 **Motor vehicle repair garages.**
10-5.1606 **Motor vehicle body and fender shops.**
10-5.1608 **Condominiums.**
10-5.1610 **Residential condominium conversions.**
10-5.1611 **Non-residential condominium conversions.**
10-5.1612 **Building moving.**
10-5.1614 **Public utility facilities.**
10-5.1616 **Recycling facilities.**
10-5.1618 **Hazardous waste facilities.**
10-5.1622 **Outdoor dining.**

10-5.1600 Bars and cocktail lounges, arcades, billiard parlors, thrift shops, liquor stores, and check cashing and firearms businesses.

(a) **Purpose.** In order to prevent a blighting impact on the character of commercial zones, help insure the compatibility of these particularly sensitive land uses with surrounding land uses, and maintain a healthy and balanced mix of commercial uses, the following criteria shall be met in addition to all other applicable land use and development standards in this chapter.

(b) **Criteria.**

(1) The proposed use is a sufficient distance from residential uses and has been designed with adequate physical buffers to reduce potential noise impacts related to operation of the use, parking by employees and patrons, and pedestrian activities.

(2) The proposed hours of operation for the use are complimentary to the business district in which the use is located, and will not negatively impact residential uses.

(3) The addition of the proposed use to the mix of commercial uses in its vicinity will not create a blighting influence.

(4) **Thrift shops.** In addition to the criteria listed above, the following criteria shall be met for thrift shops:

a. **Minimum separation.** The minimum separation between site boundaries of properties containing thrift shops shall be 1,000 feet, except that this standard may be waived by the decision-making body upon a finding that the thrift shop is primarily engaged in the sale of unique specialty merchandise which will not contribute to or create a blighting influence in its vicinity.

b. **Display windows.** The store frontage shall include an interior window display box at least thirty (30) inches in depth, attractively designed to enhance the appearance of the commercial corridor.

(5) **Firearms businesses.** In addition to the criteria listed above, no firearms business shall be located within 500 feet of any lot upon which there is legally located a school, public park, or religious institution.

(c) **Conditional Use Permit required.** No bar or cocktail lounge, arcade, billiard parlor, thrift shop, liquor store, check cashing business or business engaged in the sale of firearms shall be established unless a conditional use permit is obtained pursuant to Section 10-5.2506.

10-5.1602 Service stations.

(a) **Purpose.** The purpose of this section is to establish land use standards unique to the development, alteration or re-use of service stations in order to assure that service stations are functionally and aesthetically compatible with adjacent uses; provide adequate traffic circulation and off-street parking; minimize visual/noise/air pollution; incorporate water quality measures, pursuant to Chapter 7 of Title 5 of the Redondo Beach Municipal Code; and reduce pedestrian-vehicular conflict. These standards are in addition to other applicable land use and development standards elsewhere in this chapter,

(b) **Criteria.**

(1) **Site location.** Establishment of a new service station may be permitted only when the site is located at the intersection of streets controlled by a traffic signal or when the site is within 200 feet of the intersection of a primary highway as designated by the general plan and an interstate highway on-ramp or off-ramp.

(2) **Site area and size.** Establishment of a new service station may be permitted only when the site area is no less than 20,000 square feet, except when it becomes a part of a functionally integrated commercial or industrial complex.

(3) **Setbacks.** New buildings or additions to existing buildings shall be set back at least twenty-five (25) feet from the street property lines. New gasoline pump islands or additions to existing gasoline pump islands shall be set back at least sixteen (16) feet from any property line.

(4) **Signs.** All signs shall conform to the provisions of Article 6 of this chapter. For alterations to existing service stations, conformance with the provisions of Article 6 of this chapter shall be as described in subsection (b)(19) of this section.

(5) **Driveways.** The location and design of driveways shall be as follows. For alterations to existing service stations, conformance shall be as described in subsection (b)(19) of this section.

a. The maximum width of driveways shall be thirty-five (35) feet at the sidewalk, unless the Planning Commission determines a wider driveway is necessary due to the unique nature of the site or due to the volume or pattern of traffic circulation.

b. Access drives shall be no closer than twenty-five (25) feet from the point of intersection of the ultimate right-of-way lines of the adjoining streets, but in no case closer than five (5) feet to the point of curb return.

c. There shall be no more than two (2) driveways for any one street frontage. Such driveways shall be at least twenty-five (25) feet apart and may not be closer than five (5) feet to any side property line except in functionally integrated commercial or industrial complexes.

(6) **Walls.** Decorative masonry walls shall be constructed where necessary to effectively screen the service station, or uses operating within the service station, from adjacent properties and public rights-of-way. For alterations to existing service stations, conformance shall be as described in subsection (b)(19) of this section.

(7) **Utilities.** All on-site utilities shall be placed underground. For alterations to existing service stations conformance shall be as described in subsection (b)(19) of this section.

(8) **Accessory structures.** No accessory structures, including movable or portable buildings, shall be permitted on any service station site, except that tire storage cabinets and other small structures may be permitted subject to a conditional use permit pursuant to Section 10-5.2506.

(9) **Operations.** Operations outside permanent structures shall be limited to the

dispensing of gasoline, oil, additives, water, air, minor parts replacement, and cleaning and detailing. No painting, body, and fender repair or tire recapping shall be allowed on the site.

(10) **Inoperable vehicles.** No damaged or permanently disabled vehicles shall be kept on the site for more than forty-eight (48) hours.

(11) **Prohibited outside sales.** No automobile service station shall engage in the display, storage, rental, or sale of automobiles, trucks, motorcycles, boats, campers, dolly carts, garden or household supplies, or other retail items not associated with automobile operation outside the main structure, except as provided in subsection (b)(12) of this section. Such items may be displayed, stored, rented, or sold only inside the walls of the main structure. This prohibition shall not be construed to prohibit the display of auto-related items (i.e. oil, additives, fluids, etc.) from display racks located at pump islands to render efficient service to the motoring public.

(12) **Incidental sales and rentals.**

a. Subject to approval of a Conditional Use Permit pursuant to Section 10-5.2506, incidental convenience items (i.e. soft drinks, candy, cigarettes, etc.) for the immediate consumption of the motoring public may be displayed and sold within an architecturally screened area that is an extension of the main structure and specifically designed for that purpose.

b. Subject to approval of a Conditional Use Permit pursuant to Section 10-5506, the rental of trucks and utility trailers within an architecturally screened area designed specifically for that purpose may be permitted as long as such truck and utility trailer rentals shall not interfere with the normal operation of the service station or the efficient circulation of automobiles on the site.

(13) **Tow trucks.** No more than two (2) tow trucks shall be allowed as an incidental use on any service station site.

(14) **Vending machines.** All vending machines shall be located inside the building or in an architecturally screened area designated for such machines.

(15) **Landscaping.** Landscaping and landscape areas shall be installed pursuant to Section 10-5.1900. For alterations to existing service stations, conformance shall be as described in subsection (b)(19) of this section.

(16) **Incidental motor vehicle repair.** Incidental motor vehicle repair may be permitted subject to a conditional use permit pursuant to Section 10-5.2506.

(17) **Trash enclosures.** Trash enclosures and recycling areas shall be provided pursuant to Section 10-5.1536, Section 10-5.1538 and the water quality measures of Chapter 7, Title 5 of the Redondo Beach Municipal Code. For alterations to existing service stations, conformance shall be as described in subsection (b)(19) of this section.

(18) **Hours of operation.** Hours of operation for all service stations shall be compatible with adjacent land uses.

(19) **Other improvements.** If a Conditional Use Permit is required pursuant to subsection (c) of this section, an existing service station shall be reviewed with reference to the criteria in this section as well as to the method of station operation as it relates to station maintenance, compatibility with adjacent land uses and overloading of the site. Conditions of approval may require the applicant to make reasonable efforts to conform with the purpose and criteria of this section, and may include requirements for installation of new signs that conform to Article 6 of this chapter; construction of new driveways, walls, landscaping, and trash enclosures; undergrounding of utilities; removal of accessory structures; and limitations on operations.

(c) **Conditional Use Permit required.**

(1) **New service station.** No service station use shall be established on a site unless a Conditional Use Permit is obtained pursuant to Section 10-5.2506 of this chapter.

(2) **Existing service station.** No equipment, service, or use shall be added to any existing service station within the City, nor shall any structural or architectural alterations, except incidental maintenance, be made to any existing service station within the City, unless a conditional use permit is obtained pursuant to Section 10-5.2506 of this chapter.

a. **Abandoned service station.** No service station abandoned for a period of two (2) or more years shall resume operation as a service station unless a conditional use permit is obtained pursuant to Section 10-5.2506.

(3) **Conversion of existing or abandoned service station.** No existing service station or abandoned service station shall be converted to any other use unless a conditional use permit is obtained pursuant to Section 10-5.2506, and the following standards are met:

a. All pumps, pump islands, canopies, signs, insignia, and corporate trademarks, their supporting structures, mountings, and foundations, and all other aboveground improvements which are uniquely associated with service station operations shall be taken down, dismantled, and removed from the site.

b. All gasoline storage tanks, fuel lines, pumps, and other below ground apparatus related to the delivery or disposal of petroleum products shall be excavated and removed from the site or filled in accordance with the provisions of the Uniform Fire Code as currently adopted by the City.

c. Upon the removal of the tanks, structures, and apparatus specified in subsections a and b of this subsection, the proposed converted service station site shall be resurfaced and landscaped in a manner appropriate to the proposed commercial or industrial use.

10-5.1604 Motor vehicle repair garages.

(a) **Purpose.** The motor vehicle repair garage development standards are established to ensure the compatibility of existing and new repair garages to adjacent and surrounding uses for the protection of marine resources through the implementation of water quality measures pursuant to the requirements of Chapter 7, Title 5 of the Redondo Beach Municipal Code, and the health, safety, and general welfare of the City, its residents and visitors.

(b) **Criteria.** To achieve the purposes of this section, all motor vehicle repair garages shall conform to the following criteria in addition to all other applicable land use and development standards in this chapter:

(1) **Enclosed building required.** All existing and new motor vehicle repair garages shall conduct repair activities within a fully enclosed building.

(2) **Utilization of required parking.** No existing or new motor vehicle repair garage shall utilize required parking stalls or aisles for the storage or repair of vehicles, disassembled auto parts, debris, or trash.

(3) **Size of sites.** The site shall not be less than 6,000 square feet in area.

(4) **Orientation of service bays.** Service bays shall not face any street.

(5) **Inoperable vehicles.** No disabled motor vehicle or large component part of such disabled vehicle shall be kept on the site. No junking or wrecking of motor vehicles shall be allowed, nor shall vehicles be kept on the site for "scavenging" of used parts.

(6) **Walls.** Decorative masonry walls shall be installed to effectively screen service bays and work areas from surrounding properties.

(7) **Tow trucks.** No more than two (2) tow trucks shall be allowed as an incidental use on the site.

(8) **Other improvements.** Any development requiring a Conditional Use Permit or a Coastal Development Permit pursuant to subsection (c) of this section and 10-5.2206, shall be

reviewed with reference to water quality measures pursuant to Chapter 7, Title 5 of the Redondo Beach Municipal Code, landscaping, parking, wrecked vehicles, screening and walls, signs, trash areas, and lighting, as well as to the method of garage operation as it relates to cleanliness and overloading of the site, and the applicant shall be required to make reasonable efforts to conform with the purpose and criteria of this section. Conditions of approval may include, but shall not be limited to, the following:

a. Additional trash areas and screening;
b. The undergrounding of on-site utilities;
c. The location and width of driveways;
d. The location and size of accessory buildings;
e. The method of controlling noise, air, water, odors, and solid waste pollution;
f. The method of controlling flammable liquids, particularly gasoline, solvents, and thinners;
g. The method of securing the site from intruders or vandals and obtaining public safety;
h. Hours of operation;
i. The method of controlling runoff from the site.

(c) **Conditional Use Permit required.** A new motor vehicle repair garage, any addition to the floor area of an existing motor vehicle repair garage, or any intensification of use shall be subject to the approval of a Conditional Use Permit pursuant to Section 10-5.2506. Intensification of use shall include any change in activity or use determined by the Planning Director to have the potential to produce noise, vibration, odor, glare, electromagnetic interference, or other environmental impacts that cause discomfort or annoyance to reasonable persons of normal sensitivities or which endangers the comfort, repose, health or peace of persons whose property abuts the property lines of the lot containing the motor vehicle repair garage.

10-5.1606 Motor vehicle body and fender shops.

(a) **Purpose.** The motor vehicle body and fender shop regulations are established to ensure the protection of adjacent and surrounding uses for the health, safety, and general welfare of the City and its residents.

(b) **Criteria.** To achieve the purpose of this section, all motor vehicle body and fender shops shall conform to the following criteria in addition to all other applicable land use and development standards in this chapter.

(1) **Enclosed building required.** All existing and new motor vehicle body and fender shops shall conduct repair activities within a fully enclosed building.

(2) **Utilization of required parking.** No existing or new motor vehicle body and fender shop shall utilize required parking stalls or aisles for the storage or repair of vehicles, disassembled auto parts, debris, or trash.

(3) **Walls.** A six (6) foot high decorative masonry wall shall be constructed along all property lines, setback lines, and where otherwise necessary to screen the open work areas from view. A six (6) foot high gate shall be provided at all access ways provided for ingress and egress and shall screen the interior of the site from public view.

(4) **Other improvements.** Any development requiring a Conditional Use Permit pursuant to subsection (c) of this section, shall be reviewed with reference to landscaping, parking, wrecked vehicles, screening and walls, signs, trash areas, and lighting, as well as to the method of garage operation as it relates to cleanliness and overloading of the site, and the applicant shall be required to make reasonable efforts to conform with the purpose and criteria

of this section. Conditions of approval may include, but shall not be limited to, the following:

a. Additional trash areas and screening;

b. The undergrounding of on-site utilities;

c. The location and width of driveways;

d. The location and size of accessory buildings;

e. The method of controlling noise, air, water, odors, dust, and solid waste pollution;

f. The method of controlling flammable liquids, particularly gasoline, solvents, and thinners;

g. The method of securing the site from intruders or vandals and obtaining public safety;

h. Hours of operation.

(c) **Conditional Use Permit required.** A new motor vehicle body and fender shop, any addition to the floor area of an existing motor vehicle body and fender shop, or any intensification of use shall be subject to the approval of a Conditional Use Permit pursuant to Section 10-5.2506. Intensification of use shall include any change in activity or use determined by the Planning Director to have the potential to produce noise, vibration, odor, glare, electromagnetic interference, or other environmental impacts that cause discomfort or annoyance to reasonable persons of normal sensitivities or which endangers the comfort, repose, health or peace of persons whose property abuts the property lines of the lot containing the motor vehicle body and fender shop.

10-5.1608 Condominiums.

(a) **Purpose.** It is the express intent of the City to treat residential condominiums differently from apartments and other like structures due to the unique nature of condominium ownership whereby separate households, each with a vested ownership in their own dwelling unit, live in close proximity to one another and are bound together in an association which is responsible for the cooperative maintenance and management of improvements within the common area of the project. Condominium ownership of nonresidential building spaces within commercial or industrial projects shall also be treated differently to insure the long-term viability of the project in view of the multiple ownerships.

(b) **Criteria.** In order to achieve the purpose of this section, new condominium projects shall meet the following criteria:

(1) **Residential condominiums.**

a. The project shall comply with all applicable development standards of the zone in which the project is located.

b. The project shall meet the condominium development standards for treatment of utilities, attenuation of noise, and requirements for provision of covenants, conditions, and restrictions, as described in subsection (d) of this section.

(2) **Nonresidential condominiums.**

a. The project shall comply with all applicable development standards of the zone in which the project is located.

b. The project shall meet the condominium development standards for treatment of utilities and requirements for provision of covenants, conditions, and restrictions, as described in subsections (d)(1) and (d)(4) of this section.

(c) **Conditional Use Permits required.**

(1) No condominium shall be established unless a Conditional Use Permit is obtained pursuant to Section 10-5.2506 of this chapter.

(d) **Condominium development standards.** To achieve the purposes of this section, all condominium projects shall conform to all applicable development standards of the zone in which the project is located and the following additional development standards:

(1) **Treatment of utilities.**

a. **Plumbing shut-off valves.** Water supply lines to all plumbing fixtures within the project shall be fitted with shut-off valves. If there are extenuating circumstances which make the installation of such valves impracticable, a system shall be provided which includes one shut-off valve for each unit and for each other discrete plumbing subsystem within the project, such as a common laundry room.

b. **Drip pans.** Clothes washers, dishwashers, hot water heaters, and any other appliance which the Building Official determines to be a potential source of water leakage or flooding shall be installed with built-in drip pans and appropriate drains, subject to the approval of the Building Official.

c. **Utility meters.** Each utility which is controlled by and consumed within the individual unit shall be separately metered in such a way that the unit owner can be separately billed for its use. Each utility which is consumed within a common area other than an area designated for exclusive use by a single unit, shall be separately metered in such a way that the condominium association can be separately billed for its use.

d. **Circuit breakers.** Each unit shall have its own circuit breaker panel for all electrical circuits and outlets which serve the unit. Such panel shall be accessible without leaving the unit.

(2) **Isolation of vibration and sources of structure-borne noise in residential condominium projects where units have common walls and/or floors and ceilings.**

a. **Shock mounting of mechanical equipment.** All permanent mechanical equipment, such as motors, compressors, pumps, and compactors, which, because of their rotation, reciprocation, expansion, and/or contraction, turbulence, oscillation, pulsation, impaction, or detonation, is determined by the Building Official to be a source of structural vibration or structure-borne noise shall be shock-mounted with inertia blocks or bases and/or vibration isolators in a manner approved by the Building Official. Domestic appliances which are cabinet installed or built into the individual units, such as clothes washers and dryers, or other appliances which are determined by the Building Official to be a source of structural vibration or structure-borne noise, shall be isolated from the cabinets and the floor or ceiling by resilient gaskets and vibration mounts approved by the Building Official. The cabinets in which such appliances are installed should be offset from the back wall with strip gasketing of felt, cork, or similar material approved by the Building Official. Where such appliances utilize water, flexible connectors shall be installed on all water lines. If provisions are made within the units for the installation of non-permanent appliances, such as clothes washers and dryers, then permanent rubber mounting bases and surface plates shall be installed in a manner approved by the Building Official.

b. **Location of plumbing and mechanical fixtures.** No plumbing or mechanical fixture shall be located on a common wall between two separate units.

c. **Separation of vents and lines.** No common water supply line, vent, or drain line shall be permitted for contiguous units unless there is at least eight and one-half (8 1/2) feet of pipe between the closest plumbing fixtures within the separate units. The Building Official may approve other methods of isolating sound transmission through plumbing lines where the effectiveness of such methods can be demonstrated.

d. **Isolation and insulation of lines.** All water supply lines within the project shall be isolated from wood or metal framing with pipe isolators specifically manufactured for such purpose and approved by the Building Official.

(3) **Attenuation of noise in residential condominium projects.**

a. **General.** Wall and floor/ceiling assemblies separating units from each other or from public or quasi-public spaces, such as interior corridors, laundry rooms, recreation rooms, and garages, shall provide airborne sound insulation for walls and both airborne and impact sound insulation for floor/ceiling assemblies.

b. **Airborne sound insulation.** All wall assemblies enumerated or alluded to in subsection (d)(3)(a) of this section shall be of a type of construction which has a minimum rating of 55 STC (Sound Transmission Class). All floor/ceiling assemblies enumerated or alluded to in subsection (d)(3)(a) of this section shall be of a type of construction which has a minimum rating of 50 STC. Wood floor joints shall not be continuous between separate condominium units. Penetrations or openings in the construction for piping, electrical outlets and devices, recess cabinets, bathtubs, soffits, heating and ventilating and/or air-conditioning intake and exhaust ducts, and the like shall be sealed, lined, insulated, or otherwise treated to maintain the required rating, and such treatment shall be approved by the Building Official. Entrance doors to the unit shall be of solid construction and, together with perimeter seals, shall have a minimum rating of 33 STC. Such perimeter seals shall be maintained in effective operating condition.

c. **Impact sound insulation.** All separating floor/ceiling assemblies enumerated or alluded to in subsections (d)(3)(a) and (d)(3)(b) of this section shall be of a type of construction which has a minimum rating of 50 IIC (Impact Insulation Class). Floor coverings may be included in the assembly to obtain the required ratings but shall be retained as a permanent part of the assembly and may only be replaced by another floor covering which provides the same or a greater impact insulation.

d. **Verification of sound class.** STC and IIC ratings shall be based on the results of laboratory measurements and will not be subjected to field testing. The STC rating shall be based on the American Society for Testing and Materials System specified in ASTM E90 and E413, or equivalent. The IIC rating shall be based on the system in use at the National Bureau of Standards, or equivalent. Ratings obtained from other testing procedures will require adjustment to the rating systems set forth in this subsection. In documenting wall and floor/ceiling compliance with the required sound ratings, the applicant or sponsor of the condominium development shall either furnish the Building Official with data based upon tests performed by a recognized and approved testing laboratory or furnish the Building Official with verified manufacturer's data on the ratings of the various wall and floor/ceiling assemblies utilized in the project. Additionally, the Building Official will develop a ready reference file indicating the STC and IIC ratings of the wall and floor/ceiling assemblies commonly utilized in condominium structures.

(4) **Declarations of project elements and covenants, conditions, and restrictions.** The declaration of project elements and covenants, conditions, and restrictions relating to the management of the common area and facilities shall accompany all applications for condominium usage made pursuant to the provisions of this section. In addition to such covenants, conditions, and restrictions which may be required by the Department of Real Estate of the State pursuant to Title 6 (Condominiums) of the Civil Code of the State or other State laws or policies, such declaration shall provide for the following, none of which shall be amended, modified, or changed without first obtaining the written consent of the City and all of which shall contain, at the end of each such provision, a statement to that effect:

a. **Assignment or conveyance of private open space for residential condominium projects.** The surface area and appurtenant airspace of private open space areas, including, but not limited to, the private patio, deck, balcony, solarium, or atrium required by this chapter, and any integral portion of such space which may exceed the minimum area requirements shall be described and irrevocably assigned to its respective unit, except that where the private open space is totally within the boundary described by the interior surfaces of

the unit, as it would be in a central court or atrium, the private open space shall be conveyed as an integral part of the unit.

b. **Assignment or conveyance of private storage areas for residential condominium projects.** The surfaces and appurtenant airspace of private storage areas, including, but not limited to, the private storage space required by this chapter, shall be described and irrevocably assigned in the declaration to its respective unit, except that where the private storage space is totally within the boundary described by the interior surfaces of the unit, as it would be in a closet opening upon a unit's room or hallway, the private storage space shall be conveyed as an integral part of the unit.

c. **Maintenance of impact insulation class for residential condominium projects.** The Impact Insulation Class (IIC) rating of all separating floor/ceiling assemblies, as required by the provisions of this section, shall be described in the declaration. Where the minimum IIC rating is obtained through the use of floor coverings, the declaration shall provide that such coverings shall not be removed for any purpose, except cleaning or replacement, and shall further provide that any replacement coverings shall furnish the same or a greater degree of impact insulation as that originally installed.

d. **Assignment or conveyance and use of required off-street parking spaces for all condominium projects.** Assignment or conveyance and use of required off-street parking and loading spaces shall be described. For residential condominium projects, required off-street parking spaces, except guest parking spaces, shall be permanently and irrevocably assigned to particular units within the project on the basis of two (2) spaces per unit, except that where two (2) parking spaces are totally within the boundary described by the interior surfaces of the unit, as they would be in a townhouse development with a private entrance from the parking garage to the unit, the off-street parking spaces shall be conveyed as an integral part of the unit.

e. **Right of public entry to common areas for all condominium projects.** The City, county, state, and Government of the United States, and any department, bureau, or agency thereof, shall have the right of immediate access to all common areas of the project at all times for the purpose of preserving the public health, safety, and welfare except in those instances where a common area is accessible only through a private unit.

f. **Television receiving devices for all condominium projects.** Individual television antennas exceeding a height or width of two (2) feet shall be prohibited outside of any owner's unit. The declaration shall provide either for a central antenna with connections to each unit via underground or internal wall wiring, or each unit shall be served by a cable service provided by a company licensed to provide such service within the City. All units shall be wired to enable access to cable service.

g. **Voting for all condominium projects.** For both the purpose of setting the amount of regular and special assessments and the purpose of voting on amendments to the covenants, conditions, and restrictions, one vote shall be allocated for each unit within the project. The amount of regular and special assessments may be made proportional to the gross square footage of each unit within the project.

h. **Maintenance of common areas and facilities for all condominium projects.**

1. **General.** In order to protect the public health, safety, and welfare, provisions shall be made both for annual assessments for maintenance and special assessments for capital improvements. The amount of the regular annual assessment, and the procedure for its change, shall be specified. The manner in which special assessments may be levied for the purpose of defraying, in whole or in part, the cost of any construction, reconstruction, repair, or replacement of a capital improvement upon the common area shall be specified. Both annual and special assessments may be collected on a monthly basis. The

remedies which the association may bring for the nonpayment of assessment shall be specified and may include penalties for late payment.

2. **Veto right and authority of the City.** In consideration for the City's approval of a condominium project, the declaration shall provide that the City, at its option, has the right and authority to veto any action of the association which would tend to decrease the amount of the regular annual assessment upon a finding by the City that such a decrease could or would adversely affect the long-run maintenance of the condominium structure and/or its common areas. To enable the City to exercise such optional veto, the declaration shall provide that association actions to decrease the annual assessment shall not become effective until sixty (60) days after a notice of such action is given to the City.

i. **Utility easements over private streets and other areas for all condominium projects.** If the condominium project contains private streets, provisions shall be made for a public utility easement over the entire private street network. Public utility easements adjacent to public streets or over other portions of the project to accommodate fire hydrants, water meters, street furniture, storm drainage, sanitary sewers, water and gas mains, electrical lines, and similar urban infrastructure may also be required.

10-5.1610 Residential condominium conversions.

(a) **Purpose.** The conversion of residential housing projects to condominiums creates home ownership opportunities while it simultaneously reduces rental housing opportunities. It is the purpose of this ordinance to avoid the unreplaced loss of rental housing; to insure that any units converted to condominiums have the same design amenities and overall quality required of newly constructed condominiums; and to provide notice of the conversion to existing tenants and give priority for the purchase of converted units to existing tenants as required by State laws.

(b) **Criteria.**

(1) **Eligibility determined annually.** No application for the conversion of rental housing shall be accepted by the City when the vacancy rate within the City is equal to or less than six (6%) percent. Any vacant units in excess of the six (6%) percent vacancy rate shall be the vacancy surplus. The maximum number of residential dwelling units allowed for conversion shall be restricted on an annual basis to the lesser of: (1) the vacancy surplus, or (2) the net increase City-wide in residential dwelling units since January 1, 1988.

(2) **Conditional Use Permit and map required.** No existing residential dwelling unit may be converted to a condominium unless a Conditional Use Permit is obtained pursuant to Section 10-5.2506, and a tentative map or parcel map obtained pursuant to Chapter 1 of Title 10 of this Code. In addition to the criteria applicable for a Conditional Use Permit and tentative or parcel map, the following criteria shall apply:

a. The proposed condominium conversion units shall be substantially equal to new condominium units in terms of quality of architecture, construction, floor area, provision of off-street parking, provision of outdoor living space, private lockable storage, and other design features.

b. Each tenant, and each prospective tenant has, or will have, received all applicable notices and rights now or hereafter required by this section or by applicable State law.

c. Each tenant has, or will have, received applicable tenant benefits pursuant to subsections (g) and (h) of this section.

(c) **Application procedure.** In years where applications may be considered for condominium conversions, application procedures shall be as follows:

(1) **Notice of filing period.** On or before December 1st of a calendar year when

rental housing becomes eligible for conversion, the number of residential dwelling units eligible for conversion and the application filing period from December 1st to the close of the business day on January 31st of the following year shall be publicly announced.

(2) **Content of applications.** In addition to the application requirements contained in Section 10-5.2506 the following reports shall be submitted as a part of the application for a condominium conversion:

a. City inspection report of all structures for their compliance with all current construction Codes;

b. A structural pest control inspection report performed by a licensed pest control operator;

c. A tenant listing, including a plan for tenant notification, relocation, and financial assistance, if any;

d. A copy of the proposed declaration of project elements and covenants, conditions, and restrictions.

(3) **Ranking applications.**

a. **Review of applications.** The Planning Director shall review the applications for completeness, and then shall rank the applications using the following criteria:

1. The extent to which the proposed conversion will provide new housing opportunities for the community;

2. The extent to which the proposed conversion's adverse effect on occupying tenants will be mitigated by relocation and other assistance provided by the applicant;

3. The extent to which a rental unit surplus exists in the area of the proposed project, and of the size and type of the units in the proposed project;

4. The extent to which the building design and amenities are comparable to newly constructed condominium units in terms of architecture, off-street parking, unit size, outdoor living space, private lockable storage, and landscaping;

5. The extent to which the project provides affordable dwelling units with a unit mix responsive to the needs defined in the General Plan Housing Element.

b. **Notice of ranking.** The Planning Director shall provide notice of ranking and a written explanation of the ranking given to the conversion application based on the criteria set forth in subsection (c)(3)(a) of this section.

c. **Appeal of ranking.** An applicant may appeal a ranking by delivering written notice to the Planning Director within ten (10) days after the mailed notice of the ranking. The appeal shall be heard by the Planning Commission after notice to all applicants ranked above the applicant. The decision of the Planning Commission shall be final.

(4) **Consideration of conversions limited.** The Planning Director shall select the highest ranking applications based on the criteria set forth in this subsection for review by the Planning Commission. The number of applications reviewed by the Planning Commission shall not represent requests to convert more than three (3) times the maximum number of units eligible for conversion.

(d) **Notices to tenants.** Notices of public hearings required pursuant to Section 10-5.2506 and Chapter 1 of Title 10 shall be mailed by the City to the lists of tenants provided by the applicant. The applicant shall perform the following additional notification of tenants:

(1) **Prior to filing of map.** At least sixty (60) days prior to the filing of a tentative map, each of the tenants of the proposed condominium shall be given by first class mail a written notice of intention to convert in the form provided in California Government Code Section 66452.9.

(2) **Prior to Planning Commission public hearing.** A copy of the written staff report to the Planning Commission on the proposed conversion shall be delivered to each tenant of

the subject property at least six (6) days prior to the hearing date.

(3) **Subsequent to Planning Commission public hearing.** Each tenant shall receive written notice within ten (10) days after the approval of a tentative map for the proposed conversion. Such notice shall contain, as a minimum, an explanation of the tenant's rights and benefits as a result of the conversion and a statement that no eviction will occur as a result of the conversion for at least 180 days.

(4) **Prior to filing of public report.** At least ten (10) days prior to the filing of a public report with the Department of Real Estate, each tenant of the proposed condominium project shall receive by first class mail a written notice that an application for a public report will be, or has been, submitted to the Department of Real Estate and that such report will be available on request.

(5) **Subsequent to approval of a final map.** At least ten (10) days after the approval of a final map, each tenant of the proposed condominium project shall be given by first class mail written notice of the approval of a final map for the proposed conversion.

(6) **Prior to termination of tenancy.** Each tenant of the proposed condominium project shall be given by first class mail 180 days' written notice of termination of tenancy due to the conversion or proposed conversion.

(7) **Prior to issuance of public report.** Each tenant of the proposed condominium project shall be given by first class mail notice of an exclusive right to contract for the purchase of his or her respective unit upon the same terms and conditions that such unit will be initially offered to the general public or terms more favorable to the tenant. The right shall run for a period of not less than ninety (90) days from the date of issuance of the subdivision public report pursuant to Section 11018.2 of the Business and Professions Code, unless the tenant gives prior written notice of his or her intention not to exercise the right.

(e) **Notice to prospective tenants.** Notices of public hearings required pursuant to Section 10-5.2506 and Chapter 1 of Title 10 shall be mailed by the City to the list of prospective tenants provided by the applicant. The applicant shall perform the additional following notification of prospective tenants:

(1) **Notice of conversion.** Notice of the proposed conversion shall be given to a prospective tenant applying for rental of a unit of the subject property before acceptance of any rent or deposit, in the form provided in California Government Code Section 66452.51.

(2) **Notice of filing of a tentative map.** At least sixty (60) days prior to the filing of a tentative map, notice of such filing shall be given to a prospective tenant applying for rental of a unit of the subject property before acceptance of any rent or deposit, in the form provided in California Government Code Section 66452.8

(3) **Posting of notice.** Regardless of each prospective tenant being informed of the proposed conversion prior to the finalization of any rent or lease agreement, a notice of such intended conversion shall be posted and maintained at all times in a highly visible location outside the manager's office or unit or the rental office, if any.

(4) **Notice subsequent to approval of the final map.** If a final map has been approved for a condominium project of five (5) or more units, and a unit is thereafter rented, notice shall be given to a prospective tenant of the right of first refusal to purchase the unit, in the form provided in California Government Code Section 66459.

(f) **Monthly reports to City.** Commencing with the filing of an application and until such time as all tenants have received the benefits described in subsections (g) and (h) of this section, the applicant shall provide a written report to the City no less than every thirty (30) days that includes the following information:

(1) A listing of tenant names and addresses, including forwarding addresses, updated regularly;

(2) The date on which each tenant or prospective tenant began occupancy and ended

occupancy;

(3) A listing of tenants that may qualify as aged and handicapped as described in subsection (h) of this section, including their unit rental rates;

(4) Copies of all notices, letters, and related correspondence mailed, delivered or otherwise presented to tenants and prospective tenants and a listing of the tenants and prospective tenants who received the material;

(5) A brief description of the occupancy status of each tenant indicating the intent of the tenant to end occupancy or to purchase his unit.

(g) **Tenant benefits.** The applicant shall provide benefits to tenants as follows:

(1) **Option to purchase.** Each tenant, and any prospective tenant who rents a unit subsequent to approval of a final map, shall be given notice of an exclusive right to contract for the purchase of his respective unit upon the same terms and conditions that such unit will be initially offered to the general public or on terms more favorable to the tenant. Such right shall run for a period of not less than ninety (90) days from the date of the issuance of the subdivision public report, or from the date of the approval of a final map if the project consists of four (4) or less units, or in the case of prospective tenants, from the date of the notice to prospective tenants specified in subsection (e)(4) of this section.

(2) **Limitation on evictions.** No eviction shall occur as a result of conversion for at least 180 days after the approval of a tentative map and the end of the ninety (90) day period of the exclusive option to purchase the unit. If the units are not offered for sale to the tenants within two (2) years after the approval of a final map, the minimum 180 day notice prior to the eviction, including a ninety (90) day exclusive option to purchase period, shall be provided to each tenant prior to eviction from the time the units are offered for sale.

(3) **Moving expenses.** Each tenant renting a unit at the time of the approval of the tentative map and still renting a unit ten (10) days prior to the approval of the final map, but not including prospective tenants notified pursuant to subsection (e) of this section, shall be entitled to the following moving expenses, due and payable at the time of moving:

a. **Furnished units.** The tenant of any furnished unit shall receive moving expenses equal to two (2) months' rent; and

b. **Unfurnished units.** The tenant of any unfurnished unit shall receive moving expenses equal to three (3) months' rent.

(h) **Special benefits for aged and handicapped tenants.** The applicant shall provide special benefits to tenants as follows:

(1) **Qualifying tenants.** Because of the extreme difficulty experienced by certain segments of the population in finding suitable, safe, sanitary, and affordable housing, members of the following groups shall be entitled to special benefits if they were the tenants of a unit in a conversion project at the time the first notice of intention to convert is given:

a. **Senior citizens.** Families where the head of the family is sixty-two (62) years of age or older when the final map is submitted for approval, and the average unit rent for the three (3) years prior to the final map approval has been below the median rent;

b. **Handicapped.** Families containing one or more handicapped members as defined and recognized by the State; and

c. **Low income.** Any family renting or leasing a unit which, for the three (3) years prior to the final map approval, had an average rent less than eighty (80%) percent of the median rent in the City during such period for units with the same number of bedrooms.

(2) **Relocation benefits to be provided.** The special groups set forth in subsection (h)(1) of this section shall be entitled to the following relocation benefits instead of the moving expenses specified in subsection (g)(3) of this section:

a. **Relocation advisory assistance.** The property owner shall provide relocation advisory assistance which shall include, as desired by the tenant to be relocated:

1. Providing current and continuing information on the availability, prices, and rentals of comparable decent, safe, and sanitary housing;

2. Providing transportation to and advice in selecting comparable housing;

3. Providing comparable, decent, safe, and sanitary housing to the tenant upon displacement and notice of the availability of such housing within a reasonable time prior to displacement (such housing shall not be housing for which a tentative map for a conversion has been filed); and

4. Providing for the moving of any household possessions of the tenant as a result of displacement.

b. **Financial reimbursements.** A tenant who is a member of any of the groups entitled to the special relocation benefits shall be provided all of the following financial reimbursements:

1. **Moving costs.** Payment of the actual and reasonable moving costs; and

2. **Housing costs.** Payment, made prior to displacement, of not to exceed the amount established by Section 7264 of the Government Code of the State, or the applicable successor section, which is necessary to enable the tenant to obtain decent, safe, and sanitary housing in an area generally not less desirable with regard to public utilities, access to employment, and access to public and commercial facilities, for a period of one year, with no increase in expense to the tenant other than what would have been expected if the tenant had not been displaced. Such payment may be used toward a down payment for the purchase of the unit occupied or any housing unit.

3. **Maximum benefits.** The total amount of benefits for any tenant under this subsection shall not exceed Eight Thousand and no/100ths ($8,000.00) Dollars, except that such amount shall be increased on a percentage basis as determined by the change in the consumer price index between January 1, 1996, and January 1st of the year in which the final map is submitted for approval. Benefits shall be due and payable at the time of moving (if not required before moving) or entry into escrow to purchase the subject unit.

(i) **Harassment of tenants.** After the approval of the tentative map, action by the landlord which is intended to cause the tenant to quit the premises prior to the 180 day notice, including unreasonable rent increases, shall be considered harassment and shall be grounds for the denial of a final map.

10-5.1611 Nonresidential condominium conversions.

(a) **Purpose.** This section shall provide for the regulations of ownership conversion projects where ownership of existing nonresidential buildings is subdivided for continued nonresidential use, pursuant to Section 1350 of the State Civil Code. This section recognizes that a conversion is different from new construction in that the owners of a unit in a conversion take responsibility for a building built under standards that may be less stringent than those that are currently deemed necessary, and existing tenants may be displaced by a conversion. A conversion also differs from a rental property in that the unit owner assumes long-term responsibility for the unit owned, for the common areas of the project, and the higher level of economic cost required to own instead of rent. Furthermore, as the number of owners of a building increases, it may be more difficult to bring about the timely recycling of existing uses and buildings to new uses and buildings which may become more desirable at the location. Therefore, the intent of this section is to provide increased business ownership opportunities while at the same time mitigating the hardship caused by displacement of tenants; assuring that conversion projects maintain long-term economic value for the owner; and precluding conversions which may prolong the life of buildings not up to current standards or of uses which may not be in the long term best interests of the community or neighborhood.

(b) **Criteria.**

(1) **Conditional Use Permit and map required.** No existing nonresidential building may be converted to a nonresidential condominium unless a Conditional Use Permit is obtained pursuant to Section 10-5.2506, and a tentative map or parcel map obtained pursuant to Chapter 1 of Title 10 of this Code. In addition to the criteria applicable for a Conditional Use Permit and tentative or parcel map, the following criteria shall apply:

a. The proposed condominium conversion units shall be substantially equal to new condominium units in terms of quality of architecture, construction, and other design features.

b. Prior to final approval of the condominium conversion, the building and site containing the condominium units shall be fully conforming to all current zoning regulations including, but not limited to permitted uses, floor area ratio, building height, setbacks, parking requirements, and signs.

c. The project shall meet the condominium development standards for treatment of utilities and requirements for provision of covenants, conditions, and restrictions, as described in subsections (d)(1) and (d)(4) of Section 10-5.1608.

d. Each tenant, and each prospective tenant has, or will have, received all applicable notices and rights now or hereafter required by this section or by applicable State law.

e. Each tenant has, or will have, received applicable tenant benefits pursuant to subsection (h) of this section.

(2) **Minimum floor area.** No conversion shall be permitted of any unit in the building having a unit size of less than 1,000 square feet.

(c) **Content of applications.** The applicant shall file with the Planning Department, in a form provided by the Planning Department, a completed application for a Conditional Use Permit pursuant to Section 10-5.2506 of this chapter, and a completed application for a tentative map or parcel map pursuant to Chapter 1 of Title 10 of the Municipal Code. In addition the following reports shall be submitted as a part of the application for condominium conversion:

(1) City inspection report of all structures for their compliance with all applicable building, plumbing, fire, electrical, and earthquake codes and a listing of any conditions which may cause health or safety hazards;

(2) A structural pest control inspection report performed by a licensed pest control operator;

(3) Reports from State licensed contractors for the heating and plumbing systems of the project, as well as reports for the condition of the roof. All such inspections shall have been conducted within three (3) months prior to the submittal of the application for condominium conversion.

(4) A tenant listing, including a plan for tenant notification, relocation, and financial assistance, if any;

(5) A copy of the proposed declaration of project elements and covenants, conditions, and restrictions.

(d) **Building code and major systems corrections.**

(1) Prior to approval of the final map, the building containing the condominium units shall be fully conforming to all current building code regulations.

(2) Any corrections or repairs recommended as reasonably necessary within the next five (5) years to the heating or air conditioning or plumbing systems or to the roof, shall be provided for prior to approval of the final map.

(e) **Notices to tenants.** Notices of public hearings required pursuant to Section 10-5.2506 and Chapter 1 of Title 10 shall be mailed by the City to the lists of tenants provided by the applicant. The applicant shall perform the following additional notification of tenants:

(1) **Prior to filing of map.** At least sixty (60) days prior to the filing of a tentative map, each of the tenants of the proposed condominium shall be given by first class mail a written notice of intention to convert in the form provided in California Government Code Section 66452.9.

(2) **Prior to Planning Commission public hearing.** A copy of the written staff report to the Planning Commission on the proposed conversion shall be delivered to each tenant of the subject property at least six (6) days prior to the hearing date.

(3) **Subsequent to Planning Commission public hearing.** Each tenant shall receive written notice within ten (10) days after the approval of a tentative map for the proposed conversion. Such notice shall contain, as a minimum, an explanation of the tenant's rights and benefits as a result of the conversion and a statement that no eviction will occur as a result of the conversion for at least 180 days.

(4) **Prior to filing of public report.** At least ten (10) days prior to the filing of a public report with the Department of Real Estate, each tenant of the proposed condominium project shall receive by first class mail a written notice that an application for a public report will be, or has been, submitted to the Department of Real Estate and that such report will be available on request.

(5) **Subsequent to approval of a final map.** At least ten (10) days after the approval of a final map, each tenant of the proposed condominium project shall be given by first class mail written notice of the approval of a final map for the proposed conversion.

(6) **Prior to termination of tenancy.** Each tenant of the proposed condominium project shall be given by first class mail 180 days' written notice of termination of tenancy due to the conversion or proposed conversion.

(7) **Prior to issuance of public report.** Each tenant of the proposed condominium project shall be given by first class mail notice of an exclusive right to contract for the purchase of his or her respective unit upon the same terms and conditions that such unit will be initially offered to the general public or terms more favorable to the tenant. The right shall run for a period of not less than ninety (90) days from the date of issuance of the subdivision public report pursuant to Section 11018.2 of the Business and Professions Code, unless the tenant gives prior written notice of his or her intention not to exercise the right.

(f) **Notice to prospective tenants.** Notices of public hearings required pursuant to Section 10-5.2506 and Chapter 1 of Title 10 shall be mailed by the City to the list of prospective tenants provided by the applicant. The applicant shall perform the additional following notification of prospective tenants:

(1) **Notice of conversion.** Notice of the proposed conversion shall be given to a prospective tenant applying for rental of a unit of the subject property before acceptance of any rent or deposit, in the form provided in California Government Code Section 66452.51.

(2) **Notice of filing of a tentative map.** At least sixty (60) days prior to the filing of a tentative map, notice of such filing shall be given to a prospective tenant applying for rental of a unit of the subject property before acceptance of any rent or deposit, in the form provided in California Government Code Section 66452.8.

(3) **Posting of notice.** Regardless of each prospective tenant being informed of the proposed conversion prior to the finalization of any rent or lease agreement, a notice of such intended conversion shall be posted and maintained at all times in a highly visible location outside the manager's office or unit or the rental office, if any.

(4) **Notice subsequent to approval of the final map.** If a final map has been approved for a condominium project of five (5) or more units, and a unit is thereafter rented,

Commission may require that a new public hearing be held to consider an expanded area or to consider alternative amendments and a new public hearing shall be held in a timely fashion.

(3) Once the Planning Commission has completed its hearings and made a recommendation for approval of the Zoning Map Amendment or the amendment to the zoning regulations, the matter shall be set for public hearing before the City Council in a timely fashion.

(4) A recommendation for denial of the Zoning Map Amendment or amendment to the zoning regulations shall terminate proceedings unless the decision is appealed.

(g) **Appeal of decision of the Planning Commission.** Decisions by the Planning Commission for the denial of a Zoning Map Amendment or denial of an amendment to the zoning regulations shall be final and conclusive unless, by 5:00 p.m. of the tenth (10th) day following such decision (or of the next working day if the tenth (10th) day falls on a weekend or holiday):

(1) A written appeal on the form designated by the City is filed by any interested party with the City Clerk requesting a public hearing before the City Council stating the grounds for the appeal and all required fees for said appeal are paid in full; or

(2) The Mayor or a member of the City Council requests a public hearing before the City Council stating the grounds for the appeal. Provided however that the City Council member or Mayor requesting the appeal shall disqualify him or herself from hearing the appeal unless he or she can certify in writing that the appeal is being requested as a result of public interest in the decision to be reviewed and he or she has no predisposition against or in favor of the amendment. The City Council as a whole shall be prohibited from voting to appeal any matter in which they will sit as the reviewing body.

Such appeal, or City Council request for a public hearing, shall be set for a public hearing by the City Clerk in a timely fashion.

(h) **Notice of public hearing before the City Council.** Notice of public hearings before the City Council shall be given pursuant to subsection (d) of this section.

(i) **Decision of the City Council.** The decision of the City Council on all proposed zoning amendments shall be final and conclusive for purposes of the City process.

(j) **Finality of decision.** Any amendment adopted pursuant to this section shall not take effect until it has been submitted to and reviewed and certified by the California Coastal Commission pursuant to Section 10-5.2238(c) for consistency with the City's certified Land Use Plan. Any permit application that would only be approvable under an amended version of the zoning shall not be considered complete until that amendment is approved. In order to maximize participation of the public and all affected governmental agencies in the preparation of LCP amendments, pursuant to California Code of Regulations Section 13515, the local government shall disseminate a notice of availability of review of draft LCP amendments as soon as such drafts are available, but at a minimum at least six (6) weeks prior to any final action on the documents.

10-5.2505 Specific Plan, and Coastal LUP amendments.

(a) **Purpose.** The purpose of this section is to set forth the method by which a Specific Plan or the Coastal Land Use Plan may be amended.

(b) **Initiation of amendments.**

(1) **Coastal Land Use Plan Map.** Amendments to the Coastal Land Use Plan map may be initiated by motion of the City Council or Planning Commission. Where an application has been made for a Zoning Map Amendment pursuant to Section 10-5.2504, that also requires an amendment to the Coastal Land Use Plan map, the amendment to the Coastal LUP shall be

considered concurrently.

(2) **Specific Plan, and Coastal Land Use Plan.** Amendments to a Specific Plan and/or to the Coastal Land Use Plan may be initiated by:

a. A motion of the City Council or Planning Commission;

b. A recommendation by the Planning Director or the City Attorney;

c. A recommendation by the Harbor Director for amendments within the Harbor-Pier area.

(c) **Setting hearings.** The request for amendment shall be set for at least one public hearing before the Planning Commission.

(d) **Notice of public hearing before the Planning Commission.** Notice of public hearing before the Planning Commission shall be given as follows:

(1) If the proposed amendment is to the Coastal Land Use Plan map, notice shall be given:

a. By publication at least once in a weekly newspaper of general circulation in the City not less than ten (10) calendar days prior to the date of the public hearing; and

b. By mailing a written notice thereof, not less than ten (10) days prior to the date of such hearing, to the owner of the subject property and to the owners of properties within 100 feet of the exterior boundary of the subject property or properties excluding roads; such notices shall be sent by first-class mail, with postage prepaid, using the addresses from the last adopted tax roll, if available; and

c. By posting such notice in at least one prominent place on or about each parcel which is the subject of the proposed action, or upon utility poles or sticks along or about the street line of such parcel. In the event more than one parcel is the subject of such hearing, and such parcels comprise 200 or more feet of street frontage, at least one such notice shall be posted on or about the street line at intervals of not less than 200 feet, starting at either end of the subject properties where the property line intersects the street line.

(2) If the proposed amendment to a Specific Plan and/or to the Coastal Land Use Plan is to the permitted use of real property, the noticing shall be pursuant to subsection (1) of this subsection (d), except that if the number of owners to whom notice would be mailed pursuant to this subsection is greater than 1,000, the only notice required shall be a display advertisement of at least one-eighth (1/8) page in a weekly newspaper of general circulation within the City at least ten (10) days prior to the hearing.

(3) If the proposed amendment to a Specific Plan and/or to the Coastal Land Use Plan is to intensity, design and development, or other policies not relating to the permitted uses of real property, notice shall be given by publication at least once in a weekly newspaper of general circulation in the City not less than ten (10) calendar days prior to the date of the public hearing.

(e) **Content of notice.** The notice shall contain the information required in subsection (d) above. Additionally the notice shall state that following final local government approval that the Land Use Plan or Specific Plan amendment shall be submitted to the Coastal Commission as an amendment to the certified LCP.

(f) **Decision of the Planning Commission.**

(1) Where the recommendation of the Planning Commission is for approval of the amendment to a Specific Plan, to the Coastal Land Use Plan map, or to the Coastal Land Use Plan, the matter shall be set for public hearing before the City Council in a timely fashion.

(2) A recommendation for denial of the amendment to a Specific Plan, to the Coastal Land Use Plan map, or to the Coastal Land Use Plan, shall terminate proceedings unless the decision is appealed.

(g) **Appeal of decision of the Planning Commission.** Decisions by the Planning Commission for the denial of a proposed amendment to a Specific Plan, to the Coastal Land

notice shall be given to a prospective tenant of the right of first refusal to purchase the unit, in the form provided in California Government Code Section 66459.

(g) **Monthly reports to City.** Commencing with the filing of an application and until such time as all tenants have received the benefits described in subsection (h) of this section, the applicant shall provide a written report to the City no less than every thirty (30) days that includes the following information:

(1) A listing of tenant names and addresses, including forwarding addresses, updated regularly;

(2) The date on which each tenant or prospective tenant began occupancy and ended occupancy;

(3) Copies of all notices, letters, and related correspondence mailed, delivered or otherwise presented to tenants and prospective tenants and a listing of the tenants and prospective tenants who received the material;

(4) A brief description of the occupancy status of each tenant indicating the intent of the tenant to end occupancy or to purchase his unit.

(h) **Tenant benefits.** The applicant shall provide benefits to tenants as follows:

(1) **Option to purchase.** Each tenant, and any prospective tenant who rents a unit subsequent to approval of a final map, shall be given notice of an exclusive right to contract for the purchase of his respective unit upon the same terms and conditions that such unit will be initially offered to the general public or on terms more favorable to the tenant. Such right shall run for a period of not less than ninety (90) days from the date of the issuance of the subdivision public report, or from the date of the approval of a final map if the project consists of four (4) or less units, or in the case of prospective tenants, from the date of the notice to prospective tenants specified in subsection (f)(4) of this section.

(2) **Limitation on evictions.** No eviction shall occur as a result of conversion for at least 180 days after the approval of a tentative map and the end of the ninety (90) day period of the exclusive option to purchase the unit. If the units are not offered for sale to the tenants within two (2) years after the approval of a final map, the minimum 180 day notice prior to the eviction, including a ninety (90) day exclusive option to purchase period, shall be provided to each tenant prior to eviction from the time the units are offered for sale.

(3) **Moving expenses.** Each tenant renting a unit at the time of the approval of the tentative map and still renting a unit ten (10) days prior to the approval of the final map, but not including prospective tenants notified pursuant to subsection (f) of this section, shall be entitled to the following moving expenses, due and payable at the time of moving:

a. **Furnished units.** The tenant of any furnished unit shall receive moving expenses equal to two (2) months' rent; and

b. **Unfurnished units.** The tenant of any unfurnished unit shall receive moving expenses equal to three (3) months' rent.

(i) **Harassment of tenants.** After the approval of the tentative map, action by the landlord which is intended to cause the tenant to quit the premises prior to the 180 day notice, including unreasonable rent increases, shall be considered harassment and shall be grounds for the denial of a final map.

10-5.1612 Building moving.

(a) **Purpose.** The moving of an existing building from outside the City to a site within the City, or from site to site within the City, requires specialized review to insure neighborhood compatibility, structural integrity, architectural quality, and compliance with the regulations of this Title and with the adopted Uniform Building Code.

(b) **Criteria.** An application for Planning Commission Design Review as required by the provision of subsection (c) shall be subject to the following criteria in addition to all other applicable land use and development standards in this chapter:

(1) The building to be moved shall be compatible with structures in the vicinity of the lot on which it is to be situated in terms of architecture, floor area, massing and bulk.

(2) The building to be moved shall have no detrimental effect on the living environment and property values in the area into which it is to be moved.

(3) If the vacated site is within the City, a bond shall be posted to cover the costs of cleaning the vacated site and restoring it to a safe and sightly condition.

(c) **Planning Commission Design Review required.** No building shall be moved into the City, or moved within the City from one lot to another, except by approval of the Planning Commission pursuant to Section 10- 2.2502 (Planning Commission Design Review).

(d) **Submittal of Building Inspection Report.** In addition to the application requirements in Section 10-5.2502 (Planning Commission Design Review), a Building Inspection Report shall be submitted that evaluates the overall condition of the building, as inspected and described in writing by a certified building inspector. The report shall include photographs and diagrams as necessary and shall enumerate all changes or alterations necessary to bring the building up to current Uniform Building Code standards.

10-5.1614 Public utility facilities.

(a) **Purpose.** The purpose of this section is to ensure that new public utility facilities and additions to existing facilities are compatible with surrounding properties and consistent with the public health, safety, and welfare of the City. While these regulations recognize the authority of applicable state agencies, it is the intent of the City to exercise any and all authority that it may have now or in the future under the California Constitution or general law with regard to the construction of any improvements or the making of any other changes to any public utility facility in the City. Inasmuch as it cannot be predicted with reasonable certainty at this time which such improvements, facilities or changes may be proposed to be made in the future, the source of the authority of the applicable state agency thereover and, consequently, the authority of the City thereover, it is necessary to write this section in general terms and allow its application to vary with the facts and the law governing each case.

(b) **Criteria.** Application for a Conditional Use Permit for a public utility facility, as required by the provisions of subsection (c), shall be subject to the following development criteria in addition to all other applicable land use and development standards in this chapter:

(1) The site for the proposed construction, reconstruction, erection, alteration, or placement shall be of adequate size and shape to accommodate the proposed use, yards, courts, walls, fences, and landscaping buffers, parking, and other required features.

(2) Adequate street access shall be provided to carry the quantity and kind of traffic generated by the proposed use and designed to provide adequate ingress and egress for fire-fighting equipment or other safety equipment.

(3) The proposed use shall have no adverse effect upon any abutting property, the neighborhood, or the City, and the proposed use shall protect the public health, safety, convenience, interest, and general welfare. In order to insure this provision and to comply with the purposes and intent of this chapter and the General Plan, any development standards or conditions may be imposed to create orderly and proper uses, as determined by the Planning Commission/Harbor Commission or City Council. Whenever a referenced municipal code section uses the term Planning Commission or Harbor Commission, it shall mean for the purposes of this Section 10-5.1614 the Planning Commission unless the subject property is within the Harbor-Pier area as defined in subsection (a) of Section 10-5.2512, in which case it

shall mean the Harbor Commission.

(4) The applicant may be required, as a condition of approval, to dedicate land for street or park purposes where indicated on the General Plan and to restrict areas perpetually as open space for common use by appropriate covenants.

(5) A time limit for development may be imposed as provided in subsection (j) of Section 10-5.2506 (Conditional Use Permits).

(c) **Conditional Use Permit required.** Subject to the following provisions, a public utility facility shall be a conditionally permitted use in any zone. The City Engineer may require that an application for such Conditional Use Permit be referred to the Public Works Commission for review, report and recommendation prior to action thereon by the Planning Commission or Harbor Commission, as the case may be.

(1) A Conditional Use Permit shall be required for the construction, reconstruction, erection, alteration or placement of any improvement or the making of any other physical change in or to any public utility facility; provided, however, that where such improvement, facility or change is to be made pursuant to any order of the Public Utilities Commission, the South Coast Air Quality Management District, the Regional Water Quality Control Board or other state or regional agency having jurisdiction to make and enforce such order, the Planning Commission/Harbor Commission, or the City Council on appeal shall not make any decision or impose any condition in conflict with any such order or any condition thereof unless, in the opinion of the City Attorney, the City is not preempted therefrom under Article 11, Section 7 of the California Constitution by the enactment of general laws or the subject of such order is a municipal affair under Article 11, Section 5 of said Constitution.

(2) Notwithstanding the provisions of subsection (c)(1) of this section, a Conditional Use Permit shall not be required for the following activities:

a. Repair or maintenance of any public utility facility;

b. Construction, erection or alteration of any building, or adjacent parking facilities therefor, used solely for the purpose of a business office to serve a public utility. (Note: Planning Commission Design Review of such exempt public utility facilities, however, may be required by other provisions of this Code);

c. Any construction, reconstruction, erection, alteration, or placement of any telephone or electric power line or gas or water pipeline located in any public or private right-of-way or across any private property installed pursuant to a utility service agreement;

d. Any work of improvement on such a facility which has a value, as determined by the City's Building Official, for building permit purposes of Fifty Thousand and no/100ths ($50,000.00) Dollars or less and which, as found and determined by the Planning Director, will not have an appreciable adverse effect on the occupants of surrounding properties or on the general public and which is not inconsistent with the City's General Plan;

e. Any construction, reconstruction, erection, alteration or placement of any meters or measuring devices adjacent to customer residences or other facilities;

f. Any construction, reconstruction, erection, alteration or placement of any safety devices, such as pipeline pressure regulators or voltage regulators;

g. Emergency activities, such as, but not limited to, repair of downed power lines, broken gas or water lines or repair of existing equipment within an established distribution system which must be undertaken in order to avoid an immediate threat to human health or property.

10-5.1616 Recycling facilities.

(a) **Purpose.** The purpose of these regulations is to meet the requirements of the State Beverage Container Recycling and Litter Reduction Act of 1986; to meet community recycling

needs; and to insure the compatibility of recycling facilities with surrounding uses for the protection of the health, safety, and general welfare of the City and its residents. This section is not intended to regulate the establishment of recycling areas on residential properties for private use, which is addressed in Section 10-5.1538 of this Chapter.

(b) **Criteria.**

(1) **Reverse vending machines.** Reverse vending machines operated as a secondary use within a commercial building located in a commercial or industrial zone shall be permitted. Reverse vending machines located outside of a building in commercial and industrial zones shall be permitted subject to Administrative Design Review pursuant to Section 10-5.2500. An application for Administrative Design Review shall be subject to the following development criteria in addition to all other applicable land use and development standards in this chapter:

a. The reverse vending machines shall be established in conjunction with a commercial or industrial use or a religious institution, fraternal organization, service club, or similar nonprofit corporation which is either in compliance with the provisions of this chapter and the Building and Fire Codes of the City or is a legal nonconforming building;

b. The reverse vending machines shall be located within thirty (30) feet of the entrance to the building containing the primary use and shall not obstruct pedestrian or vehicular circulation;

c. The reverse vending machines shall not occupy parking spaces required by the primary use;

d. The reverse vending machines shall occupy no more than fifty (50) square feet of floor space per installation, including any protective enclosure, and shall be no more than eight (8) feet in height;

e. The reverse vending machines shall be constructed and maintained with durable waterproof and rustproof materials. Containers shall be placed within a pad including curbing or other means to protect against spills of any material where necessary;

f. The reverse vending machines shall be clearly marked to identify the type of material to be deposited, operating instructions, and the identity and telephone number of the operator or responsible person to call if the machine is inoperative;

g. The reverse vending machines shall have a sign area of a maximum of four (4) square feet per machine, solely for the purpose of identifying the recycling facility or materials accepted for recycling. Additional area.

The reverse vending machines shall be permitted to provide operating instructions;

h. On-site directional signs, bearing no advertising message, may be installed with the approval of the Planning Director if necessary to facilitate traffic circulation or if the facility is not visible from the public right-of-way. Directional signs in the public right-of-way shall require approval by the Engineering Department. Directional signs shall include the City's recycling logo;

i. The reverse vending machines and immediate vicinity shall be maintained in a clean, litter-free, odor-free, and pest-free condition on a daily basis;

j. The operating hours shall be at least the operating hours of the host use;

k. The reverse vending machines shall be illuminated to ensure comfortable and safe operation if the operating hours are between dusk and dawn;

l. The reverse vending machines shall not violate the City's noise regulations;

m. The reverse vending machines shall be located and designed to be aesthetically compatible with the host use and with surrounding uses; and

n. The reverse vending machines shall be found by the Planning Department to have no significant detrimental impact on surrounding properties.

(2) **Small collection facilities.** A small collection facility may be permitted in any

commercial or industrial zone subject to approval of a Conditional Use Permit pursuant to Section 10-5.2506. An application for a Conditional Use Permit shall be subject to the following development criteria in addition to all other applicable land use and development standards in this chapter:

a. The facility shall be established in conjunction with an existing commercial or industrial use or a religious institution, fraternal organization, service club, or similar nonprofit corporation which is either in compliance with the provisions of this chapter and the Building and Fire Codes of the City or is a legal nonconforming building;

b. The facility shall be no larger than 800 square feet;

c. The facility shall not reduce available parking spaces below the minimum number required for the primary host use;

d. The facility shall be set back at least ten (10) feet from any street line and shall not obstruct pedestrian or vehicular circulation;

e. The facility shall be located to minimize any impact on adjacent residentially zoned or occupied property;

f. The facility shall accept only glass, metals, plastic containers, papers, and other recyclable or reusable items approved by the Director of Public Works;

g. The facility shall use no power-driven processing equipment, except for reverse vending machines;

h. The facility shall use containers which are constructed and maintained with durable waterproof and rustproof materials, covered when the site is not attended, and secured from unauthorized entry or the removal of material and shall be of a capacity sufficient to accommodate materials collected. Collections shall be at least weekly. Containers shall be placed within a pad including curbing or other means to protect against spills of any materials where necessary;

i. The facility shall store all recyclable materials in containers or in the mobile unit vehicle and shall not leave materials outside of the containers when an attendant is not present;

j. The facility shall be maintained free of litter, odors, pests, and any other undesirable material, and mobile facilities shall be swept at the end of each collection day;

k. The facility shall not violate the City's noise regulations;

l. Attended facilities located within 100 feet of a property zoned or occupied for residential use shall operate only during the hours between 9:00 a.m. and 7:00 p.m.;

m. Containers for the twenty-four (24) hour donation of materials shall be at least thirty (30) feet from any property zoned or occupied for residential use, unless there is a recognized service corridor and acoustical shielding between the containers and the residential use;

n. The containers shall be clearly marked to identify the type of material which may be deposited. The facility shall be clearly marked to identify the name and telephone number of the facility operator and the hours of operation and display a notice stating that no material shall be left outside the recycling enclosure or containers;

o. Signs may be provided as follows:

1. Recycling facilities may have identification signs with a maximum of twenty (20%) percent per side or twenty (20) square feet, whichever is less, in addition to the informational signs required by subsection n of this subsection. In the case of a wheeled facility, the side will be measured from the pavement to the top of the container;

2. The signs shall be consistent with the character of the location; and

3. On-site directional signs, bearing no advertising message, may be installed with the approval of the Planning Director if necessary to facilitate traffic circulation or if the facility is not visible from the public right-of-way. Directional signs in the public right-of-way

shall require approval by the Engineering Department. Directional signs shall include the City's recycling logo;

p. The facility shall not impair the landscaping required for any concurrent use by this title or any permit issued pursuant thereto;

q. No additional parking space will be required for customers of a small collection facility located at the established parking lot of a host use. One space will be provided for the attendant, if needed;

r. The facility shall be located and designed to be aesthetically compatible with the host use and with surrounding uses; and

s. The Planning Commission shall retain jurisdiction over all approved small collection facilities to ensure compliance with the standards set forth in this subsection and may require a new hearing in the event such standards are violated.

(3) **Large collection facilities.** A large collection facility may be permitted in any industrial zone subject to approval of a Conditional Use Permit pursuant to Section 10-5.2506. All applications for Conditional Use Permits for large collection facilities shall be referred to the Public Works Commission for its study and recommendations before submission to the Planning Commission. An application for a Conditional Use Permit shall be subject to the following development criteria in addition to all other applicable land use and development standards in this chapter.

a. The facility shall not abut a property zoned for residential use.

b. The facility shall be screened from the public right-of-way by operating in an enclosed building or shall be within an area enclosed by a decorative block wall at least six (6) feet in height, with landscaping, and at least 150 feet from property zoned for residential use.

c. The facility shall not violate the City's noise regulations.

d. The setbacks and landscaping requirements shall be those provided for the zone in which it is located.

e. All exterior storage of materials shall be in sturdy containers which are covered, secured, and maintained in good condition or may be baled or palletized. Storage containers for flammable materials shall be constructed of nonflammable materials. Oil storage shall be in containers approved by the Fire Department. No storage, excluding truck trailers and overseas containers, shall be visible above the height of the wall.

f. The site shall be maintained free of litter, odors, pests, and any other undesirable material and shall be cleaned of loose debris on a daily basis.

g. Space shall be provided on the site for six (6) vehicles or the anticipated peak customer load, whichever is higher, to circulate and to deposit recyclable materials.

h. One parking space shall be provided for each commercial vehicle operated by the recycling facility, and one parking space shall be required for each employee on the largest shift.

i. If the facility is located within 500 feet of property zoned for or occupied by a residential use, the facility shall not be in operation between 7:00 p.m. and 7:00 a.m.

j. Containers provided for after-hours donations of recyclable materials shall be at least fifty (50) feet from any property zoned for or occupied by a residential use, shall be of sturdy, rustproof construction, shall have sufficient capacity to accommodate the materials collected, and shall be secure from unauthorized entry or the removal of materials.

k. Donation areas shall be kept free of litter and any other undesirable material. The containers shall be clearly marked to identify the type of materials which may be deposited. The facility shall display a notice stating that no material shall be left outside the recycling containers.

l. The facility shall be clearly marked with the name and telephone number of the facility operator and the hours of operation. Identification and informational signs shall be

subject to the sign standards applicable to the zone in which the facility is located. On-site directional signs, bearing no advertising message, may be installed with the approval of the Planning Director if necessary to facilitate traffic circulation or if the facility is not visible from the public right-of-way. Directional signs in the public right-of-way shall require approval by the Engineering Department. Directional signs shall include the City's recycling logo.

m. Power-driven processing, including aluminum foil and can compacting, baling, plastic shredding, or other light processing activities necessary for efficient temporary storage and the shipment of materials, may be approved through the Conditional Use Permit process by the Planning Commission, subject to meeting the noise and all other applicable standards set forth in this subsection

n. Containers and storage areas shall be placed within a pad including curbing or other means to protect against spills of any material where necessary.

o. The Planning Commission shall retain jurisdiction over all approved large collection facilities to ensure compliance with the standards set forth in this subsection and may require a new hearing in the event such standards are violated.

(4) **Processing facilities.** A light processing facility may be permitted in any industrial zone subject to approval of a Conditional Use Permit pursuant to Section 10-5.2506. All applications for Conditional Use Permits for light processing facilities shall be referred to the Public Works Commission for its study and recommendations before submission to the Planning Commission. An application for a Conditional Use Permit shall be subject to the following development criteria in addition to all other applicable land use and development standards in this chapter:

a. The facility shall not abut a property zoned for or occupied by a residential use.

b. The processor shall operate in a wholly enclosed building, except for incidental storage, or:

1. Within an area enclosed on all sides by a decorative block wall not less than eight (8) feet in height and landscaped on all street frontages; and

2. Located at least 150 feet from property zoned for or occupied by a residential use.

c. Power-driven processing shall be permitted provided all noise level requirements are met. Light processing facilities shall be limited to baling, briquetting, crushing, compacting, grinding, shredding, and sorting of source-separated recyclable materials and the repairing of reusable materials.

d. A light processing facility shall be no larger than 45,000 square feet and shall have no more than an average of two (2) outbound truck shipments of material per day and may not shred, compact, or bale ferrous metals other than food and beverage containers.

e. A processing facility may accept used motor oil for recycling from the generator in accordance with Section 25250.11 of the Health and Safety Code of the State.

f. The setbacks and landscaping requirements shall be those provided for the zone in which the facility is located.

g. All exterior storage of materials shall be in sturdy containers or enclosures which are covered, secured, and maintained in good condition or may be baled or palletized. Storage containers for flammable materials shall be constructed of nonflammable materials. Oil storage shall be in containers approved by the Fire Department. No storage, excluding truck trailers and overseas containers, shall be visible above the height of the wall. Containers and storage areas shall be placed within a pad including curbing or other means to protect against spills of any material where necessary.

h. The site shall be maintained free of litter, odors, pests, and any other undesirable material, and shall be cleaned of loose debris on a daily basis, and shall be

secured from unauthorized entry and the removal of materials when attendants are not present.

i. Space shall be provided on the site for the anticipated peak load of customers to circulate, park, and deposit recyclable materials. If the facility is open to the public, space shall be provided for a minimum of ten (10) customers or the peak load, whichever is higher.

j. One parking space shall be provided for each commercial vehicle operated by the processing center, and one parking space shall be required for each employee on the largest shift.

k. The facility shall not violate the City's noise regulations.

l. If the facility is located within 500 feet of property zoned for or occupied by a residential use, the facility shall not be in operation between 7:00 p.m. and 7:00 a.m. The facility shall be administered by on-site personnel during the hours the facility is open.

m. Containers provided for after-hours donations of recyclable materials shall be at least fifty (50) feet from any property zoned for or occupied by a residential use, shall be of sturdy, rustproof construction, shall have sufficient capacity to accommodate the materials collected, and shall be secure from unauthorized entry or the removal of materials.

n. Donation areas shall be kept free of litter, odors, pests, and any other undesirable material. The containers shall be clearly marked to identify the type of material which may be deposited. The facility shall display a notice stating that no material shall be left outside the recycling containers.

o. The facility shall be clearly marked with the name and telephone number of the facility operator and the hours of operation. Identification signs shall be subject to the sign standards applicable to the zone in which the facility is located. On-site directional signs, bearing no advertising message, may be installed with the approval of the Planning Director if necessary to facilitate traffic circulation or if the facility is not visible from the public right-of-way. Directional signs in the public right-of-way shall require approval by the Engineering Department. Directional signs shall include the City's recycling logo.

p. No dust, fumes, smoke, vibration, or odors above ambient levels may be detectable on neighboring properties.

q. The Planning Commission shall retain jurisdiction over all approved processing facilities to ensure compliance with the standards set forth in this subsection and may require a new hearing in the event such standards are violated.

10-5.1618 Hazardous waste facilities.

Any amendment to the General Plan, land use classifications, approval of any parcel map or tract map, approval of any Conditional Use Permit, or approval of any Variance issued or granted in connection with the siting of hazardous waste facilities shall require a separate finding that such approval is consistent with that portion of the Los Angeles County Hazardous Waste Management Plan which identifies the siting criteria for hazardous waste facilities.

10-5.1622 Outdoor dining.

(a) **Purpose.** The purpose of this section is to permit the establishment of outdoor dining areas in conjunction with restaurants, snack shops, and other food-serving businesses in order to enhance and add vitality to the City's commercial areas and to encourage the development of a pedestrian-friendly urban environment in a manner that is consistent with the public health, safety and welfare and public access.

(b) **Criteria.** In order for outdoor dining areas to be permitted, the following criteria shall be met in addition to all other applicable land use and development standards in this chapter:

(1) The outdoor dining area shall be managed, operated, and maintained as an integral part of the adjacent food service establishment.

(2) The outdoor dining area shall be designed to avoid noise impacts on residential uses.

(3) The proposed hours of operation for the outdoor dining area shall be complementary to the business district in which the use is located, and shall not negatively impact residential uses.

(4) There shall be no cooking or food preparation done outside a building.

(5) No outdoor dining area shall serve alcoholic beverages unless such outdoor dining area includes the provision of full food service.

(6) The outdoor seating shall meet the parking requirements of Section 10-5.1706.

(c) **Permits required.**

(1) Outdoor dining areas of no more than 150 square feet in area shall be subject to approval by Administrative Design Review pursuant to Section 10-5.2500.

(2) Outdoor dining areas greater than 150 square feet in area shall be subject to approval of a Conditional Use Permit pursuant to Section 10-5.2506.

(3) Approval of an encroachment permit pursuant to Chapter 14 of Title 3 of the Municipal Code shall also be required if the proposed outdoor dining area utilizes any portion of the public right-of-way.

(4) No outdoor dining area shall be established or used unless it has received a coastal development permit which shall ensure that no adverse impacts to pedestrian public access along the affected sidewalk occurs.

ARTICLE 5 -- PARKING REGULATIONS

Sections

10-5.1700 Purpose.
10-5.1702 General provisions.
10-5.1704 Residential parking standards.
10-5.1706 Commercial, industrial, and other non-residential parking standards.
10-5.1708 Storage and/or parking of vehicles in residential zones or on any lot having a residential use in a non-residential zone.

10-5.1700 Purpose.

The purpose of the off-street parking regulations are:

(a) To progressively alleviate or prevent traffic congestion and shortages of on-street parking spaces;

(b) To ensure that adequate off-street parking and loading facilities are provided proportionally to the needs of each land use, and;

(c) To ensure that off-street parking and loading facilities are designed in a manner that will ensure efficiency, safety, and where appropriate, insulate surrounding land uses from adverse impacts commonly caused by parking areas.

10-5.1702 General provisions.

(a) **Residential uses.** The standards set forth in this article shall apply to all new and existing residential developments in any zone, except that floor area additions to existing residential units may be permitted without fully complying with the parking requirements pursuant to Article 8 of this chapter (Nonconforming Uses and Structures).

(b) **Nonresidential uses.** The standards set forth in this article shall apply to all new and existing nonresidential developments in any zone, except that structural or non-structural alterations to an existing development where there is no increase in gross floor area shall not be required to provide additional parking spaces beyond the number required at the time of original construction of the development. Further, where an existing use does not conform to current parking standards, floor area additions may be permitted, provided that the deficiency in the number of parking spaces is not increased pursuant to Article 8 of this chapter (Nonconforming Uses and Structures).

(c) **Location of off-street parking facilities.**

(1) **Off-street parking on same lot as use.** An off-street parking facility shall be on the same lot or site as the use it serves. An off-street parking facility which is not on the same lot or site as the use it serves shall be subject to Planning Commission Design Review pursuant to Section 10-5.2502. Such off-street parking, if approved, shall be restricted by deed or by a recorded covenant running with the land which provides that as long as the use exists for which such off-street parking facility is provided, such off-street parking facility shall be maintained and used in connection with such use only. No building permit shall be issued for any building or structure where parking facilities are not on the same lot or parcel until a copy of a deed or a recorded covenant granting such parking facility as part of the use is presented to the Building Official.

(2) **Commercial parking lots in residential zones.** Commercial parking lots in residential zones shall only be considered where lots are contiguous to or separated by an alley from property in any commercial zone. Access for parking lots located in residential zones shall be restricted to the commercial zone frontage where feasible, and parking areas abutting or

facing residentially zoned property shall be extensively landscaped, including a screen wall with evergreen plant material covering a majority of the wall within one year and providing a substantial visual buffer from abutting residential uses.

(d) **Use of parking spaces.**

(1) **Vehicles only.** No parking space required by the provisions of this article shall be used for any purpose except the parking of automobiles, trucks, vans, motorcycles, motorbikes, motor-driven mobile homes, or similar passenger vehicles except as provided in Section 10-5.1708. The parking or storage of boats, furniture, machinery, equipment, building materials, trash, or any other vehicle, commodity, or thing not licensed by the State as a motor vehicle operable upon the highways of the State shall be prohibited from occupying any parking space required by the provisions of this article.

(2) **Parking fees and restricted parking spaces.** No fee shall be charged for parking on a privately owned parking lot, and no parking space other than handicapped parking spaces shall be marked, restricted, or segregated in a commercial parking lot to favor one tenant or use over another, unless approved by Planning Commission Design Review pursuant to the provisions of Section 10-5.2502.

(e) **Handicapped parking.** Spaces designed for handicapped parking shall be provided as required pursuant to the California State Building Standards Code (Title 24). For existing developments, a reduction in the total number of otherwise required parking spaces may be approved, subject to Administrative Design Review (Section 10-5.2500), solely as necessary to upgrade existing parking facilities to comply with Title 24 of the California Building Code.

10-5.1704 Residential parking standards.

(a) **Residential: automobile parking spaces required.**

(1) **Single-family dwellings.** Single-family dwellings in any residential zone shall provide two (2) parking spaces within a private enclosed garage. An existing permitted two-car enclosed private garage ancillary to a single-family dwelling shall be deemed to satisfy this requirement if the parking space dimensions vary no more than one foot in width and one foot in depth, and/or the garage door dimensions vary no more than six (6) inches in height and one foot in width, from the dimension requirements specified in this section.

a. **Rental of parking spaces prohibited.** No parking space required by the provisions of this subsection shall be rented, leased, or otherwise conveyed or used by any person who is not a tenant within the single-family dwelling.

(2) **Multiple-family dwellings.** Multiple-family dwellings on the same lot shall provide a minimum of two (2) parking spaces for each dwelling unit, of which at least one space per dwelling unit shall be within an enclosed private or common parking garage.

a. **Condominiums.** Notwithstanding the above, condominiums shall provide a minimum of two (2) parking spaces for each dwelling unit within an enclosed private or common parking garage.

b. **Visitor parking spaces.** All multi-family developments on lots fifty (50) feet or more in width shall provide the following number of off-street visitor parking spaces in addition to the parking required for the residents:

2-3 dwellings—1 visitor space;
4-6 dwellings—2 visitor spaces;
7-10 dwellings—3 visitor spaces;
11+ dwellings—1 space for each 3 dwellings.

1. Any fractional requirement equal to or greater than one-half (1/2) of a visitor parking space shall be interpreted as a requirement for a total visitor parking space.

2. Visitor parking spaces shall be grouped in a location that is convenient to visitors and shall be accessible at all times. Visitor parking spaces shall not be located within a

secured private or common parking garage that requires a key, handset, or other electrical or mechanical device to gain access to such spaces.

3. In condominium projects, the association, at any time after the owners have assumed control of the association, may lease or rent such visitor parking spaces to a unit owner or designate such spaces as visitor parking.

c. **Rental of parking spaces prohibited.** No parking space required by the provisions of this subsection shall be rented, leased, or otherwise conveyed for use by any person who is not a tenant within the residential development.

d. **Setbacks.** No visitor parking space or open required parking space shall encroach into the required front setback or into the required exterior side setback in the case of a corner lot.

(3) **Mobile home parks.** Mobile home parks shall provide one parking space for each mobile home, located adjacent or easily accessible to each mobile home.

(b) **Residential: driveway approaches, driveways, and parking pads.**

(1) **Materials for driveways and parking pads.**

a. All driveways and parking pads shall be constructed of Portland cement concrete not less than three and one-half (3 1/2) inches thick or equivalent.

1. Notwithstanding the above, the use of pervious materials such as turf block, grass strips between concrete strips, brick, stone, and similar materials may be approved subject to Administrative Design Review (pursuant to Section 10-5.2500), provided that the driveway is determined to be safe and that alternative paths are available to the home providing safe handicapped access. Soft materials such as grass strips shall not be used where the driveway slope exceeds five (5%) percent or on common driveways shared by two adjacent lots. Irrigation systems shall be required where use of grass is permitted.

b. All new residential driveways and parking pads shall have not less than fifteen (15%) percent of the total driveway/parking pad area surfaced with brick, exposed aggregate, and/or other comparable decorative architectural material.

(2) **Maximum grade.** No driveway providing access to off-street parking shall have a grade greater than fifteen (15%) percent.

(3) **Access across lots.** All driveways providing access to garages in a residential zone shall be on the same lot as the residential development, except that the Planning Commission, by Planning Commission Design Review pursuant to the provisions of Section 10-5.2502, may approve common easements dedicated for vehicular access to garages.

(4) **Width of driveway approaches and driveways.**

a. Driveways used to serve not more than one single-family residence shall be a minimum of nine (9) feet and a maximum of twenty-eight (28) feet in width. In instances where an existing driveway access between the wall of a building and the property line is less than nine (9) feet in width, such access may be continued provided any new development does not encroach into the driveway widths specified by this section.

b. Driveways serving two (2) dwelling units but not more than twelve (12) dwelling units shall be a minimum of eleven (11) feet and a maximum of twenty-eight (28) feet in width.

c. Driveways serving thirteen (13) or more dwelling units shall be a minimum of twenty (20) feet in width when used for egress and ingress, or two (2) driveways, each a minimum of eleven (11) feet in width, shall be provided where one driveway is used only for ingress and the other driveway is used only for egress.

d. The width of a driveway approach shall match the width of the driveway.

5. **Projections into driveways.**

a. Projections, such as cornices, eaves, belt courses, sills, utility meter boxes, fireplace chimneys, and any other architectural feature, shall not project more than six (6) inches into any driveway, unless they are more than 88 inches above the surface of the driveway.

b. A mature tree (trunk diameter a minimum of six (6) inches) may be permitted to project into the required minimum driveway width or driveway approach by a maximum of one foot for a driveway serving a single-family residence or by a maximum of two (2) feet for a driveway serving two (2) or more dwelling units, subject to Administrative Design Review (pursuant to Section 10-5.2500) or subject to Planning Commission Design Review (pursuant to Section 10-5.2502) in conjunction with a project otherwise subject to Planning Commission Design Review.

(6) **Prohibition of new driveway approaches for lots served by alleys.** No new driveway approaches shall be permitted along the street frontage for lots in the R-1 zone having alley access on the following blocks:

a. Avenue E between South Catalina Avenue and Pacific Coast Highway.

b. Avenue F between South Catalina Avenue and Pacific Coast Highway.

c. Avenue G between South Catalina Avenue and Pacific Coast Highway.

(7) **Protection of on-street parking.** Driveways serving new development shall be sized and located to prevent a net loss of on-street parking spaces to the maximum extent feasible, as determined by the City. To implement this, conditions of approval may include, but are not limited to, required access from existing alleys, or limiting the size and number of curbcuts.

(c) **Residential: design of off-street parking lots, enclosed private garages and common parking garages.**

(1) **Size of parking space.** Each residential parking space shall have a minimum clear dimension of nine (9) feet in width and nineteen (19) feet in length, except for allowable projections as provided in this subsection.

(2) **Garage doors.**

a. **Single-family dwellings.** Doors of enclosed private garages for single family dwellings shall be a minimum of eight (8) feet in width for each single parking space, and a minimum of sixteen (16) feet in width for a standard two-car garage.

b. **Multi-family dwellings.** Doors of enclosed private garages or common parking garages for all multi-family dwellings shall be a minimum of nine (9) feet in width for a single parking space, and a minimum of sixteen (16) feet in width for a standard two-car garage.

(3) **Vertical clearance for garages.** The vertical clearance for any entrance to a garage or for any overhead obstruction within any type of garage shall be not less than eighty-eight (88) inches. Over-the-hood storage cabinets may encroach into a required parking space when located a minimum of four (4) feet above the floor, and projecting not more than four (4) feet into the required nineteen (19) foot parking space depth.

(4) **Street facing garage openings and street-facing open parking spaces.**

a. **Single-family dwellings.** No garage door opening facing a street shall be closer than nineteen (19) feet to the property line abutting that street, except as provided for single-family dwellings on sloping lots pursuant to the granting of a modification under Section 10-5.2508 or as permitted under subsection c of this subsection.

b. **Multiple-family developments.** For any multi-family development in any zone, excluding corner lots, no garage door opening or open parking space other than a visitor space shall face the street abutting the front property line unless such garage or open parking space is on the rear one-half (1/2) of the lot. On a corner lot, no garage door opening for an enclosed private garage or open parking space other than a visitor space shall be closer than nineteen (19) feet to the front or side property line abutting the street except as permitted under subsection (c)(4)(c) of this section. On a corner lot, enclosed common parking garages utilizing

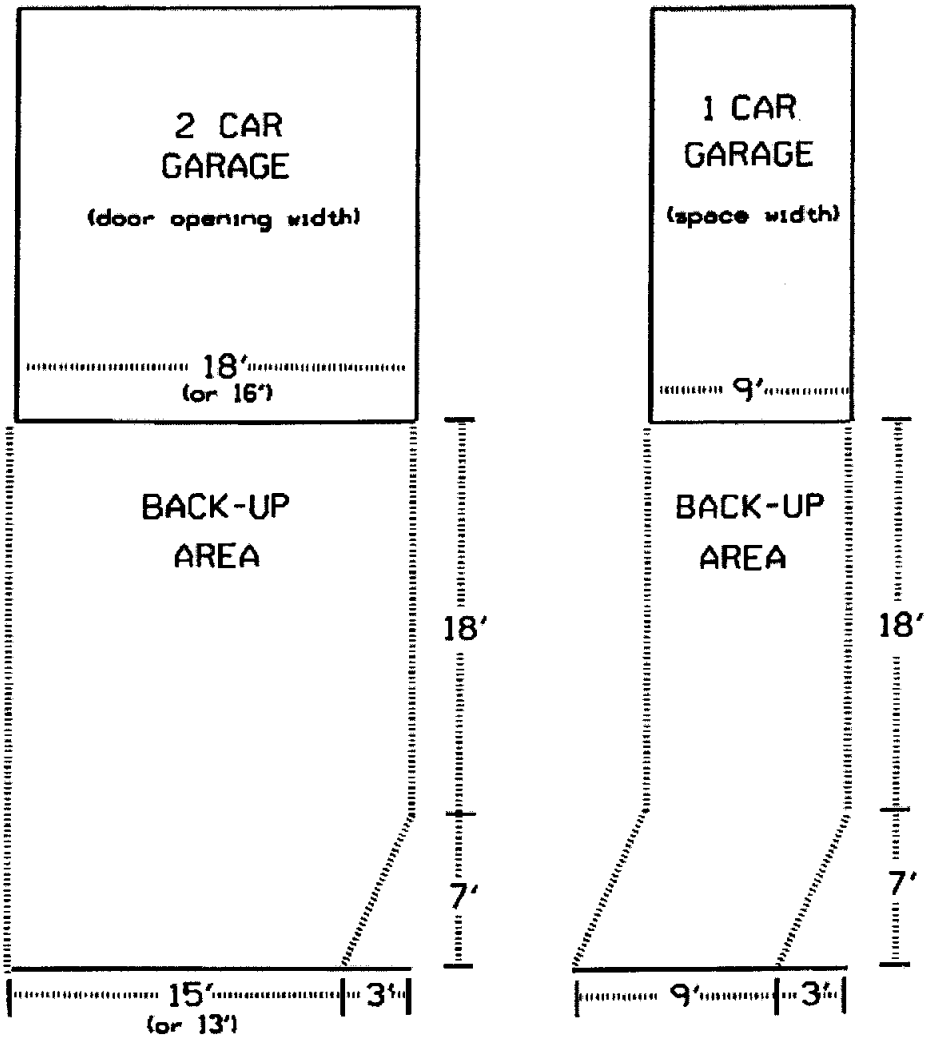
a common entrance and/or exit may match the required front and side setbacks.

c. **Corner lots having a width of less than forty-four feet.** Residential developments on corner lots having a lot width of less than forty-four (44) feet shall be exempt from the requirement of a nineteen (19) foot setback for garage openings facing the side property line abutting the street.

(5) **Back-up area.** Each parking space shall be provided a backup area with a minimum clear depth of twenty-five (25) feet, portions of which may include the street The minimum width of the back-up area shall be no less than nine (9) feet for a single parking space and no less than the width of the garage door opening for a multi-car garage.

a. For the purpose of preserving a mature tree (trunk diameter a minimum of six (6) inches) or avoiding other obstructions, the backup area for a parking space may be a modified to the limits indicated in the following illustration, by Administrative Design Review (pursuant to Section 10-5.2500) or by Planning Commission Design Review (pursuant to Section 10-5.2502) in conjunction with a project otherwise subject to Planning Commission Design Review.

ILLUSTRATION OF SECTION 10-5.1704(c)(5)(a.)
Back-up area reduction to avoid mature tree or other obstruction



(6) **Common parking garges.**

a. Subterranean common parking garages may be constructed to any rear property line or side property line but shall not encroach into the front setback. Where the garage is located within the side or rear setback, the roof of the subterranean garage shall not project more than three (3) feet above the existing grade.

b. For all common parking garages, no column, wall, or other obstruction shall encroach into a required parking space or back-up space, except that water lines, air ducts, conduit, and other similar equipment located along a wall or ceiling along the front end of a parking space may encroach eighteen (18) inches into the required eighty-eight (88) inch height and thirty-six (36) inches into the required nineteen (19) foot parking space length.

c. For all common parking garages, columns, walls or other obstructions shall be set back a minimum clear distance of two (2) feet from the line of the required back-up space (thus giving for ninety (90°) degree parking a twenty-seven (27) foot clear distance for a single loaded aisle and a twenty-nine (29) foot clear distance for a double loaded aisle).

d. For all common parking garages where parking spaces are arranged in a ninety (90°) degree pattern, two (2) feet shall be added to the required minimum width of an end parking space that abuts a fence, wall, or other obstruction. For parallel parking, end spaces perpendicular to a wall or building shall have a minimum depth of thirty (30) feet.

10-5.1706 Commercial, industrial, and other nonresidential parking standards.

(a) **Nonresidential: automobile parking spaces required.**

(1) The following are the minimum required off-street parking standards for commercial, industrial, and other nonresidential uses.

Use	Spaces Required
Places of assembly, including churches, theaters, auditoriums and similar uses:	One space for every five (5) seats or one space for every 40 square feet of seating area where there are no fixed seats.
Ambulance services:	Three (3) spaces for every emergency vehicle.
Amusement centers (arcades, skating rinks, miniature golf, and similar uses):	One space per each 200 square feet of area within enclosed buildings, plus one space for every three persons that the outdoor facilities are designed to accommodate when used to the maximum capacity.
Automobile repair garages and service stations:	One space for each 250 square feet of gross floor area, but not less than three (3) spaces per service bay, plus one space per tow truck operating from the site.
Banks and savings and loans:	One space for every 250 square feet of gross floor area.
Bars and cocktail lounges:	One space for every four (4) seats, but not less than one space for each 50 square feet of gross floor area designated for seating, including aisles.
Billiard parlors:	Two to three (2-3) spaces per table, depending on the nature of the specific project.
Boat slips	Three-fourths (3/4) space for each boat slip.
Bowling alleys	Four (4) spaces for each lane, plus one space per each 200 square feet of floor area used for consumption of food or beverages or other recreational area.
Business offices:	One space for each 300 square feet of gross floor area.
Child day-care centers:	One space per employee, plus drop-off and pick-up areas as determined necessary based on the center's maximum capacity.

Use	Spaces Required
Food and beverage sales and snack shops:	One space for every 250 square feet of gross floor area, except if this use shall contain more than 12 seats, there shall be required one space for each 100 square feet of gross floor area. Outdoor seating shall be subject to subsection (a)(3) of Section 10-5.1706.
Health and physical fitness clubs:	One space per each 50 square feet of gross floor area used for aerobics exercise floors or similar activities using open floor area, plus two (2) spaces per each racquet or tennis court, plus one space per each 200 square feet of all other gross floor area.
Hotels and motels:	The maximum required shall be as follows: 1 space for each guest room without kitchen facilities and 1.5 spaces for each guest room with kitchen facilities; plus 1 space per each 100 square feet of banquet, assembly, meeting, or restaurant seating area. The decision- making body may require less than the maximum requirement based on factors including, but not limited to, the size of the project, the range of services offered, and the location.
Medical and dental offices:	One space for each 150 square feet of gross floor area, except that chiropractic, acupuncture, physical therapy and psychotherapy offices shall provide one space for each 300 square feet of gross floor area.
Mortuaries:	One space for every 50 square feet of assembly room floor area, plus one space for each 500 square feet of all other areas, plus one space for each vehicle owned by the establishment.
Personal improvement services, other than health and physical fitness clubs:	One space per employee, plus one space per each two (2) students.
Restaurant, Sitdown:	One space for every four (4) seats, but not less than one space for each 50 square feet of gross floor area designated for seating, including aisles. Outdoor seating shall be subject to subsection (a)(3) of Section 10-5.1706.
Restaurant, Fast-food:	One space for each 75 square feet of gross floor area. Outdoor seating shall be subject to subsection (a)(3) of Section 10-5.1706.
Restaurant, Delivery:	One space for each 100 square feet of gross floor area.
Restaurant, Take-out:	One space for each 250 square feet of gross floor area. Outdoor seating shall be subject to subsection (a)(3) of Section 10-5.1706.
Restaurant, Pedestrian-oriented:	One space for each 250 square feet of gross floor area (limited to the C-2-PD, C-3-PD, C-4-PD, and MU-3C pedestrian-oriented commercial zones).
Restaurant, Unclassified:	One space for each 75 square feet of gross floor area. Outdoor seating shall be subject to subsection (a)(3) of Section 10-5.1706.

Use	Spaces Required
Schools: Elementary schools, public and private:	One space for each faculty member, plus one space for each employee.
Schools: High schools, public and private:	One space for each faculty member, plus one space for each ten (10) students regularly enrolled.
Schools: Junior colleges, colleges, etc.:	One space for each two (2) employees, plus one space for each four (4) full-time enrolled students. Auditorium requirements shall be additional requirements.
Commercial uses not listed:	One space per each 250 square feet of gross floor area, except that uses subject to a Conditional Use Permit shall provide a minimum of one space per each 250 square feet of gross floor area and a maximum of one space per 100 square feet of gross floor area, depending upon the specific nature of the project.
Manufacturing:	One space for each 500 square feet of gross floor area, or one space for each two (2) employees on the largest shift, whichever is greater.
Recycling centers:	One space for each employee on the largest shift, plus one space for every commercial vehicle operating on the site.
Research and development offices and laboratories:	One space for each 300 square feet, plus one parking space for each truck or vehicle operated by the use.
Trucking terminals; Warehousing:	One space for each 1,000 square feet to 10,000 square feet, and one space for each 5,000 square feet thereafter.
Mini-warehouse (self-storage):	Three (3) spaces, plus one space per 100 storage units.
Warehouse retail:	A minimum of five (5) and a maximum of seven (7) spaces for each 1,000 square feet of gross floor area, depending upon the nature of the specific project.
Warehouse retail, specialty:	A minimum of three (3) and a maximum of five (5) spaces for each 1,000 square feet of gross floor area, depending upon the nature of the specific project.

(2) Any fractional requirement of a parking space equal to or greater than one-half (1/2) of a parking space shall be interpreted as a requirement for a total parking space.

(3) **Outdoor seating for food-serving establishments.** No additional parking is required for the first twelve (12) seats or a number of outdoor seats equivalent to twenty-five (25%) percent of the number of indoor seats, whichever is greater. Thereafter, one parking space shall be provided for every six (6) seats.

(b) **Nonresidential: driveway approaches, driveways, aisles and drive-thru lanes.**

(1) No driveway approach used for two-way traffic shall be less than thirty (30) feet in width, and no driveway approach used for one-way traffic shall be less than fourteen (14) feet in width.

(2) No driving aisle used for two-way traffic shall be less than eighteen (18) feet in width, and no driving aisle used for one-way traffic shall be less than eleven (11) feet in width.

(3) No drive-thru lane shall be less than eleven (11) feet in width or have less than a five (5) vehicle stacking distance between the start of the lane and the pick-up window.

(4) No drive-thru lane shall encroach into any parking space, required back-up distance, or driveway.

(5) **Protection of on-street parking.** Driveways serving new development shall be sized and located to prevent a net loss of on-street parking spaces to the maximum extent feasible, as determined by the City.

(c) **Nonresidential: design of off-street parking lots and common parking garages.**

(1) **Size of parking spaces.** Each parking space shall be a minimum of nine (9) feet in width and nineteen (19) feet in length, except that parking spaces for industrial uses in the I-1 and I-2 zones shall be a minimum of eight and one-half (8 1/2) feet in width and nineteen (19) feet in length.

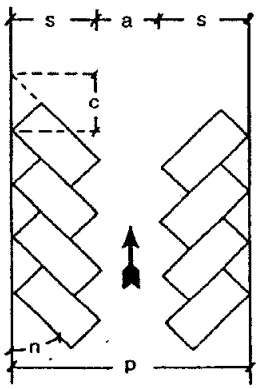
a. **End parking spaces.** Two (2) feet shall be added to the required minimum width of an end parking space that abuts a fence, wall, or other obstruction where a vehicle is required to complete a right angle turning movement to gain access. For parallel parking, end spaces perpendicular to a wall or building shall have a minimum depth of thirty (30) feet.

b. **Landscaped planters.** A landscaped planter at the same level as the parking space and surrounded by a six (6) inch curb may encroach a maximum of two (2) feet into the length of a parking space.

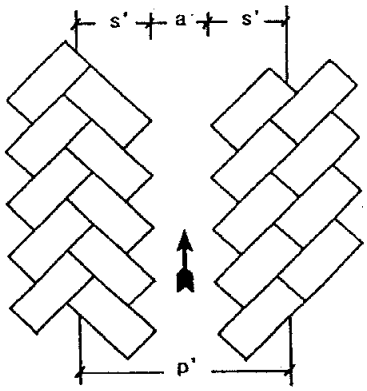
(2) **Parking space layouts.** The following table and diagram illustrates the minimum dimensions of parking space layouts:

n Parking Angle DEGREES	p Width of Parking Section LINEAL FEET	s Depth of Stall LINEAL FEET	a Width of Aisle LINEAL FEET	c Curb Length per Car LINEAL FEET	Area per Car[1] SQ. FEET	p_ Width of Parking Section LINEAL FEET	s_ Depth of Stall LINEAL FEET
0°	32_-0²	10_-0²	12_	22_-0²	220	32_-0²	10_-0²
30°	48_-8²	17_-4²	14_	18_-2²	315	43_-2²	14_-7²
35°	50_-8²	18_-4²	14_	15_-8²	288	45_-2²	15_-7²
40°	52_-4²	19_-2²	14_	14_-1²	267	46_-8²	16_-4²
45°	53_-8²	19_-10²	14_	12_-9²	252	47_-4²	16_-8²
50°	55_-8²	20_-4²	15_	11_-8²	239	50_-0²	17_-6²
55°	57_-6²	20_-9²	16_	10_-11²	228	52_-4²	18_-2²
60°	60_-0²	21_-0²	18_	10_-5²	218	55_-6²	18_-9²
65°	62_-6²	21_-3²	20_ [2]	9_-11²	209	58_-6²	19_-3²
70°	62_-10²	20_-11²	21_ [2]	9_-7²	202	59_-8²	19_-4²
75°	63_-4²	20_-8²	22_ [2]	9_-4²	193	61_-0²	19_-6²
80°	63_-8²	20_-4²	23_ [2]	9_-1²	186	62_-0²	19_-6²
85°	64_-6²	19_-9²	25_ [3]	9_-0²	180	63_-6²	19_-3²
90°	63_-0²	19_-0²	25_ [3]	9_-0²	171	63_0²	19_-0²

(1) Area includes waste area at both ends of 9_ X 19_ space (aisle space not included).
(2) Width of aisle permits two-way circulation only when a turn-around is provided.
(3) Width of aisle permits two-way circulation.



PARALLEL, ANGLE, AND RIGHT ANGLE PARKING



OVERLAPPED AND HERRINGBONE

(3) **Wheel guards.** Securely fixed wheel guards at least six (6) inches in height shall be placed to prevent vehicles from overhanging a public right-of-way or contacting a wall or building that abuts the parking space. Wheel guards shall not be permitted in the interior of a parking lot.

(4) **Common parking garages.**

a. Subterranean common parking garages may be constructed to any rear property line or side property line but shall not encroach into the front setback. Where the garage is located within the side or rear setback, the roof of the subterranean garage shall not project more than three (3) feet above the existing grade.

b. The vertical clearance for any entrance to a garage or for any overhead obstruction within any type of garage shall be not less than eighty-eight (88) inches, except as permitted by subsection (c)(4)(c) of this section.

c. For all common parking garages, no column, wall, or other obstruction shall encroach into a required parking space or back-up space, except that water lines, air ducts, conduit, and other similar equipment located along a wall or ceiling along the front end of a parking space may encroach eighteen (18) inches into the required eighty-eight (88) inch height and thirty-six (36) inches into the required nineteen (19) foot parking space length.

d. For all common parking garages, columns, walls or other obstructions shall be set back a minimum clear distance of two (2) feet from the line of the required back-up space (thus giving for ninety (90°) degree parking a twenty-seven (27) foot clear distance for a single loaded aisle and a twenty-nine (29) foot clear distance for a double loaded aisle).

(5) **Materials.** Off-street parking lots shall be paved with not less than two (2) inch asphaltic concrete or three and one-half (3 1/2) inch Portland concrete.

(6) **Maximum grade.** No driveway providing access to off-street parking shall have a grade greater than fifteen (15%) percent.

(7) **Striping.** Stalls shall be striped and internal directional movements for one-way traffic shall be indicated.

(8) **Parking lot traffic circulation.** Traffic circulation shall be designed to insure that no automobile need enter a public street in order to progress from one aisle to any other aisle within the same lot, and that no automobile need enter a public street backwards in order to leave such a lot or parking space.

(9) **Lighting.**

a. For new developments, parking areas with three (3) or more parking spaces shall have adequate lighting to provide visibility and security.

b. For additions to existing developments requiring Planning Commission Design Review or changes in use requiring a Conditional Use Permit, lighting improvements to provide adequate visibility and security may be required as determined to be appropriate by the Planning Commission.

c. The light source shall not be visible from the street or surrounding residential properties and the lighting shall be reflected away from adjacent residential premises.

(10) **No parking in setback.** Parking is prohibited in required front and exterior side setbacks.

(d) **Overlap parking requirements, nonresidential zones.**

(1) Parking space requirements applicable to two (2) or more separate building sites or uses may be permitted to overlap subject to Planning Commission Design Review pursuant to Section 10-5.2502.

(2) Parking space requirements applicable to two (2) or more uses sharing parking on a building site or parcel may be permitted to overlap subject to Planning Commission Design Review pursuant to Section 10-5.2502 and the following additional conditions:

a. The total parking provided for the uses sharing parking shall not be less than fifty (50%) percent of the parking requirement for the same uses with no shared parking;

b. The total parking provided for the uses sharing parking shall not be less than the parking requirement applicable to any single use with no shared parking;

c. The applicant shall provide the Planning Commission information on the proposed hours of operation of each use and anticipated maximum number of employees and customers for each use typically generated during each hour of the day and day of the week.

d. The Planning Commission may approve shared parking subject to a determination that the typical utilization of the parking area would be staggered or shared to such an extent that the reduced number of parking spaces would be adequate to serve all uses

on the site or parcel. If the site is in a pedestrian-oriented commercial zone, the Planning Commission may also approve shared parking subject to a determination that the use mix is conducive to customers parking and walking to visit more than one business on the same trip.

10-5.1708 Storage and/or parking in residential zones or on any lot having a residential use in a nonresidential zone.

(a) **Definition of "front yard area."** "Front yard area," for the purpose of this section, shall mean the area measured from the front property line to a line parallel with the face of the front wall of the main building located the greatest distance from the front property line and extending the full width of the lot.

(b) **Parking pads in front yard area.**

(1) No front yard area shall be used for the parking of automobiles and motor vehicles except for parking of operative vehicles on approved driveways which provide direct access to a garage.

(c) **Parking pads on corner or reverse corner lots.** No exterior side yard area shall be used for the parking of automobiles or motor vehicles except for parking of operative vehicles on approved driveways which provide direct access to a garage, or for parking of operative vehicles in an area shielded by a decorative wall or fence six (6) feet high (see Section 10-5.1524(b) relating to setbacks for fence heights of six (6) feet on reverse corner lots). "Exterior side yard area," for the purpose of this subsection, shall mean the "exterior side setback" as defined in Section 10-5.402 and the extension of this setback for the full length of the lot.

(d) **Parking prohibited on driveways serving multi-family dwellings.** Any driveway which serves two (2) or more dwellings shall not be used for parking, or any other use that would impede the other residents from utilizing their required parking spaces.

(e) **Storage.**

(1) **Boats, trailers, or similar items.** Storage and/or parking for more than seventy-two (72) consecutive hours of boats, house trailers, camp trailers, detached camper-trailer tops, and other trailers in the front yard area shall not be permitted. On the street side of corner or reversed corner lots, storage and/or parking for more than seventy-two (72) consecutive hours of boats, trailers, or similar items, in the side or rear setback, is permitted provided such area shall be shielded by a decorative wall or fence six (6) feet high to minimize any undesirable appearance from the street and surrounding property (see Section 10-5.1524(b) relating to setbacks for fence heights of six (6) feet on reverse corner lots).

(2) **Construction equipment or materials.** Storage for more than seventy-two (72) consecutive hours of any commercial or construction equipment, materials (lumber, metals, plastics, etc.), fixtures, appliances, machines, trash, or waste, is hereby prohibited except for equipment and materials being used for construction on the premises where a valid building permit has been issued or applied for.

(3) **Commercial vehicles.** The garaging, parking, maintaining, or storage of any commercial vehicle, as defined in Section 10-5.402 of Article 1 of this chapter and the Vehicle Code of the State, which exceeds a registered unladen weight of 5,600 pounds shall not be permitted.

(4) **Vacant lots.** Storage and/or parking for more than seventy-two (72) consecutive hours of boats, house trailers, camper trailers, detached camper-trailer tops, or vehicles on vacant lots shall not be permitted.

(f) **Prohibited occupancy of house trailers, mobile homes, campers and boats.** House trailers, mobile homes, campers, and boats shall not be occupied or used as a dwelling unit unless located in a trailer or mobile home park which has been approved by the City.

ARTICLE 6 -- SIGN REGULATIONS

Sections

10-5.1800 Purpose.
10-5.1802 Criteria.
10-5.1804 Signs exempt from regulations.
10-5.1806 Sign review required.
10-5.1808 Residential zone requirements.
10-5.1810 Commercial zone and industrial zone requirements.
10-5.1812 Mixed-use zone requirements.
10-5.1814 Public zone requirements.
10-5.1815 Special District signs.
10-5.1816 Nonconforming signs.
10-5.1818 Prohibited signs.
10-5.1820 Temporary signs.

10-5.1800 Purpose.

The purpose of this article is to:

(a) Protect and enhance the City's character and its economic base through the provision of appropriate sign standards and the avoidance of excessive or obtrusive signs on privately owned property;

(b) Limit the size, type and location of signs in order to protect the public safety, health, and welfare; to maintain the quality of community life; to maintain the beauty of the City's natural and architectural features; to ensure that signs do not visually dominate the zone in which they are located; and to provide appropriate standards for achieving the primary intended purpose of identifying the business;

(c) Ensure that signs are in harmony with the building, the neighborhood, and other signs in the area;

(d) Improve pedestrian and traffic safety;

(e) Implement community design standards, consistent with the General Plan and the certified Local Coastal Program;

(f) Promote signs that identify uses and premises without confusion;

(g) Promote the use of signage which creates a high quality visual environment;

(h) Encourage the use of pedestrian-oriented projecting signs, monument signs and flush-mounted signs;

(i) To protect and provide for public access to and along the shoreline, bike trails and public parklands.

10-5.1802 Criteria.

(a) The size, shape, color, materials, illumination, and placement of the sign shall be compatible to, in scale with, and harmonious with the building with which it will be associated and with the visual character of the area in which it will be located.

(b) The sign shall not, by size, color, or location, interfere with traffic or visibility, or unduly obscure from view or detract from existing signs.

(c) The sign shall not cause needless repetition, redundancy or proliferation of signage.

(d) The location and design of the sign shall not adversely impact surrounding properties or harmfully impact the public health, safety and general welfare.

(e) The sign shall implement community design standards consistent with the General Plan to the extent it is consistent with the certified Local Coastal Program.

(f) The sign shall identify uses and premises without confusion.

(g) The sign shall promote a high quality visual environment.

(h) Pedestrian-oriented projecting signs, monument signs and flush-mounted signs shall be encouraged.

10-5.1804 Signs exempt from regulations.

The following signs and other similar decorative devices shall be exempt from the provisions of this article:

(a) Window signs

(b) Official and legal notices issued by a court or governmental agency.

(c) The official flag of a government or institution, including the display of the United States flag, the flag of the State of California, or any other county, state or political subdivision.

(d) Construction signs during the period of construction not exceeding a total of thirty-two (32) square feet. A larger total sign area may be permitted subject to Administrative Design Review for projects on larger sites with a substantial length of street frontage.

(e) One "Garage Sale" temporary sign not exceeding six (6) square feet and located only on the premises upon which the sale is occurring.

(f) One menu board no more than six (6) square feet in conjunction with permitted outdoor dining provided it does not adversely impact public access.

(g) Political signs not exceeding sixteen (16) square feet per sign, based upon the holding in Baldwin v. Redwood City, 540 F. 2d 1360.

(h) Real estate signs, provided that:

(1) In residential zones:

a. The sign must be displayed on a site where one or more dwelling units are being offered for sale, rent or lease, or at another site with the consent of the owner.

b. No sign shall exceed six (6) square feet, except where more than one unit of a condominium is offered for sale, rent or lease, the signs may be combined in a single supporting structure, and the sign area shall not exceed three (3) square feet per unit offered.

c. No flags, pennants, or similar devices shall be permitted, except during the hours of an "open house".

(2) In nonresidential zones, there shall be no more than one sign and the sign shall not exceed thirty-two (32) square feet.

(i) "No parking," "no solicitors," and other similar warning signs of no more than two (2) square feet. "No trespassing" signs on developed properties that are consistent with the applicable underlying coastal development permit.

(j) Parking entrance and exit signs, other private traffic, or pedestrian directional signs or other informational signs not to exceed twelve (12) square feet in area. Oriented along the street frontage, there shall be no more than one such sign per entrance to the parcel.

(k) Tenant directory signs near building entrances for use by pedestrians for informational purposes only.

(l) Service station signs required by law, as follows:

(1) Copy applied to fuel pumps or dispensers such as fuel identification, station logo, and other signs required by law.

(2) Petroleum price signs required to be visible from the street, limited to one sign per street frontage not exceeding twenty (20) square feet per sign. Price signs shall be permanently affixed to a building or canopy, or installed in the ground.

(m) Holiday decorations.

(n) Business door nameplates, not exceeding two (2) square feet in area, and containing

the name and address of the business only, affixed only to the door of each individual business or immediately adjacent thereto.

(o) For each residential dwelling unit, one identification sign or commemorative plaque of no more than two (2) square feet and one house number or address of no more than two (2) square feet.

10-5.1806 Sign review required.

(a) **Signs subject to Administrative Design Review.** No sign shall be constructed, established, placed, or painted on a building, structure, or site, and no existing sign shall be modified except for change of copy or repair, unless such sign has been approved pursuant to the criteria and procedures of Administrative Design Review pursuant to Section 10-5.2500, unless exempt from these regulations pursuant to Section 10-5.1804, or otherwise subject to review pursuant to subsection (b) of this section or Section 10-5.1820 (Temporary signs).

(b) **Signs subject to Planning Commission Design Review.** The following signs shall be subject to the criteria and procedures for Planning Commission Design Review pursuant to Section 10-5.2502:

(1) A sign or sign program in conjunction with any project requiring discretionary approval by the Planning Commission, except that signs established subsequent to the approval of a sign program by the Planning Commission shall be subject to Administrative Design Review.

(2) A new pole or pylon sign, or change to an existing pole or pylon sign except for change in copy or repair.

(3) A new monument sign, or change to an existing monument sign except for change in copy or repair, where the sign exceeds a height of six (6) feet. Berming incorporated with the placement of the sign shall be included in any height measurement.

(4) A new sign, except for prohibited signs in Section 10-5.1818, which will not meet the sign regulations established in this article.

(c) Signs shall be included as part of the underlying coastal development permit addressing new development on the property. If there is no related coastal development permit, any new pole, pylon, or monument signs described in subsection b above shall be subject to the coastal development permit procedures described in Article 10 of this chapter.

10-5.1808 Residential zone requirements.

The following signs are permitted in any residential zone:

(a) One wall sign per street frontage and/or one monument sign per street frontage, totaling no more than thirty-two (32) square feet, shall be permitted for the following uses:

(1) Multiple-family residential buildings containing four (4) or more dwelling units;

(2) Churches;

(3) Child day care centers;

(4) Schools;

10-5.1810 Commercial zone requirements.

(a) **Wall signs.**

(1) Front wall signs flush against the face of the building and not projecting more than sixteen (16) inches therefrom may be permitted a total sign area not to exceed fifteen (15%) percent of the area of the front wall of the building.

(2) Rear wall signs flush against the rear wall of a building and not projecting more than sixteen (16) inches therefrom shall only be permitted if the rear wall of the building faces a street, parking area, or pedestrian area and shall not exceed ten (10%) percent of said rear wall in total sign area.

(3) Side wall signs flush against the side wall of the building and not projecting more than sixteen (16) inches therefrom may be permitted a total sign area not to exceed seven and one half (7 1/2%) percent of such side wall, except a total sign area up to fifteen (15%) percent of the area of the wall may be permitted where the side wall faces a street.

(4) **Mansards.** Notwithstanding anything in this article to the contrary, signs may be permitted on mansard roofs, or on architectural features projecting from the wall of the building intended to resemble or imitate a mansard roof, only in cases where it is determined by the Planning Director that insufficient area is available for other sign solutions. Signs on mansard roofs or on architectural elements resembling mansard roofs shall be subject to the following additional requirements:

a. For purposes of calculating the maximum sign area, mansard roof signs shall be considered the same as wall signs subject to subsections (a)(1) through (a)(3) of this section. The wall area of the building shall be calculated by multiplying the horizontal dimension of the wall by the vertical distance to the top of the lower slope of the mansard roof, or to the top of the parapet of the roof in the case of an architectural element projecting from the wall of the building to resemble a mansard roof. However, any vertical height exceeding fifteen (15) feet per story shall not contribute to the calculation of maximum sign area.

b. Signs on mansard roofs shall be located no higher than a vertically centered position on the steeper lower slope of the roof. In the case of architectural elements resembling a mansard roof, signs shall be located no higher than a vertically centered position on the element, and in no case above the parapet line of the roof.

c. Use of channel letters is required, except where it is determined that channel letters will be incompatible with the design of the roof or unreadable due to the design of the roof. If channel letters are not feasible, cabinet signs may be permitted, provided the cabinet is fully incorporated into the design of the roof.

d. In cases where the Planning Director determines that a mansard roof sign shall not be approved, the applicant may bring the request to the Planning Commission by submitting an application for Planning Commission Design Review pursuant to Section 10-5.2502.

(b) **Hanging signs.**

(1) Hanging signs shall be a minimum of eight (8) feet vertical distance from the sidewalk grade and at approximately a ninety (90°) degree angle to the face of the building.

(2) The maximum area of such signs shall be determined by the following:

a. The length of such signs shall not exceed two-thirds (2/3) of the projecting dimension of the awning, canopy, or parapet overhang.

b. Such signs shall not exceed two (2) feet in height.

(c) **Projecting signs.**

(1) Projecting signs shall be a minimum of eight (8) feet vertical distance from the sidewalk grade and shall not project more than three (3) feet over the public right-of-way.

(2) No projecting sign shall extend above the adjacent eave or parapet line of the roof.

(3) The maximum sign area per face shall not exceed one square foot for each lineal foot of building frontage.

(4) Notwithstanding anything in this title to the contrary, projecting signs extending a maximum of three (3) feet above the adjacent eave or parapet line of the roof may be approved subject to Planning Commission Design Review pursuant to Section 10-5.2502 in cases where insufficient area is available for other sign solutions and provided that the sign is architecturally integrated into the design of the building.

(d) **Canopy and awning signs.**

(1) Signs printed on, painted on, or attached onto a canopy or awning shall not

exceed two- thirds (2/3) of the length of the canopy or awning and shall consist of no more than one line of lettering not exceeding twelve (12) inches in height, and shall be located on the valance of such canopy or awning.

(2) In addition to lettering, an identification emblem, insignia, or other similar feature not exceeding an area of four (4) square feet may be printed on, painted on, or attached onto any other portion of the canopy or awning.

(3) Canopy and awning signs are limited to the ground floor.

(e) **Monument signs.**

(1) One monument sign per street frontage may be permitted for each of the following uses:

a. A planned shopping center or office building having three (3) or more stores or offices sharing a common parking area and having a minimum street frontage of sixty (60) feet;

b. New and used motor vehicle sales;

c. Hotels and motels;

d. Restaurants;

e. Banks;

f. Car washes;

g. Service stations;

h. Warehouse retail uses;

i. Commercial recreation uses;

j. Churches;

k. Single-tenant or multi-tenant industrial sites having a minimum street frontage of sixty (60) feet.

(2) The maximum sign area per face shall not exceed one-half (1/2) square foot for each lineal foot of street frontage. Lots having more than one street frontage shall count each street frontage separately.

(3) The maximum sign area permitted shall not be more than 100 square feet per face for any monument sign. Not more than two (2) sign faces shall be permitted, and such sign faces shall be parallel, with a maximum distance of eighteen (18) inches between the faces.

(4) Monument signs shall not exceed ten (10) feet in height above existing grade, except where otherwise allowed by this article. Berming incorporated with the placement of the sign shall be included in any height measurement.

(5) Monument signs shall be placed in a landscaped area of not less than the area of one face of such sign.

(f) **Pole and pylon signs.**

(1) No pole or pylon sign shall be permitted in the following pedestrian-oriented zones: C-2-PD, C-3B, C-3-PD, C-4-PD, MU-3, MU-3B, and MU-3C. Notwithstanding the above, pole and pylon signs may be considered in conjunction with service stations in the MU-3 zone.

(2) No pole or pylon sign shall be permitted in any zone except on a lot or parcel having a minimum street frontage of sixty (60) feet.

(3) A pole or pylon sign may be permitted only in conjunction with the following uses:

a. A planned shopping center having three (3) or more stores and sharing a common parking area;

b. New and used motor vehicle sales;

c. Hotels and motels;

d. Restaurants;

e. Warehouse retail uses;

f. Commercial recreation uses.

(4) No pole or pylon sign face shall exceed a sign area of one square foot for each

lineal foot of street frontage or 120 square feet, whichever is less.

(5) No pole or pylon sign shall have more than two (2) sign faces.

(6) No portion of a pole or pylon sign shall be located closer than fifteen (15) feet to an interior property line or extend over the roof of a building.

(7) Pole or pylon signs shall be placed in a landscaped area of not less than fifty (50) square feet.

(g) **Additional signs for service stations.** The following additional signs may be permitted in conjunction with automobile service stations (also see Section 10-5.1804 for exempt price signs and fuel pump signs):

(1) **Pump island canopy signs.** No more than one pump island canopy sign facing each street frontage, the area of which shall not exceed fifteen (15%) percent of the canopy facia area facing each street frontage.

(2) **Pole and pylon signs.** One pole or pylon sign may be permitted in lieu of the allowable monument signage, when such sign is determined to be necessary for visibility from passing vehicles, subject to Planning Commission Design Review (Section 10-5.2502).

a. The maximum sign area per face shall not exceed one-half (1/2) square foot for each lineal foot of street frontage. Lots having more than one street frontage shall count only the largest frontage for determination of sign area.

(h) Drive-through restaurant menu boards. No more than two (2) additional signs shall be permitted for the purpose of displaying the type and price of products sold on site to drive-through customers. Each sign shall not exceed thirty (30) square feet in area and six (6) feet in height.

10-5.1812 Mixed-use zone requirements.

Signs in mixed-use zones shall be subject to the following requirements:

(a) **Commercial uses.** Any project solely developed with commercial uses shall adhere to the requirements applicable to commercial zones.

(b) **Residential uses.** Any project developed exclusively with residential uses shall adhere to the requirements applicable to residential zones.

(c) **Mixed uses.** Any project incorporating mixed use development shall be permitted signage in accordance with the requirements applicable to each separate and exclusive use, provided that signs and related lighting are designed and located to avoid conflict with residential uses existing above and behind the commercial frontage.

10-5.1814 Public zone requirements.

In all "P" Public and Institutional zones, any new sign or change to existing sign, other than a change of copy, that exceeds thirty (30) square feet in area shall be subject to Planning Commission Design Review (Section 10-5.2502). Any new sign or change to existing sign, other than a change of copy, that is thirty (30) square feet or less in area shall be subject to Administrative Design Review (Section 10-5.2500).

<u>(a) Electronic message displays. Electronic message displays may be permitted, subject to Planning Commission Design Review (Section 10-5.2502), and provided all of the following standards are met.</u>

<u>(1) The electronic message display shall be on a site having a live performance theater with a seating capacity of not less than 1,000 seats;</u>

<u>(2) The electronic message display shall not be located adjacent to or directed towards any street other than a major arterial as identified in the Master Plan of Streets in the Transportation and Circulation section of the General Plan;</u>

<u>(3) The electronic message display shall be incorporated into a high-quality decorative structure compatible with the architectural design of the building(s) on the site;</u>

Underlined text was adopted by Ord. 2899-03, eff. March 20, 2003, and has not been reviewed or certified by the Coastal Commission and is not effective in the Coastal Zone.

(4) The maximum height of the sign structure containing the electronic message display shall be 30 feet above the adjacent sidewalk grade along the street frontage;

(5) The electronic message display component of the sign structure shall not exceed 120 square feet in area per sign face;

(6) No more than one electronic message display shall be permitted on a site. The electronic message display may be single-faced or double-faced;

(7) The electronic message display shall be an electronic LED (Light Emitting Diode) screen;

(8) The pixel pitch of the LED electronic message display shall be 25.4 mm or less;

(9) The color of the text in the electronic message display shall have the appearance of white on a black background, except that the use of additional colors may be permitted subject to specific conditions approved pursuant to Planning Commission Design Review;

(10) The message shall not flash on and off. A message shall remain fixed for a minimum of fifteen (15) seconds, except that text transitions such as fading such as fading in or out, or scrolling of text shall be permitted;

(11) The electronic message display shall not be operated between the hours of 12 a.m. and 6 a.m.;

(12) The electronic message display shall be maintained in good operating condition and external appearance at all times.

(13) The electronic message display shall not result in unacceptable light intensity and glare impacting surrounding property;

(14) The Planning Commission may impose additional, or more restrictive, requirements as necessary to limit impacts on surrounding property.

10-5.1815 Special District signs.

(a) **Purpose.** The purpose of this Section is to permit the location of off-site directional and/or identification signs for areas recognized by the City as unique districts or neighborhoods. Directional and identification signs for a special district may include the names and logos of businesses and/or a general identification of services and activities, but may not include advertising for specific products. Nothing in this Section prohibits the location of such signs by the City within the public right-of-way.

(b) **Establishment of Special Districts.** The following areas are established by the City as Special Districts for the purpose of permitting the location of off-site directional and/or identification signs:

(1) The Harbor/Pier area as depicted in Section 10-5.2512 of this title.

(2) Riviera Village as depicted in Section 10-5.1315 of this title.

(c) **Criteria for Special District signs.** In addition to the criteria in Section 10-5.1802 of this article, the following criteria shall apply to off-site directional and/or identification signs for a Special District.

(1) Signs shall be for the purpose of:

a. Identifying or providing direction to or within a Special District; and/or

b. Identifying or providing direction to businesses, services, or activities within a Special District.

(2) Signs shall be located within or in close proximity to the boundary of the Special District.

(3) Monument-type signs should be utilized except where an alternative sign is determined to provide a superior design solution.

(d) **Planning Commission Design Review required.** Off-site directional and/or identification signs for Special Districts shall be subject to Planning Commission Design Review (or Harbor Commission Design Review if the sign is located within the boundaries of the

Underlined text was adopted by Ord. 2899-03, eff. March 20, 2003, and has not been reviewed or certified by the Coastal Commission and is not effective in the Coastal Zone.

Harbor/Pier area depicted in Section 10-5.2512 of this title).

10-5.1816 Nonconforming signs.

(a) **Replacement and maintenance.** All legal nonconforming signs shall be permitted the change of copy and normal maintenance other than total replacement, and shall be permitted the replacement of the sign when destroyed or partially destroyed due to a disaster.

(b) **Signs for nonconforming uses in a residential zone.** For a legal nonconforming use in a residential zone, any new sign or change to an existing sign, other than a change of copy, that exceeds thirty (30) square feet in area shall be subject to Planning Commission Design Review (Section 10-5.2502). Any new sign or change to an existing sign, other than a change of copy, that is thirty (30) square feet or less in area shall be subject to Administrative design review (Section 10-5.2500).

10-5.1818 Prohibited signs.

The following signs shall be prohibited in all zones:

(a) Signs advertising off-site non-coastal related uses or services shall be prohibited in public beaches and parks.

(b) Signs which restrict public access to State tidelands, public vertical or lateral access easement areas, or which purport to identify the boundary between State tidelands, and private property shall not be permitted.

(c) Signs which obstruct or degrade public views to scenic areas from public viewing areas and scenic roads are prohibited.

(d) "A frame" signs;

(e) Any other portable signs, except for permitted menu boards in connection with outdoor dining;

(f) Animated signs, except barber poles and time-temperature signs, and electric message display signs permitted pursuant to Section 10-5.1814;

(g) Any sign which, by color, shape, location or other means endangers public safety by resembling or conflicting with any traffic control sign or device or which due to its dangerous construction, manner of display, or location is determined by the Planning Director or the City Engineer to be hazardous;

(h) Any sign displaying obscene, indecent, or immoral matter;

(i) Audible signs, except in connection with drive-up windows;

(j) Billboards;

(k) Graffiti. No sign shall contain graphic representations designed to imitate, resemble, duplicate or give the appearance of any symbols, letter styles, plakas or other identifying features of any street gang, or tagging origin;

(l) Home business signs;

(m) Roof signs;

(n) Signs erected without the permission of the owner, or his agent, of the property on which or over which such sign is located;

(o) Temporary signs, including but not limited to, balloon signs, banners, flags, and pennants, except as provided in Section 10-5.1820;

(p) Vehicle signs. No person shall park any vehicle or trailer on public property, or on private property so as to be visible from a public right-of-way, which vehicle has attached thereto or located thereon any sign or advertising device for the purpose of providing advertisements of products located on the same or nearby property or directing people to a business or activity located on the same or nearby property. This subsection is not intended to apply to standard advertising or identification practices where such signs or advertising devices are painted on or permanently attached to a business or commercial vehicle.

Underlined text was adopted by Ord. 2899-03, eff. March 20, 2003, and has not been reviewed or certified by the Coastal Commission and is not effective in the Coastal Zone.

10-5.1820 Temporary signs.

In all nonresidential zones, the following temporary signs may be permitted subject to the requirements of this section:

(a) **Temporary banners.**

(1) A temporary banner permit shall be issued by the Planning Director upon application of the owner, occupant or tenant of any lot in any nonresidential zone, subject to the following conditions:

a. **Size.** No banner shall exceed sixty (60) square feet in area.

b. **Location.** Banners shall be securely affixed to the wall of the structure or building, where feasible.

c. **Expiration date.** The banner shall have affixed to it a label or mark identifying the expiration date of the permit.

d. **Duration.** The owner, and any tenant or occupant, of a lot in any nonresidential zone shall each be entitled to no more than two permits during any calendar year, for a total of not more than thirty (30) days.

e. **Temporary identification.** In addition to the limitations of subdivision (d) of Section 10-5.1820(a)(1) any owner, tenant or occupant of a lot not otherwise having a permitted permanent sign shall be entitled to a banner for a period not to exceed sixty (60) days to direct attention to the name of the owner or occupant of the premise upon which the banner is placed, or identifying the premises; or advertising goods manufactured or produced or services rendered on the premises upon which the banner is placed pending the installation of a permanent sign.

f. **Grand openings.** In addition to the limitations of subdivisions (d) and (e) of Section 10-5.1820(a)(1), the owner, and any tenant or occupant of a lot shall be permitted a banner, for a period not to exceed sixty (60) days, whose sole purpose is to announce or advertise the initial opening of an establishment, project, business or other enterprise.

g. **Maintenance of banners.** All banners must be maintained in good condition and repair. Any banner which is torn, faded, sagging or in disrepair shall be replaced at the request of the Planning Director.

h. **Authorization for removal.** The applicant for a temporary banner permit shall consent to the Planning Director entering upon the lot or parcel solely for the removal of the temporary banner if it is not promptly removed at the expiration of the permitted period. Such entry and removal shall occur only after not less than forty-eight (48) hours written notice posted upon the property and left with a manager or other responsible person at the location of the temporary banner.

i. **Deposit.** The applicant for any temporary banner permit shall deposit a cash deposit in an amount to be set by resolution of the City Council which shall be forfeit in the event it is necessary for the City to remove the temporary banner under the provisions of subsection (a)(1)(h) of this section.

j. **Revocation.** The Planning Director may revoke a permit granted under this section under the following conditions:

1. The permit was obtained by fraud or misrepresentation; or
2. The banner(s) is not maintained pursuant to subsection (a)(1)(g) of this section.

The applicant may appeal the decision by requesting a hearing, either orally or in writing, before the Planning Director within forty-eight (48) hours of receiving written Notice of Revocation. The Planning Director shall hold a hearing in not less than ten (10) days. Within forty-eight (48) hours after such hearing the Planning Director shall mail a written Statement of Decision indicating therein the factual basis for the decision.

The Planning Director may remove any banner by written notice pursuant to subsection (a)(1)(h) of this section if the Notice of Revocation is not appealed or if, after hearing, the Statement of Decision affirms the Notice of Revocation.

(b) **Balloon signs.** It shall be unlawful to display any balloon sign, except under the following conditions or circumstances:

(1) **Commercial establishments.**

a. No balloon shall exceed eighteen (18) inches in diameter and shall not be displayed above a height of sixteen (16) feet or the height of the nearest adjacent wall, whichever is lower; and

b. No balloon sign, or portion thereof, shall extend to, or interfere with, any utility line or wire, or interfere with any pedestrian or vehicular traffic, or extend into or over any roadway or highway.

(2) **Outdoor balloon sales.** The outdoor sale of balloons on leased portions of any pier or wharf in the City; and

(3) **Authorized community events.** For authorized community events, which shall include, but not be limited to, athletic events, parades, street fairs, and other civic, cultural, or recreational events. Such signs shall be displayed for a period not to exceed the authorized duration of the event.

(c) **Custom decorative flags, banners and pennants.** Custom decorative flags, banners, or pennants utilized as an integrated and permanent part of the architectural design of a building or site may be permitted pursuant to the procedures set forth in Section 10-5.2500 (Administrative Design Review), and subject to the following criteria:

(1) That the flags, banners or pennants do not contain written material or text, and are not solely for the purpose of calling attention to the premises.

(2) That the flags, banners or pennants contribute to a theme or architectural harmony or architectural integrity of the project, building, structure, or site.

(3) That the flags, banners or pennants do not adversely affect other properties in the neighborhood.

(4) That the applicant has provided, or will provide, adequate written assurance that the flags, banners and pennants will be maintained in good repair and condition.

(d) **Temporary event signs.** Signs for temporary events shall be permitted subject to review pursuant to Section 10-5.2520 (Temporary Use Permits).

ARTICLE 7 -- LANDSCAPING REGULATIONS

10-5.1900 Landscaping regulations.

(a) **Purpose.** The purpose of this section is to establish standards for installation of landscaping in order to enhance the aesthetic appearance of properties within the City, ensure the quality, quantity, and appropriateness of landscape materials, effect a functional and attractive design, improve compatibility between land uses, conserve water, control soil erosion, and preserve the character of existing neighborhoods.

(b) **Criteria.** Planting areas within development projects for which a landscape plan is required pursuant to subsection (c) of this section shall comply with the following criteria:

(1) **Plant location.**

a. All required setbacks shall be landscaped with live plants except for walkways, driveways, parking areas and patio areas. Non-organic ground cover shall not be used in place of plant material in planter areas unless utilized as a decorative accent.

b. Plants shall be grouped according to similar water needs.

c. Plants shall not interfere with safe sight distances or otherwise block vehicular, bicycle or pedestrian traffic, or conflict with the installation, maintenance, or repair of any public utility.

d. A planting area a minimum of eighteen (18) inches in width shall separate a building from a driveway or parking area as feasible.

e. Parking lots shall be separated from street frontages and from abutting uses by planting areas. In addition, planting areas shall be interspersed among the parking stalls as feasible, including provision of trees for appearance and shade.

(2) **Plant type.**

a. Drought-tolerant plants shall be used where feasible.

b. Plants shall complement the architectural design of structures on the site, and shall be suitable for the soil and climatic conditions specific to the site.

c. Plants shall be compatible with the character of the neighborhood.

d. Plants shall be adaptable to Redondo Beach's coastal environment.

(3) **Plant size.**

a. Plants shall be sized and spaced to achieve immediate effect and shall normally not be less than a fifteen (15) gallon container for trees, five (5) gallon container for shrubs, and a one gallon container for mass planting. Groundcover coverage must be 100 percent in one year, with rooted cuttings from flats planted no more than twelve (12) inches on center, and containerized woody, shrub ground cover planted no more than three (3) feet on center.

b. Landscape plans shall incorporate existing mature trees with trunk diameters of six (6) inches or greater that are compatible with the proposed grades, structures and hardscape. Specimen trees, thirty-six (36) inch box, or larger may be used to replace an existing mature tree that cannot feasibly be saved.

(4) **Planting areas.**

a. All planting areas shall be served by a permanent underground clock-operated water-efficient irrigation system. A drip irrigation system or other water conserving irrigation system may be required where feasible.

b. All sloped planting areas abutting hardscape shall be surrounded with a minimum six (6) inch high concrete curb where necessary to prevent erosion.

(c) **Landscape and irrigation plans required.** A landscape plan and irrigation plan drawn to scale and dimensioned shall be submitted to the Planning Department for all new

projects in all nonresidential zones, and for all new residential projects of two (2) or more units. A landscape plan and irrigation plan may be required in conjunction with other projects requiring Administrative Design Review, Planning Commission Design Review, Conditional Use Permit, or Variance.

(1) **Landscape plan, contents.** A landscape plan shall contain at a minimum the following information:

a. List of plants (common and Latin);
b. Plant size;
c. Plant location, with size and type identification.

(2) **Irrigation plan, contents.** An irrigation plan shall contain at a minimum the following information:

a. Location, type and size of lines;
b. Location, type, gallonage output, and coverage of heads;
c. Location and sizes of valves;
d. Location and type of controller;
e. Location and type of backflow prevention device;
f. Available water pressure, water meter outlet size, and flow rates at meter.

(d) **Maintenance of landscape.** Planting areas shall be permanently maintained, including watering, weeding, pruning, trimming, edging, fertilizing, insect control, and replacement of plant materials and irrigation equipment as needed to preserve the health and appearance of plant materials. All trees, shrubs, and plants which, due to accident, damage, disease, or other cause, fail to show a healthy growth shall be replaced. Replacement plants shall conform to all the standards which govern the original planting installation.

(e) **Street tree requirements.** Street tree species, size, spacing, and planting standards shall be subject to approval of the Superintendent of Parks. No existing street tree shall be removed without the approval of the City.

ARTICLE 8 -- NONCONFORMING USES AND STRUCTURES

Sections:

10-5.2000 Purpose.
10-5.2002 Nonconforming uses.
10-5.2004 Nonconforming structures.
10-5.2006 Nonconforming signs and billboards.

10-5.2000 Purpose.

The specific purposes of this article are:

(a) To limit the number and extent of nonconforming uses and structures which conflict with the provisions of this title by restricting their enlargement, their reestablishment after abandonment, and their alteration or restoration after destruction of the structures they occupy;

(b) To eventually eliminate nonconforming uses and structures or provide for their alteration to conform with the provisions of this title;

(c) To allow structural improvements and minor additions to structures containing nonconforming uses to be considered in order to prevent these structures from becoming blighted and having detrimental impacts on the surrounding neighborhood, provided that such improvements or additions shall not adversely impact surrounding property, that there is no increase in the degree of nonconformity with respect to the development standards for the zone in which the property is located, and that the life of the nonconforming structure is not substantially increased;

(d) To allow for the reconstruction of existing nonconforming residential structures that are destroyed by disaster in residential zones;

(e) To allow for minor improvements and additions to nonconforming structures containing conforming uses, provided that there is no increase in the degree of nonconformity with respect to the development standards for the zone in which the property is located;

(1) To allow for minor improvements and additions to nonconforming structures containing conforming uses located on beachfront lots or structures located immediately adjacent to vertical public access ways as designated in Table IX of the certified Land Use Plan, provided that the life of the nonconforming structure is not substantially increased.

(f) To eventually eliminate billboards which have a blighting impact on the City's commercial corridors.

10-5.2002 Nonconforming uses.

The provisions of this section apply only to nonconforming uses which were lawful when initially established. Conforming uses located within structures or on sites which do not conform to development standards such as density, parking, setbacks, height, landscaping, or open space, shall be subject to Section 10-5.2004 (Nonconforming structures) and shall not be subject to the standards of this section.

(a) **Continuation or replacement of a nonconforming use.** A nonconforming use may continue provided there are no structural alterations to the structure in which the use is located except for those required by the Building Official, and except those approved pursuant to subsection (b) of this section. An existing nonconforming use may be changed to another nonconforming use, providing:

(1) No structural alterations are made; and

(2) The existing nonconforming use and the proposed nonconforming use are listed in Article 2 as uses within the same class of zones as defined in subsection (i) of Section 10-

5.201, and the proposed nonconforming use is listed as a permitted use within that class of zones; and

(3) The proposed nonconforming use does not require the provision of off-street parking in an amount greater than the existing nonconforming use.

(b) **Structural alterations and minor additions to a nonconforming use.** Structural alterations or minor additions to a nonconforming use may be approved subject to Planning Commission Design Review pursuant to Section 10-5.2502, and subject to the following criteria:

(1) The alteration or addition shall not adversely impact surrounding property.

(2) The alteration or addition shall not increase the degree of nonconformity with respect to the standards of property development for the zone in which the property is located, including, but not limited to, density, building height, floor area ratio, and setback requirements.

(3) The alteration or addition shall not decrease the future capability of the structure to provide off-street parking at a ratio that could reasonably allow replacement by a conforming use.

(4) The alteration or addition shall not cause or increase a deficiency in the number of parking spaces required for the existing use.

(5) That if the structure containing the nonconforming use is nonconforming with respect to the standards of property development for the zone in which the property is located, including, but not limited to, density, building height, floor area ratio, or provision of off-street parking, the alteration or addition shall not substantially increase the useful life of the nonconforming structure.

(6) The alteration or addition is not inconsistent with the General Plan and the certified Local Coastal Program.

(c) **Adding additional uses.** While a nonconforming use exists on any lot, no additional use may be established thereon even though such other use would otherwise be a permitted use.

(d) **Discontinuance of uses.** A nonconforming use which has been suspended or discontinued for a continuous period of at least two (2) years shall automatically expire and may not be renewed, nor replaced, by any other use not permitted within the zone. A nonconforming use which has been changed to a conforming use for a continuous period of six (6) months or more shall not be re-established, and the use of the structure or site thereafter shall be in conformity with the land use regulations for the zone in which it is located.

(e) **Re-establishment of uses in structures partially destroyed.** A nonconforming use in a structure destroyed due to a disaster to the extent of fifty (50%) percent or more of its square footage at the time of its partial destruction may not be re-established and any new structure shall conform to all the requirements of the land use regulations for the zone in which it is located and all applicable City laws upon reconstruction.

10-5.2004 Nonconforming structures.

This section shall apply only to nonconforming structures which were lawful when initially established. Any legal nonconforming structure containing a legal nonconforming use shall be subject to Section 10-5.2002 (Nonconforming uses) and shall not be subject to the standards of this section.

(a) **Continuation of nonconforming structure.** Where a use is conforming but the structure is nonconforming because it does not comply with the development standards for the zone in which it is located, such structure may continue and may be structurally altered pursuant to subsection (d) below.

(b) **Floor area additions.** Any addition of floor area to the structure shall meet the full requirements for the zone in which it is located, and also shall not increase the degree of nonconformity of the structure as a whole with regard to density, building height, floor area

ratio, or off-street parking. Further provided, floor area additions to existing residential units may be permitted without fully complying with the parking requirements only if the Planning Director determines that: (a) it is physically impossible to locate the required parking on site without relocating or demolishing all or a portion of the existing residential structure, or (b) the cumulative economic value of the currently proposed addition and previous additions made subsequent to certification of the LCP are less than the value of the otherwise required garage.

(c) **Reconstruction of nonconforming structures partially destroyed.** A nonconforming structure destroyed by disaster, as defined in Section 10-5.2204, to the extent of fifty (50%) percent or more of its square footage at the time of its partial destruction shall conform to all the requirements of the land use regulations for the zone in which it is located and all applicable City laws upon reconstruction, except as follows:

(1) Multiple-family dwellings, community apartment projects, condominium projects, or stock cooperatives which are totally or partially destroyed may be reconstructed to the original number of units and size of units. Such reconstruction shall be in accordance with the development standards of the zone in which the project is located, unless these economically or physically preclude the ability to attain the pre-existing density and size of units, wherein the standards may be waived as necessary to attain such density and size of units. Any such reconstruction shall include at least the original number of parking spaces.

(2) Single-family dwellings which have been partially or totally destroyed due to disaster may be reconstructed, provided that the replacement structure meets all of the following criteria:

a. It is for the same use as the destroyed structure;

b. It does not exceed either the floor area, height, or bulk of the destroyed structure by more than 10 percent, and

c. It is sited in the same location on the affected property as the destroyed structure.

and there is no increase in the degree of nonconformity.

(3) In the event of any reconstruction on any property upon which existed apartment units which have been totally or partially destroyed, and the reconstruction constitutes a community apartment project, condominium project, or stock cooperative, such projects shall comply with the development standards of the zone in which the structure is located.

(d) **Structural alterations and additions to a nonconforming structure.** Except as provided in subsection (c) above, any demolition and/or reconstruction that results in replacement of more than 50 percent of non-conforming structures, including all demolition and/or reconstruction that was undertaken after certification of the LCP, is not permitted unless such structures are brought into conformance with the development standards for the zone in which the non-conforming structure is located.

10-5.2006 Nonconforming signs and billboards.

(a) **Nonconforming signs.** Nonconforming signs shall be regulated subject to Section 10-5.1816.

(b) **Nonconforming billboards.** Nonconforming billboards shall be removed upon the occurrence of any of the following:

(1) Change in site location, intensity or means of illumination or construction, enlargement, alteration or remodeling, other than customary maintenance and change of advertising display;

(2) Expansion, enlargement or change of use of any structure on the site on which a billboard is located, if a permit, license or approval is required or if the construction or reconstruction of any structure necessitates the physical removal of the billboard;

(3) If the sign structure or the structure supporting the sign is more than ninety (90%)

percent destroyed;

(4) If the use of such sign has ceased for a continuous period of one year;

(5) If such sign is or has become a danger to the public or is unsafe as determined by the Building Official;

(6) After June 6, 1996, which is the completion of a five (5) year amortization period established by Ordinance 2617.

(c) **Agreements to remove existing billboards in exchange for new billboards facing the San Diego Freeway.** Notwithstanding subsection (b) of Section 10-5.2006, the City Council may enter into agreements to remove existing billboards within the City of Redondo Beach in return for permitting new billboards at locations facing the San Diego Freeway, provided there is a net reduction in total billboards, and subject to approval by CALTRANS. Such billboards may be permitted to exceed the height standards of the zone in which they are located. No sign face shall exceed 700 square feet in area (excluding the apron below the sign face).

ARTICLE 9 – DENSITY BONUSES

Sections

10-5.2100 Purpose.
10-5.2102 Applications for density bonuses.
10-5.2104 Eligible developments.
10-5.2106 Calculation of density bonuses.
10-5.2108 Additional incentives.
10-5.2110 Alternatives to density bonuses and incentives.
10-5.2112 Criteria.

10-5.2100 Purpose.

Government Code Section 65915 provides that a local government shall grant a density bonus and one additional incentive to a developer of affordable dwelling units, or instead shall provide other incentives of equivalent financial value. This article implements the provisions of that statute by setting forth a mechanism for density bonuses and other incentives to promote the development of affordable housing.

10-5.2102 Applications for density bonuses.

(a) **Response to preliminary proposals.** Where a developer has submitted to the City a written preliminary proposal for the development of dwelling units pursuant to State Government Code Section 65915 prior to any formal requests for general plan amendments, zoning amendments, or subdivision map approvals, the City shall, within ninety (90) days of receipt of the written proposal, notify the developer in writing of the procedures governing such requests.

(b) **Conditional use permit required.** An application for a density bonus may be granted subject to approval of a Conditional Use Permit pursuant to Section 10-5.2506. In addition to the contents of the application required pursuant to Section 10-5.2506, the following additional information shall be provided:

(1) The total number of dwelling units proposed;

(2) The total number of dwelling units designated for affordable housing as defined in subsection (c) of Section 10-5.2104, and the proposed location of such units within the development;

(3) The density bonus and additional incentive requested;

(4) Such financial information as may be required by the Planning Director so that a determination can be made of alternative incentives of equivalent financial value to the density bonus;

(5) A draft agreement approved in concept by the City Attorney, suitable for recording as a covenant running with the land or equitable servitude and binding upon the successor in interest of the developer, which includes the following provisions:

a. The number of dwelling units designated for affordable housing,

b. The number of years such affordable dwelling units will be made continuously available, which shall not be less than thirty (30) years except as provided for in subsection (c) of Section 10-5.2110,

c. The rental rates or sales prices of the affordable units and the market rate units within the development;

(6) The market rental rates or sales prices of dwelling units of comparable size and type within the market area of the subject property.

10-5.2104 Eligible developments.

No application for a density bonus shall be accepted unless the proposed development meets all of the following requirements:

(a) **Minimum five units.** The density bonus is applied for in conjunction with a housing development that includes five (5) or more dwelling units, not including the requested density bonus.

(b) **Multiple-family zoning.** The site for the development must be zoned for multiple-family units, and may include mixed-use zones.

(c) **Affordable units.** The number of dwelling units which are required to be affordable shall be calculated based on the number of units that could be developed on the site without the granting of a density bonus, multiplied by either twenty (20%) percent, ten (10%) percent, or fifty (50%) percent, depending on the category of affordability. The affordable units of the housing development shall be from one of the following categories:

(1) **Lower income.** Twenty (20%) percent of the units shall be reserved for lower income households as defined in Section 50079.5 of the State Health and Safety Code; or

(2) **Very low income.** Ten (10%) percent of the units shall be reserved for very low income households as defined in Section 50105 of the State Health and Safety Code; or

(3) **Moderate income.** Twenty (20%) percent of the total dwelling units in a condominium project shall be reserved for persons and families of moderate income, as defined in Section 50093 of the Health and Safety Code.

(4) **Qualifying residents.** Fifty (50%) percent of the units shall be reserved for qualifying residents as defined in Section 51.3 of the Civil Code of the State.

10-5.2106 Calculation of density bonuses.

In accordance with Government Code Section 65915(f), the density bonus shall be calculated based on the otherwise maximum allowable residential density under the applicable zoning ordinance and land use element of the general plan. In the Coastal Zone, the otherwise maximum allowable residential density shall mean the maximum density consistent with the protection of coastal resources applicable under the coastal zoning ordinances and land use element certified by the Coastal Commission. The density bonus shall be applicable to a housing development consisting of five or more units.

(a) **Minimum density bonus.** An eligible lower income, very low income, or qualifying residents development may be granted a density bonus equal to the maximum number of units that could be development on the site multiplied by twenty-five (25%) percent unless a lesser percentage is elected by the applicant. An eligible moderate income development may be granted a density bonus equal to the maximum number of units that could be development on the site multiplied by ten (10%) percent unless a lesser percentage is elected by the applicant. All density calculations resulting in fractional units shall be rounded up to the next whole number. In addition to the density bonus, at least one of the concessions or incentives identified in subsection (a) of Section 10-5.2108 shall be granted.

(1) In conjunction with approval of development with a density bonus, the Planning Commission must find that the development, if it had been proposed without the twenty-five (25%) percent density increase, would have been fully consistent with the policies and development standards of the certified local coastal program. If the Planning Commission determines that the means of accommodating the density increase proposed by the applicant do not have an adverse effect on coastal resources, the Planning Commission shall require that the density increase be accommodated by those means. If, however, the Planning Commission determines that the means for accommodating the density increase proposed by the applicant will have an adverse effect on coastal resources, before approving a twenty-five (25%) percent

density increase, the Planning Commission shall identify all feasible means of accommodating the twenty-five (25%) percent density increase and consider the effects of such means on coastal resources. The Planning Commission shall require implementation of the means that are most protective of significant coastal resources.

(b) **Maximum density bonus.** For development projects that exceed eligibility requirements, and where permitted by the Coastal Land Use Plan, the maximum density increase may be up to fifty (50%) percent above the otherwise allowable residential density, except where specific density bonus limits are established by the General Plan or Coastal Land Use Plan. A density bonus exceeding twenty-five (25%) percent but no greater than fifty (50%) percent shall comply with the specific policies established for density bonuses of this type contained within the General Plan and the Coastal Land Use Plan.

(c) For the purposes of this section, "coastal resources" means any resource which is afforded protection under the policies of Chapter 3 of the Coastal Act, California Public Resources Code section 30200 et seq., including but not limited to public access, marine and other aquatic resources, environmentally sensitive habitat, and the visual quality of coastal areas.

10-5.2108 Additional incentives.

(a) **One additional incentive required.** In addition to the minimum density bonus of twenty-five (25%) percent, at least one of the following regulatory concessions and/or incentives shall be granted, or findings made pursuant to subsection (b) of Section 10-5.2110. If the Planning Commission determines that the additional development incentive requested by an applicant pursuant to this section will not have any adverse effects on coastal resources, the Planning Commission may grant the requested incentive. If the Planning Commission determines that the requested incentive will have an adverse effect on coastal resources, the Planning Commission shall consider all feasible alternative incentives and the effects of such incentives on coastal resources. The Planning Commission may grant one or more of those incentives that do not have an adverse effect on coastal resources. If all feasible incentives would have an adverse effect on coastal resources, the Planning Commission shall grant only that additional incentive which is most protective of significant coastal resources.

(1) A reduction in site development standards, zoning code requirements or architectural design requirements which exceed the minimum building standards approved by the State Building Standards Commission as provided in Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code, including, but not limited to, a reduction in setback and square footage requirements and in the ratio of vehicular parking spaces that would otherwise be required.

(2) Approval of mixed use zoning in conjunction with the housing project if commercial, office, industrial, or other land uses will reduce the cost of the housing development and if the commercial, office, industrial, or other land uses are compatible with the housing project and the existing or planned development in the area where the proposed housing project will be located.

(3) Approval of a density bonus of more than twenty-five (25%) percent, but no greater than the maximum density bonus under subsection (b) of Section 10-5.2106.

(4) The provision of direct financial incentives for the housing development, including the provision of publicly owned land or the waiver of fees or dedication requirements.

(5) Other regulatory incentives or concessions proposed by the developer or the City which result in identifiable cost reductions.

(b) **Variances.** Variance from development standards for projects granted a density bonus may be permitted upon the following findings:

(1) That the granting of a variance shall have no adverse effect on abutting property.

(2) That there is adequate on-site parking to meet the needs of the residents of the project, and there is not likely to be a significant impact on street parking in the immediate area.

(3) That the granting of a variance serves as an incentive by contributing significantly to the economical feasibility of the project.

10-5.2110 Alternatives to density bonuses and incentives.

(a) In lieu of granting a density bonus a City may provide incentives of equivalent financial value to the density bonus based upon the land cost per dwelling unit. Such incentives may include, but are not limited to, the following:

(1) Expedited case processing;

(2) Waiver of zoning, environmental impact, and subdivision fees;

(3) Utilization of designated public monies set aside for such purpose.

(b) In lieu of granting one incentive in addition to the density bonus as required by subsection (a) of Section 10-5.2108, a City may make a finding that the additional concession or incentive is not required in order to provide for affordable housing as provided in State Government Code Section 65915.

(c) In lieu of granting one incentive in addition to the density bonus as required by subsection (a) of Section 10-5.2108, the maximum term of affordability for lower-income, very low, and senior citizens dwelling units shall be ten (10) years.

10-5.2112 Criteria.

A· development project granted a density bonus or provided other incentives pursuant to this Article shall comply with the following criteria:

(a) The project meets criteria for developments subject to Conditional Use Permits pursuant to Section 10-5.2506(b).

(b) The project is consistent with the Coastal Land Use Plan.

(c) That prior to the issuance of a coastal development permit for any portion of the project, the developer shall enter into a written agreement with the City as specified in subsection (b) of Section 10-5.2102 and shall record such agreement in the Office of the Los Angeles County Recorder.

(d) The affordable dwelling units shall be generally dispersed throughout a development project and shall not differ in appearance, size, and amenities from other units in the development.

(e) The project is designed to be complimentary to the character of the residential neighborhood in which it is located, and convey a sense of multiple building volumes with articulating design elements.

(f) Adequate private outdoor living space and public open space is incorporated in the project.

(g) Marketing programs for affordable units shall be directed to existing residents of the City of Redondo Beach.

ARTICLE 10 - COASTAL DEVELOPMENT PERMITS

Sections:

10-5.2200 Specific purpose.
10-5.2202 Applicability.
10-5.2204 Definitions.
10-5.2206 Coastal Development Permits.
10-5.2208 Exemptions and categorical exclusions.
10-5.2210 Coastal Development Permit Application.
10-5.2212 Jurisdiction.
10-5.2214 Determination of project category.
10-5.2216 Notice and public hearing.
10-5.2217 Public Hearing Waiver for Minor Development
10-5.2218 Decision on application.
10-5.2220 Notice of final decision by the City of Redondo Beach.
10-5.2222 Appeals.
10-5.2223 Condition Compliance and Permit Issuance
10-5.2224 Expiration of unused permits.
10-5.2225 Reconsideration
10-5.2226 Permit amendment.
10-5.2228 Emergency Coastal Development Permit.
10-5.2230 Reapplication.
10-5.2232 Revocation.
10-5.2234 Enforcement.
10-5.2236 Change of ownership.
10-5.2238 Local Coastal Program amendments.

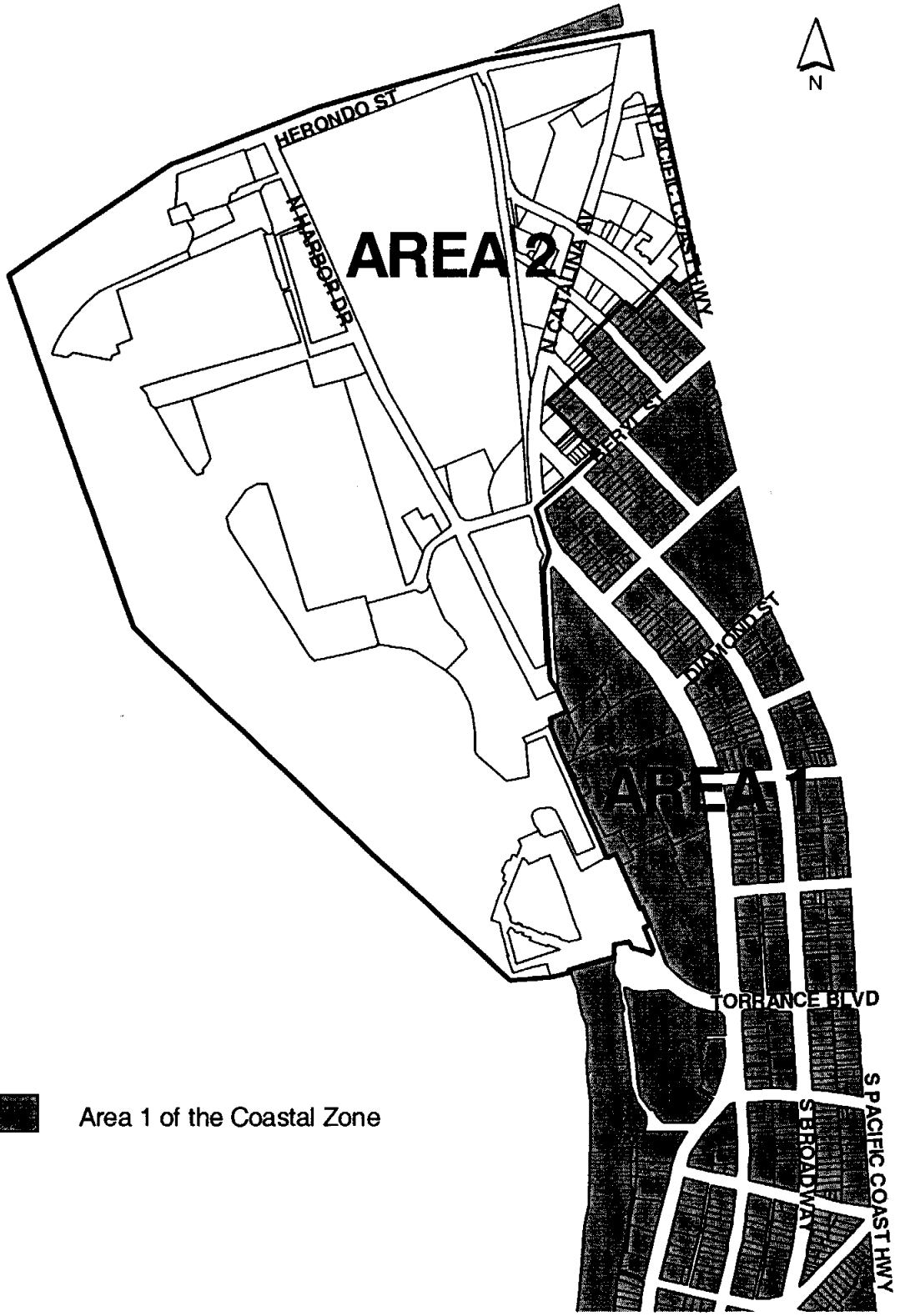
10-5.2200 Specific purpose.

The Coastal Development Permit procedure is established to ensure that the review process for proposed public or private development within the Coastal Zone conforms to the policies and procedures of the California Coastal Act (Division 20 of the Public Resources Code) and implementing regulations (California Code of Regulations, Title 14, Division 5.5), and the City of Redondo Beach Certified Land Use Plan. The requirements in this article shall be applied in a manner that is most protective of coastal resources and public access.

10-5.2202 Applicability.

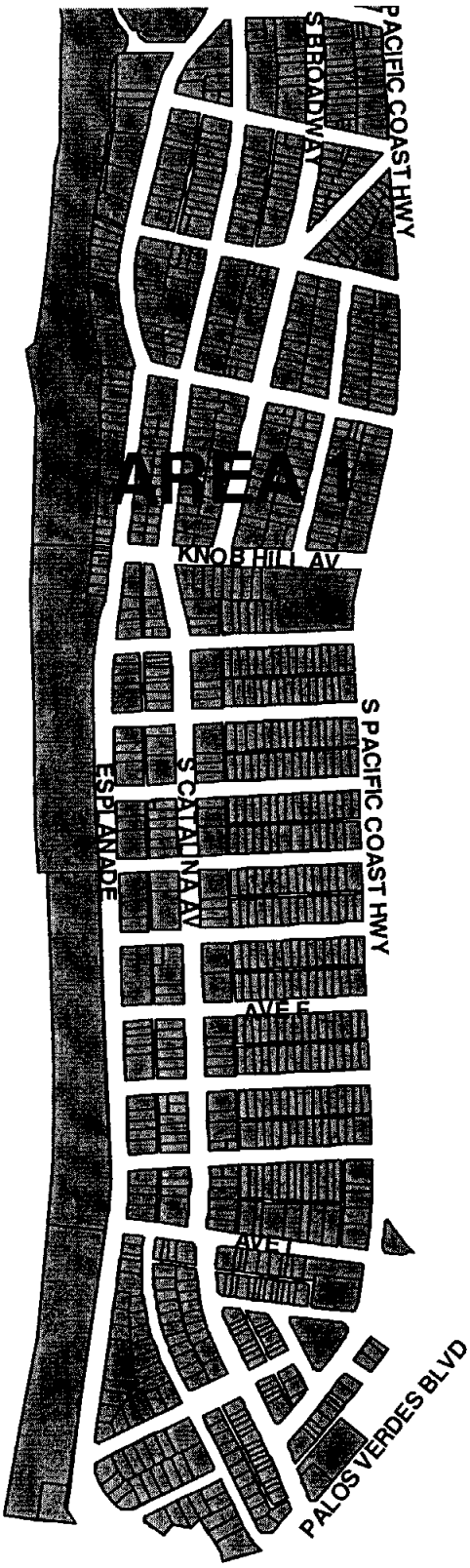
All properties in the Coastal Zone, as defined below, are subject to the procedures outlined in this article. Where the standards or procedures described in this Article for issuing Coastal Development Permits conflict with any other standards or procedures in the City's General Plan or other City-adopted plan, resolution or ordinance and it is not possible for the development to comply with both the Local Coastal Program and other plans, resolutions or ordinances, the standards or procedures described herein shall take precedence. The Coastal Zone boundaries and zoning map designations are indicated in Article 13 of this chapter and in the map below.

COASTAL ZONE BOUNDARY MAP
(Part 1 of 2 Maps)



Area 1 of the Coastal Zone

COASTAL ZONE BOUNDARY MAP
(Part 2 of 2 Maps)



Area 1 of the Coastal Zone

10-5.2204 Definitions.

(a) For the purposes of this article, certain words and terms used in this article are construed and defined as follows:

(1) "Appealable area" means:

a. All areas between the sea and the first public road paralleling the sea or within three hundred (300) feet of the inland extent of any beach or the mean high tide line of the sea where there is no beach, whichever is the greater distance.

b. All tidelands, submerged lands, public trust lands, areas within one hundred (100) feet of any wetland, estuary, or stream and all areas within three hundred (300) feet of the top of the seaward face of any coastal bluff.

c. All sensitive coastal resource areas.

(2) "Applicant" means any person, firm, association, organization, partnership, business, trust, corporation, limited liability company, company, district, county, city and county, city, town, the state, and any of the agencies and political subdivisions of those entities, and, to the extent permitted by federal law, the United States, or any of its agencies or political subdivisions, applying for a Coastal Development Permit.

(3) "Approve" or "Approval" – any form of the word "approve" as applied to permits includes conditional approvals, more commonly known as "Approval with Conditions".

(4) "Beaches" – for purposes of determining the precise boundaries of the jurisdictional areas pursuant to Section 13577 of the California Code of Regulations, the term "beach" shall be determined by measuring 300 feet landward from the inland extent of the beach. The back beach, or dry beach, if it exists, shall be included. The inland extent of the beach shall be determined as follows:

a. from a distinct linear feature (e.g., a seawall, road, or bluff, etc.);

b. from the inland edge of the further inland beach berm as determined from historical surveys, aerial photographs, and other records or geological evidence; or

c. where a beach berm does not exist, from the further point separating the dynamic portion of the beach from the inland area as distinguished by vegetation, debris or other geological or historical evidence.

(5) "Bluff Edge" means, for coastal and canyon bluffs, the upper termination of a bluff, cliff, or seacliff. In cases where the top edge of the cliff is rounded away from the face of the cliff as a result of erosional processes related to the presence of the steep cliff, the bluff edge shall be defined as that point nearest the cliff beyond which the downward gradient of the surface increases more or less continuously until it reaches the general gradient of the cliff. In a case where there is a steplike feature at the top of the cliff face, the landward edge of the topmost riser shall be taken to be the bluff edge. Where a coastal bluff curves landward to become a canyon bluff, the termini of the coastal bluff edge, shall be defined as a point reached by bisecting the angle formed by a line coinciding with the general trend of the coastal bluff line along the seaward face of the bluff, and a line coinciding with the general trend of the bluff line along the canyon facing portion of the bluff. Five hundred feet shall be the minimum length of bluff line or edge to be used in making these determinations.

(6) "Coastal Act" means Division 20 of the California Public Resources Code.

(7) "Coastal Commission" means the California Coastal Commission.

(8) "Coastal Dependent Development or Use" means any development or use which requires a site on, or adjacent to, the sea in order to be able to function at all.

(9) "Coastal Development Permit" means a permit issued by the City of Redondo Beach pursuant to its delegated authority under Section 30519 of the Coastal Act and the 2003 resolution of the Coastal Commission certifying the Redondo Beach Local Coastal Program, approving development in the Coastal Zone. A Coastal

Development Permit includes all application materials, plans and conditions on which the approval is based.

(10) "Coastal Zone" means that portion of the "coastal zone", as established by the Coastal Act of 1976 (Section 30103) and as it may subsequently be amended, that lies within Area One of the City of Redondo Beach, as indicated on the map in Section 10-5.2202 of this article.

(11) "Decision-making body" means the Planning Commission, Harbor Commission, City Council, or a City officer having jurisdiction for approving an application for a Coastal Development Permit.

(12) "Development" means on land, in or under water, the placement or erection of any solid material or structure; discharge or disposal of any materials, including any gaseous, liquid, solid, or thermal waste; grading, removing, dredging, mining, or extraction of any materials; change in the density or intensity of use of land, including, but not limited to, subdivision pursuant to the Subdivision Map Act (commencing with Section 66410 of the Government Code), and any other division of land, including lot splits, except where the land division is brought about in connection with the purchase of such land by a public agency for public recreational use; change in the intensity of use of water, or of access thereto; construction, reconstruction, demolition, or alteration of the size of any structure, including any facility of any private, public, or municipal utility; and the removal or harvesting of major vegetation other than for agricultural purposes, kelp harvesting and timber operations. As used in this section, "structure" includes, but is not limited to, any building, road, pipe, flume, conduit, siphon, aqueduct, telephone line, and electrical power transmission and distribution line. This definition is recognized to include all condominium conversion, stock cooperative conversion, or motel/hotel timesharing conversion. It is also recognized to include changes to public rights-of-way in the coastal zone, including, but not limited to, changes in parking controls (including the establishment or revision to preferential parking zones pursuant to Article 17, Chapter 7, Title 3 of the Redondo Beach Municipal Code), new locations for parking meter areas, changes in fee structure for parking meters, and changes to bikeways.

(13) "Disaster" means any situation in which the force(s) that destroyed a structure were beyond the control of its owners.

(14) "Emergency" means a sudden unexpected occurrence demanding immediate action to prevent or mitigate loss or damage to life, health, property or essential public services.

(15) "Energy Facility" means any public or private processing, producing, generating, storing, transmitting, or recovering facility for electricity, natural gas, petroleum, coal, or other source of energy.

(16) "Environmentally Sensitive Habitat Area" (or "ESHA") means any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments.

(17) "Estuaries" - the precise boundaries of the jurisdictional areas described by the term "estuary" shall be determined by measuring 300 feet landward from the mean high tide line of the estuary. An estuary shall be defined as a coastal water body, usually semi-enclosed by land, having open, partially obstructed, or intermittent exchange with the open ocean, and in which ocean water is at least occasionally diluted by freshwater from the land. The salinity level may be periodically increased to above that of the open ocean due to evaporation. The mean high tide line shall be defined as the statistical mean of all the high tides over the cyclical period of 18.6 years, and shall be determined by reference to the records and elevations of tidal benchmarks

established by the National Ocean Survey. In areas where observations covering a period of 18.6 years are not available, a determination may be made based on observations covering a shorter period, provided they are corrected to a mean value by comparison with observations made at some suitably located control tide station.

(18) "Executive Director" means the Executive Director of the Coastal Commission.

(19) "First Public Road Paralleling the Sea" means that road which is nearest the sea, as defined in this Section, and which meets all of the following criteria:

a. The road is lawfully open to, and suitable for, uninterrupted use by the public;

b. The road is maintained by a public agency;

c. The road contains an improved all-weather surface open to motor vehicle traffic in at least one direction;

d. The road is not subject to any restrictions on use by the public except during an emergency or for military purposes; and

e. The road connects with other public roads providing a continuous access system and generally parallels and follows the shoreline of the sea so as to include all portions of the sea where the physical features such as bays, lagoons, estuaries and wetlands cause the waters of the sea to extend landward of the generally continuous coastline.

(20) "Local Coastal Program" means the City's Coastal Land Use Plan, Zoning Ordinance, Zoning District Map, and other implementation actions certified by the Coastal Commission as meeting the requirements of the California Coastal Act of 1976. This includes all of Chapter 5 of Title 10 and Chapter 7 of Title 5 of the Redondo Beach Municipal Code.

(21) "Major energy facility" means any public or private processing, producing, generating, storing, transmitting, or recovering facility for electricity, natural gas, petroleum, coal or other source of energy that exceeds one hundred thousand dollars ($100,000.00) in its estimated costs of construction with an automatic annual increase in accordance with the Engineering News Record Construction Cost Index, except for those governed by the provisions of Public Resources Code Sections 30610, 30610.5, 30611 or 30624.

(22) "Major public works project" means a public works project that exceeds one hundred thousand dollars ($100,000) in its estimated cost of construction with an automatic annual increase in accordance with the Engineering News Record Construction Cost Index, except for those governed by the provisions of Public Resources Code Sections 30610, 30610.5, 301611 or 30624. Notwithstanding the above, "major public works project" also means publicly financed recreational facilities that serve, affect, or otherwise impact regional or statewide use of the coast by increasing or decreasing public recreational opportunities or facilities. "Public works" means the following:

a. All production, storage, transmission, and recovery facilities for water, sewerage, telephone, and other similar utilities owned or operated by any public agency or by any utility subject to the jurisdiction of the Public Utilities Commission, except for energy facilities.

b. All public transportation facilities, including streets, roads, highways, public parking lots and structures, ports, harbors, airports, railroads, and mass transit facilities and stations, bridges, trolley wires, and other related facilities.

c. All publicly financed recreational facilities, all projects of the State Coastal Conservancy, and any development by a special district.

d. All community college facilities.

(23) "Mean High Tide Line" shall be a) defined as the statistical mean of all the high tides over the cyclical period of 18.6 years, and shall be determined by reference to the records and elevations of tidal benchmarks established by the National Ocean Survey. In areas where observations covering a period of 18.6 years are not available, a determination may be made based on observations covering a shorter period, provided they are corrected to a mean value by comparison with observations made at some suitably located control tide station; or b) the line legally adjudicated by the California Legislature.

(24) "Other permits or approvals" means permits and approvals, other than a Coastal Development Permit, required by the City of Redondo Beach Zoning Ordinance or Municipal Code before a development may proceed.

(25) "Permittee" means the person, partnership, corporation, agency, or other entity that has applied for a coastal development permit and had its application approved (whether conditionally or unconditionally), and any successor-in-interest to that applicant with respect to that approved permit. The term applies whether that permit has been issued or not.

(26) "Person" means any individual, organization, partnership, limited liability company, or other business association or corporation, including any utility, and any federal, state, local government, or special district or an agency thereof.

(27) "Planning Director" means Planning Director of the City of Redondo Beach, including designated deputies unless otherwise indicated.

(28) "Project" means "development" as defined in this article.

(29) "Sea" means the Pacific Ocean and all harbors, bays, channels, estuaries, salt marshes, sloughs, and other areas subject to tidal action through-any connection with the Pacific Ocean excluding non-estuarine rivers, streams, tributaries, creeks, and flood control and drainage channels.

(30) "Sensitive coastal resource areas" means those identifiable and geographically bounded land and water areas within the Coastal Zone of vital interest and sensitivity, including:

a. Special marine and land habitat areas, wetlands, lagoons, and estuaries as mapped and designated in Part 4 of the California Coastal Zone Conservation Plan prepared and adopted by the California Coastal Zone Conservation Commission and submitted to the Governor and the Legislature on December 1, 1975, pursuant to the California Coastal Zone Conservation Act of 1972 (commencing with Section 27000);

b. Areas possessing significant recreational value;

c. Highly scenic areas;

d. Archaeological sites referenced in the California Coastline and Recreation Plan or as designated by the State Historic Preservation Officer;

e. Special communities or neighborhoods that are significant visitor destination areas;

f. Areas that provide existing coastal housing or recreational opportunities for low- and moderate-income persons;

g. Areas where divisions of land could substantially impair or restrict coastal access.

(31) "Streams" - the precise boundaries of the jurisdictional areas described by the term "stream" shall be determined by measuring 100 feet landward from the top of the bank of any stream mapped by USGS on the 7.5 minute quadrangle series, or identified in a local coastal program. The bank of a stream shall be defined as the watershed and relatively permanent elevation or acclivity at the outer line of the stream channel which separates the bed from the adjacent upland, whether valley or hill, and

serves to confine the water within the bed and to preserve the course of the stream. In areas where a stream has no discernable bank, the boundary shall be measured from the line closest to the stream where riparian vegetation is permanently established. For purposes of this section, channelized streams not having significant habitat value should not be considered.

(32) "Submerged Lands" shall mean all lands that lie below the line of mean low tide.

(33) "Temporary Event" is an activity or use that constitutes development as defined in Section 30106 of the Coastal Act and does not exceed a two (2) week period on a continual basis, or does not exceed a consecutive four (4) month period on an intermittent basis; and involves the placement of non-permanent structures; and/or involves exclusive use of a sandy beach, park, filled tidelands, water, streets or parking area that is otherwise open and available for general public use.

a. "Non-permanent structures" include, but are not limited to, film sets and equipment, bleachers, perimeter fencing, vendor tents/canopies, judging stands, trailers, portable toilets, sound/video equipment, stages, platforms, etc., that do not involve grading or landform alteration for installation.

b. "Exclusive use" means a use that precludes use in the area of the event for public recreation, beach access or access to coastal waters other than for or through the event itself.

(34) "Tidelands" shall mean all lands which are located between the lines of mean high tide and mean low tide.

(35) "Wetlands" - the precise boundaries of the jurisdictional areas described by the term "wetland" shall be determined by measuring as follows:

a. Measure 100 feet landward from the upland limit of the wetland. Wetland shall be defined as land where the water table is at, near, or above the land surface long enough to promote the formation of hydric soils or to support the growth of hydrophytes, and shall also include those types of wetlands where vegetation is lacking and soil is poorly developed or absent as a result of frequent and drastic fluctuations of surface water levels, wave action, water flow, turbidity or high concentrations of salts or other substances in the substrate. Such wetlands can be recognized by the presence of surface water or saturated substrate at some time during each year and their location within, or adjacent to, vegetated wetlands or deep-water habitats. For purposes of this section, the upland limit of a wetland shall be defined as:

1. the boundary between land with predominantly hydrophytic cover and land with predominantly mesophytic or xerophytic cover;

2. the boundary between soil that is predominantly hydric and soil that is predominantly nonhydric; or

3. in the case of wetlands without vegetation or soils, the boundary between land that is flooded or saturated at some time during years of normal precipitation, and land that is not.

b. For the purposes of this section, the term "wetland" shall not include wetland habitat created by the presence of and associated with agricultural ponds and reservoirs where:

1. the pond or reservoir was in fact constructed by a farmer or rancher for agricultural purposes; and

2. there is no evidence (e.g., aerial photographs, historical survey, etc.) showing that wetland habitat pre-dated the existence of the pond or reservoir. Areas with drained hydric soils that are no longer capable of supporting hydrophytes shall not be considered wetlands.

10-5.2206 Coastal Development Permits.

(a) **Coastal Development Permit required.** Except as provided by Section 10-5.2208, any person, as defined in California Public Resources Code Section 21066, wishing to undertake any development in the Coastal Zone, other than a facility subject to California Public Resources Code Section 25500, shall obtain a Coastal Development Permit in accordance with the provisions of this article, in addition to any other permit required by law. Development undertaken pursuant to a Coastal Development Permit shall conform to the plans, specifications, terms and conditions approved or imposed in granting the permit.

(b) **Determination of Exemption or Categorical Exclusion.** Any person, as defined in California Public Resources Code Section 21066, wishing to undertake any development in the Coastal Zone without a permit, pursuant to an exemption or a categorical exclusion listed in Section 10-5.2208 of this article (other than exemptions under Section 2208(a)(6)), shall submit an application for an exemption or a categorical exclusion. A determination of whether a development is exempt or categorically excluded from the Coastal Development Permit requirements shall be made by the Planning Director at the time an application for an exemption or categorical exclusion is submitted for development within the Coastal Zone. Any dispute arising from the Planning Director's determination shall be resolved pursuant to the procedure described in Section 10-5.2214(c). No such development shall occur unless either (1) the Planning Director determines that the development is exempt or categorically excluded, and that determination is not disputed; or (2) the dispute resolution process in Section 10-5.2214(c) results in such a conclusion, or (3) a Coastal Development Permit is obtained in accordance with subsection (a) of this section.

(c) **Existing Coastal Development Permits or Applications in Process.** The following shall apply to existing applications for Coastal Development Permits or existing Coastal Development Permits:

(1) Development authorized by a permit issued by the Coastal Commission shall remain under the jurisdiction of the Coastal Commission for the purposes of compliance with, or extension, reconsideration or revocation of, the permit. Permit amendments shall remain under the Commission's jurisdiction if a proposed amendment would modify any condition of approval of the permit or impact any aspect of the project that was found necessary to mitigate impacts to coastal resources.

(2) Any proposed development that the City preliminarily approved before effective certification of the Local Coastal Program and for which an application for a Coastal Development Permit has not been accepted as complete by the Coastal Commission, shall be re-submitted to the City for processing an application for a Coastal Development Permit pursuant to the requirements of this article.

(3) Any proposed development that the City preliminarily approved before effective certification of the Local Coastal Program and for which an application for a Coastal Development Permit has been accepted as complete by the Coastal Commission may, at the option of the applicant, remain with the Coastal Commission for processing, or be returned to the City for review.

(d) **Modifications to Unpermitted Development.** Development that occurred after the effective date of the Coastal Act or, if applicable, its predecessor, the Coastal Zone Conservation Act, that was not authorized in a coastal development permit or otherwise authorized under the relevant Act, is not lawfully established or lawfully authorized development. No application for improvements, repair, modification or additions to such existing development may be accepted, unless the applicant simultaneously applies for a coastal development permit that authorizes the existing development. The City shall

not approve the application for new development unless it also approves the application for existing development. The coastal development permit shall only be approved if the existing and proposed development, with any applicable conditions of approval, is consistent with the policies and standards of the Local Coastal Program.

10-5.2208 Exemptions and categorical exclusions.

(a) **Exemptions.** The projects listed below shall be exempt from the requirement for a Coastal Development Permit. Requirements for any other permit are unaffected by this section:

(1) **Improvements to existing single family residences.** Improvements to existing single-family residences (including a. all fixtures and other exterior structures directly attached to the residence, b. ancillary structures normally associated with a single-family residence such as garages, swimming pools, fences and storage sheds and c. landscaping) shall be exempt from the requirement for a Coastal Development Permit with the exception of the following:

a. Improvements resulting in additional dwelling unit(s) or guest houses on the property, whether detached or attached.

b. Improvements to any structure where either the structure or the improvement is located on a beach, in a wetland or stream, or where the structure or proposed improvements would encroach seaward of the mean high tide line, within an ESHA or, in an area designated as highly scenic in a certified land use plan, or within fifty (50) feet of a coastal bluff edge.

c. Improvements on property that is located between the sea and the first public road paralleling the sea, or within three hundred (300) feet of the inland extent of any beach or of the mean high tide of the sea where there is no beach, whichever is the greater distance, or in significant scenic resources areas as designated by the commission, when such improvements would constitute or result in any of the following:

1. An increase of ten (10) percent or more of the internal floor area of existing structure(s) on the building site or an additional improvement of 10 percent or less where an improvement to the structure has previously been undertaken pursuant to Public Resources Code section 30610(a) and/or this subsection (a)(1);

2. The construction of an additional story or loft or increase in building height of more than ten (10) percent;

3. The construction, placement or establishment of any significant detached structure such as a garage, fence, shoreline protective works or docks.

d. Expansion or construction of a water well or septic system.

e. In areas that the Coastal Commission has declared by resolution after a public hearing to have a critically short water supply that must be maintained for the protection of coastal resources or public recreational use, the construction of any specified major water using development not essential to residential use such as, but not limited to, swimming pools or the construction or extension of any landscaping irrigation system.

f. Any improvement where the Coastal Development Permit issued for the original structure indicates that future improvements would require a Coastal Development Permit.

g. Any significant alteration of land forms including removal or placement of vegetation on a beach, wetland, or sand dune, or within fifty (50) feet of the edge of a coastal bluff or stream, in an ESHA, or in areas of natural vegetation designated by resolution of the Coastal Commission after a public hearing as a significant natural habitat.

(2) **Improvements to existing structures other than single-family residences and public works facilities.** Improvements to existing structures (including all fixtures and other structures directly attached to the existing structure and landscaping), other than a single-family residence or public works facilities, shall be exempt from the requirement for a Coastal Development Permit provided the project does not involve:

a. Any improvement to a structure that changes the intensity of use of the structure;

b. Any improvement made pursuant to conversion of an existing structure from a multiple-unit rental use or a visitor serving commercial use to a use involving a fee ownership, or long term leasehold, including, but not limited to, a condominium conversion, stock cooperative conversion, or motel/hotel timesharing conversion;

c. Improvements to any structure if the structure or the improvement is located on a beach, seaward of the mean high tide line, in a wetland, stream, or lake, in an area designated as highly scenic in a certified land use plan, or where the structure or proposed improvements would encroach within fifty (50) feet of a coastal bluff edge.

d. Improvements on property that is located between the sea and the first public road paralleling the sea, or within three hundred (300) feet of the inland extent of any beach or of the mean high tide of the sea where there is no beach, whichever is the greater distance, or in significant scenic resource areas as designated by the Coastal Commission or regional commission, when such improvements would constitute or result in any of the following:

1. An increase of ten (10) percent or more of the internal floor area of existing structure(s) on the building site or that constitutes an additional improvement of 10 percent or less where an improvement to the structure has previously been undertaken pursuant to Public Resources Code section 30610(b) and/or this subsection (a)(2), or an additional increase in floor area bringing the aggregate increase to ten (10) percent or more;

2. The construction of an additional story or loft or increase in building height of more than ten (10) percent;

3. The construction, placement or establishment of any significant detached structure such as a garage, fence, shoreline protective works or docks.

e. Expansion or construction of a water well or septic system.

f. In areas that the Coastal Commission has declared by resolution after a public hearing to have a critically short water supply that must be maintained for the protection of coastal resources or public recreational use, the construction of any specified major water using development such as, but not limited to, swimming pools or the construction or extension of any landscaping irrigation system.

g. Any improvement where the Coastal Development Permit issued for the original structure indicates that future improvements would require a Coastal Development Permit.

h. Any significant alteration of land forms including removal or placement of vegetation on a beach or sand dune, in a wetland or stream, within one hundred (100) feet of the edge of a coastal bluff or stream, or in areas of natural vegetation designated by resolution of the Coastal Commission after a public hearing as a significant natural habitat, in a highly scenic area, or in an environmentally sensitive habitat area.

(3) **Repair and maintenance activities.** Repair or maintenance activities that do not result in an addition, enlargement or expansion shall be exempt from the requirement for a Coastal Development Permit with the exception of the following:

a. Repair or maintenance of a seawall revetment, bluff retaining wall, breakwater, groin, culvert, outfall or similar shoreline work that involves:

1. Substantial alteration of the foundation, including pilings and other surface and/or subsurface structures.

2. The placement, whether temporary or permanent, of rip-rap, or artificial berms of sand, or any other form of solid material on a beach, or in coastal waters, streams, wetlands, estuaries, or on shoreline protective works.

3. The replacement of twenty (20%) percent or more of the materials of an existing structure with materials of a different kind.

4. The presence, whether temporary or permanent, of mechanized construction equipment or materials on any sand area, bluff, or environmentally sensitive habitat area, or within twenty (20) feet of coastal waters or streams.

b. Unless destroyed by natural disaster, the replacement of fifty (50%) percent or more of a residential structure, sea wall, revetment, bluff retaining wall, breakwater, groin, or similar protective work, or any other structure under one ownership.

c. Any method of routine maintenance dredging that involves the dredging of one hundred thousand (100,000) cubic yards or more within a twelve (12) month period; or the placement of dredged spoils of any quantity within an environmentally sensitive habitat area, on any sand area, within fifty (50) feet of the edge of a coastal bluff or environmentally sensitive habitat area, or within (20) twenty feet of coastal waters or streams; or the removal, sale, or disposal of dredged spoils of any quantity that would be suitable for beach nourishment in an area the Coastal Commission has declared by resolution to have a critically short sand supply that must be maintained for protection of structures, coastal access, or public recreational use.

d. Any repair or maintenance to facilities or structures or work located in an environmentally sensitive habitat area, any sand area, within fifty (50) feet of the edge of a coastal bluff or environmentally sensitive habitat area; or within twenty (20) feet of any coastal waters and streams that includes:

1. The placement or removal, whether temporary or permanent, of rip-rap, rocks, sand or other beach materials or any other forms of solid materials;

2. The presence, whether temporary or permanent, of mechanized equipment or construction materials.

e. Notwithstanding the above provisions, the Planning Director shall have the discretion to exempt from this section ongoing routine repair and maintenance activities of local governments, state agencies, and public utilities involving shoreline works protecting transportation road ways.

(4) **Utility connection.** The installation, testing, placement in service or the replacement of any necessary utility connection between an existing service facility and any development approved pursuant to this article shall be exempt from the requirement for a Coastal Development Permit.

(5) **Replacement of structures following disaster.** The replacement of any structure, other than a public works facility, destroyed by natural disaster shall be exempt from the requirement for a Coastal Development Permit provided such replacement structure conforms to applicable existing zoning requirements; is designed and intended for the same use as the destroyed structure; does not exceed either the floor area, height or bulk of the destroyed structure by more than ten (10) percent; and, is sited in the same location on the affected property as the destroyed structure. As used in this section, "structure" includes landscaping and any erosion control structure or device which is similar to that which existed prior to the occurrence of the disaster, and "bulk" means total interior cubic volume as measured from the exterior surface of the structure.

(6) **Public Agency/Utility Emergency projects.** The following emergency projects performed by a public agency shall be exempt from the requirement for a Coastal Development Permit. Notwithstanding this exemption, notification by the agency or public utility performing any of the following emergency projects shall be made to the City within fourteen (14) days from the date of the commencement of the project.

a. Immediate emergency work necessary to protect life or property or immediate emergency repairs to public service facilities necessary to maintain service as a result of a disaster in a disaster-stricken area in which a state of emergency has been proclaimed by the Governor pursuant to Chapter 7 (commencing with Section 8550) of Division 1 of Title 2 of the Government Code.

b. Emergency projects undertaken, carried out, or approved by a public agency to maintain, repair, or restore an existing highway, as defined in Section 360 of the Vehicle Code, except for a highway designated as an official state scenic highway pursuant to Section 262 of the Streets and Highways Code, within the existing right-of-way of the highway, damaged as a result of fire, flood, storm, earthquake, land subsidence, gradual earth movement, or landslide, within one year of the damage. This paragraph does not exempt any project undertaken, carried out, or approved by a public agency to expand or widen a highway damaged by fire, flood, storm, earthquake, land subsidence, gradual earth movement, or landslide from the requirement to obtain a Coastal Development Permit from the City.

(7) **Temporary events.** Temporary events shall be exempt from Coastal Development Permit requirements, except as provided in below.

a. A Coastal Development Permit is required for temporary events meeting all the following criteria:

1. It is held between Memorial Day weekend and Labor Day; and
2. It occupies all or a portion of a sandy beach area; and
3. It involves a charge for general public admission or seating where no fee is currently charged for the use of the same area.

b. Notwithstanding subsection a of this subsection (7), the Planning Director may also exclude from permit requirements temporary events meeting all of the above criteria when:

1. The fee is for preferred seating only and more than 75% of the provided seating capacity is available free of charge for general public use; or
2. The event is less than 24 hours in duration; or
3. The event has previously received a Coastal Development Permit and will be held in the same location, at a similar season, and for the same duration, with operating and environmental conditions substantially the same as those associated with the previously approved event.

c. Notwithstanding the above, a Coastal Development Permit may be required for any temporary event if the Planning Director, or the City Council through direction to the Planning Director, determines that unique or changing circumstances exist relative to a particular temporary event that have the potential for significant adverse impacts on coastal resources. Such circumstances may include the following:

1. The event, either individually or together with other temporary events scheduled before or after the particular event, precludes the general public from use of a public recreational area for a significant period of time;
2. The event and its associated activities or access requirements will either directly or indirectly impact environmentally sensitive habitat areas, rare or endangered species, significant scenic resources, or other coastal resources;

3. The event is scheduled between Memorial Day weekend and Labor Day and would restrict public use of roadways or parking areas or otherwise significantly impact public use or access to coastal waters;

4. The event has historically required a Coastal Development Permit to address and monitor associated impacts to coastal resources.

d. Temporary events requiring a Coastal Development Permit shall not be subject to the requirements for a Temporary Use Permit pursuant to Section 10-5.2520 of the Zoning Ordinance.

e. **Signs Associated with Exempt Temporary Events.** Any temporary signs associated with any temporary event shall be consistent with provisions of Article 6 of this chapter.

(b) **Categorical exclusions.** The Coastal Development Permit requirements pursuant to this article shall not apply to development projects that, due to the nature of the work and/or the location, constitute a type of development covered by any categorical exclusion adopted by the Coastal Commission after certification of this Local Coastal Program pursuant to Sections 30610(e) or 30610.5 of the Public Resources Code and Subchapter 4 or 5 of Chapter 6 of Division 5.5 of Title 14 of the California Code of Regulations (Sections 13215-235 and 240-249). Records of such categorical exclusions shall be kept on file with the Planning Department.

10-5.2210 Coastal Development Permit Application.

(a) **Application.**

(1) The applicant shall file with the Planning Department a completed application for Coastal Development Permit in a form provided by the Planning Department. Except as provided in Stormwater and Urban Runoff Pollution Control Regulations Chapter 7, Title 5 of the Redondo Beach Municipal Code, the application shall be made concurrently with or following application for any other permits or approvals required for the project by the City of Redondo Beach Municipal Code.

(2) The owner of record of the lot or parcel of property which is to be affected by the application shall file an affidavit authorizing the application on a form provided by the Planning Department.

(3) Upon the filing of an application, the applicant shall pay a fee, as set forth by resolution of the City Council.

(4) To the maximum extent feasible, functionally related developments to be performed by the same applicant shall be the subject of a single permit application. The Planning Director shall not accept for filing a second application for development which is the subject of a permit application already pending before the City. This section shall not limit the right of an applicant to amend a pending application.

(b) **Contents of application.** In addition to the application and fee, a site plan, floor plan, and elevations of the project drawn to scale and dimensioned shall be submitted which include the following information as applicable:

(1) Existing topography and proposed grading;

(2) Existing trees with a trunk diameter of six (6) inches or greater;

(3) All buildings and structures, and the uses within each room;

(4) Improvements in the public right-of-way, including location of sidewalk, parkway, curb, gutter, street width to centerline, and dedications;

(5) Exterior lighting;

(6) Easements;

(7) Off-street parking areas, including the stall striping, aisles, and driveways;

(8) The lot dimensions;

(9) Setbacks and spaces between buildings;

(10) Walls, fences, and landscaping and their location, height, and materials;

(11) Landscaping areas;

(12) Trash and recycling facilities;

(13) The architectural elevations of all sides of all structures depicting design, color, materials, textures, ornaments, or other architectural features;

(14) The location, dimensions, and design of all signs;

(15) A section of the building as it relates to the existing topography and proposed grading where the slope of the site is greater than four (4) feet;

(16) Proof of ownership;

(17) Preliminary approvals by City, state and federal agencies;

(18) Drainage and erosion control plans reviewed and approved by the City Engineer pursuant to Chapter 7 of Title 5 of the Redondo Beach Municipal Code;

(19) Such other data as may be required to demonstrate that the project is consistent with the findings required for approval pursuant to Section 10-5.2218.

(c) Following submittal of an application, the Planning Department shall review the application for completeness. Within 30 calendar days from submittal, the Planning Department shall notify the applicant in writing of which parts, if any, of the application are incomplete and describe the specific materials needed to complete the application. Not later than 30 days after receipt of the requested materials, the Planning Department shall determine whether the submittal of the requested materials is complete and transmit that determination to the applicant. If no determination of completeness is provided to the applicant within 30 days of submittal, the application will be deemed complete. Any application for a coastal development permit shall not be determined to be complete and shall not be filed until and unless the applicable requirements of section 10-5.2210 of this article have been met. Until such application is determined to be complete by the Planning Department, no action other than that described in this subsection shall be taken on it by the Planning Department.

(d) **Concurrent processing.** To the extent possible, action on a Coastal Development Permit application shall be taken concurrently with action on any other permits or approvals required for the project by the City.

10-5.2212 Jurisdiction.

(a) All Coastal Development Permit applications for projects undertaken on any tidelands, submerged lands, or on public trust lands within the coastal zone (or within any port covered by Chapter 8 of the Coastal Act or any state university or college) shall, pursuant to State of California Public Resources Code Section 30519, be referred to the Coastal Commission for consideration. However, if this certified Local Coastal Program includes specific development plans for a port or harbor district or authority, the City shall retain jurisdiction over development proposed or undertaken by such district or authority on lands or waters granted to the City by the Legislature. Similarly, the City shall retain jurisdiction over development proposed on any lands that are subject to the public trust but which the Coastal Commission, after consultation with the State Lands Commission, has determined are (1) filled and developed and are (2) located within an area which is committed to urban uses.

(b) Except where the Coastal Commission retains jurisdiction, the City Council shall consider all Coastal Development Permit applications seeking authorization for transportation improvements, public works projects, temporary events, or other projects on public property that is not zoned (i.e., not subject to this Zoning Ordinance – Chapter 5 of Title 10 of the Redondo Beach Municipal Code).

(c) The Planning Commission (or Harbor Commission for projects in the Harbor-Pier area as identified in Section 10-5.2512) shall have jurisdiction over, and shall

consider, any Coastal Development Permit application that meets all of the following requirements:

(1) the Coastal Commission does not retain jurisdiction over the application,

(2) the City Council does not consider the application pursuant to subsection (b) of this section, and

(3) the application requests authorization for a project that either:

a. requires discretionary approval at a public hearing before the same commission, or

b. falls within the appealable area, as defined in Section 10-5.2204(a)(1) of this article.

(d) The Planning Director shall consider all other Coastal Development Permits not subject to the jurisdiction of the Coastal Commission, Planning Commission, Harbor Commission, or City Council pursuant to subsections (a), (b), and (c) of this Section.

(e) Permit amendments previously approved by the Coastal Commission shall remain under the Commission's jurisdiction if a proposed amendment would modify any condition of approval of the permit or impact any aspect of the project that was found necessary to mitigate impacts to coastal resources.

10-5.2214 Determination of project category.

(a) **Determination by Planning Director.** At the time an application for development (including both applications for coastal development permits pursuant to 2210(a) and an application for an exemption or a categorical exclusion pursuant to 2206(b)) is submitted, the Planning Director shall determine the applicable project category as listed below, inform the applicant (or party requesting a determination that its proposal is exempt or categorically excluded) and the Coastal Commission of the applicable category, and inform the applicant (or party requesting a determination that its proposal is exempt or categorically excluded) of the notice and hearing requirements for that particular category of development:

(1) The project is within an area where the Coastal Commission continues to exercise permit jurisdiction pursuant to State of California Public Resources Code Section 30519 and thus the applicant (or party requesting a determination that its proposal is exempt or categorically excluded) must obtain a Coastal Development Permit or exemption determination directly from the Coastal Commission;

(2) The project requires a Coastal Development Permit from the City and the decision of the City will be appealable to the Coastal Commission if the decision is an approval;

(3) The project involves a major public works or major energy facility, so the decision of the City will be appealable to the Coastal Commission regardless of the nature of the decision.

(4) The project (a) requires a Coastal Development Permit from the City, (b) is a "minor project" that is eligible for a waiver of pubic hearing requirements as described in Section 10-5.2217 of this Article, below, and (c) either (i) the decision of the City will not be appealable to the Coastal Commission or (ii) will only be appealable if a public hearing is requested on this application and the proposal is approved for projects that are located in the appealable area;

(5) The project requires a Coastal Development Permit from the City and the decision of the City is non-appealable to the Coastal Commission;

(6) The project is categorically excluded or exempt and does not require a Coastal Development Permit pursuant to this article.

This determination shall be made with reference to the certified Local Coastal Program, including any maps, categorical exclusions, land use designations and zoning ordinances which are adopted as part of the Local Coastal Program.

(b) **Record of Permit Exemptions/Categorically Excluded Development.** The Planning Director shall maintain a record of all those developments within the Coastal Zone that have been found to be exempt from the requirement for a Coastal Development Permit pursuant to this Chapter or categorically excluded. This record shall be available for review by members of the public and representatives of the Coastal Commission. The Record of Exemption shall include the name of the applicant (or party requesting a determination that its proposal is exempt or categorically excluded), the location of the project, and a brief description of the project.

(c) **Dispute procedure.** Where an applicant (or party requesting a determination that its proposal is exempt or categorically excluded), interested person, or a local government has a question as to the appropriate project category for the development, the following procedures shall establish whether a development is exempt, categorically excluded, non-appealable or appealable:

(1) If the determination of the Planning Director is challenged by the applicant (or party requesting a determination that its proposal is exempt or categorically excluded) or an interested person, or if the local government wishes to have the Coastal Commission determine the appropriate designation, the local government shall notify the Coastal Commission by telephone of the dispute/question and shall request the Executive Director's review pursuant to Section 13569 of Title 14 of the California Code of Regulations.

10-5.2216 Notice and public hearing.

(a) **Notice of Impending Action.** Notice of impending action on an application for Coastal Development Permit by, and (where applicable) public hearing before, the decision-making body having jurisdiction over that application pursuant to Section 10-5.2212 of this article shall be given as follows:

(1) By publication at least once in a weekly newspaper of general circulation in the City not less than ten (10) calendar days prior to the date of the public hearing or administrative decision; and

(2) By mailing a written notice thereof, not less than ten (10) calendar days prior to the date of such hearing or administrative decision, sent by first-class mail, with postage prepaid, using the addresses from the last adopted tax roll, if available, to:

a. Each applicant and the owner(s) of the subject property(ies);

b. All owners of properties and residents within 100 feet of the exterior boundary of the subject property or properties excluding roads;

c. The California Coastal Commission;

d. Public agencies that, in the judgement of the Planning Director, have an interest in the project; and

e. Any person who has requested to be noticed of such project or of coastal decisions within the local jurisdiction generally; and

(3) By posting such notice in at least one prominent place on or about each parcel which is the subject of the proposed action, or upon utility poles or sticks along or about the street-front property line of such parcel. In the event more than one parcel is the subject of such hearing, and such parcels comprise 200 or more feet of street frontage, at least one such notice shall be posted on or about the street-front property line at intervals of not less than 200 feet, starting at either end of the subject properties where the property line intersects the street-front property line.

(b) **Content of notice of public hearing.** The content of the notice of public hearing for a Coastal Development Permit may be combined with notice for other applications to be considered concurrently by the decision-making body. The notice of public hearing for a Coastal Development Permit shall contain the following information:

(1) A statement that the development is within the Coastal Zone;

(2) The date of filing of the application and the name of the applicant;

(3) The file number assigned to the application;

(4) A description of the development and its proposed location;

(5) The date, time, and place at which the application will be heard;

(6) A brief description of the general procedure concerning the conduct of hearing and local actions, including information on the deadline for submitting written comment and who to submit written comment to;

(7) A statement as to whether the final City action on the application will be appealable to the Coastal Commission;

(8) Where the action of the decision-making body is appealable within the City's system, the system for appeals to the City Council including any local fees required, and for appeals from there to the Coastal Commission, where applicable. The notice shall also explain that if the City action may be appealable to the Coastal Commission, and a fee is required to file an appeal at the local level, the local appeal may be bypassed and the action appealed directly to the Coastal Commission; and

(9) Where the decision-making body is the City Council, information on whether the decision is appealable to the Coastal Commission, including the system for such appeals.

(c) **Conduct of hearing.** Except as provided in Section 10-5.2217 of this Article, the decision-making body having jurisdiction over an application for Coastal Development Permit pursuant to Section 10-5.2212 of this article shall hold a public hearing to review and consider the application.

(1) A public hearing on a Coastal Development Permit may be held concurrently with any other public hearing relating to other permits or approvals required by the project.

(2) All interested persons shall be given a reasonable opportunity to appear before and present their viewpoints to the decision-making body holding the public hearing. This opportunity must include the opportunity to inform the decision-making body of the nature of their concerns regarding the project. Any person may submit written comments to the decision-making body on an application for a Coastal Development Permit, or on an appeal of a Coastal Development Permit, at any time prior to the close of the public hearing. Written comments shall be submitted to the decision-making body who shall make them available to the applicant.

(d) **Continuation of hearing.** A public hearing for a Coastal Development Permit may be continued without new public notice to another day if continued to a date certain and that date is announced at the hearing. If the public hearing is continued to a date uncertain, or the date to which it is continued is not announced at the originally-noticed hearing, notice of the continued public hearing shall be provided in accordance with Section 10-5.2216.

(e) **Content of notice of an impending administrative action on a Coastal Development Permit application for which no public hearing is scheduled.** For coastal development permit applications for minor development, as defined in section 10-5.2217(a), where the City has determined that it is appropriate to waive the requirement for a public hearing pursuant to section 10-5.2217, the notice of such public hearing waiver and the availability of a public hearing shall be given as specified in section 10-5.2216(a)(1-3) and shall contain all of the information required in section 10-

5.2216(b)(1-5). In addition, the notice of waiver of public hearing for the pending application shall contain the following:

(1) A statement that a public hearing will be held upon the written request of any person provided that such written request is received by the Planning Director within 15 working days from the date of sending the notice.

(2) For proposed development within the appealable area, a statement that failure by a person to submit a written request for a public hearing may result in the loss of that person's ability to appeal to the Coastal Commission any action taken by the City on a coastal development permit application in this matter.

10-5.2217 Public Hearing Waiver for Minor Development.

Consistent with the provisions of A.B. 1303 (from 1995), which became effective January 1, 1996, the public hearing requirement for "minor development," as that phrase is defined herein, may be waived subject to the requirements of this section.

(a) "Minor development" means a development that satisfies all of the following requirements:

(1) The development is consistent with the City of Redondo Beach Certified Local Coastal Program;

(2) The development requires no discretionary approvals other than a coastal development permit;

(3) The development has no adverse effect either individually or cumulatively on coastal resources or public access to the shoreline or along the coast.

(b) The City may waive the requirement for a public hearing on a coastal development permit application for a "minor development," as that phrase is defined above, if all of the following occur:

(1) Notice as provided in subsection 2216(e) of this article is sent to all persons required to be notified under Section 10-5.2216 as well as to all other persons known to be interested in receiving notice.

(2) No request for public hearing is received by the City within 15 working days from the date of sending the notice pursuant to paragraph (1).

(c) Requests for hearing must be made in writing to the City Planning Department. Upon receipt of a request for hearing, the City shall schedule the matter for a public hearing and issue notice of such hearing consistent with the provisions of Section 10-5.2216(a) and (b) of this Article.

10-5.2218 Decision on application for a Coastal Development Permit.

(a) **Criteria.** Approval, conditional approval, or denial of any Coastal Development Permit by the City of Redondo Beach shall be based upon compliance of the proposal with the provisions of the certified Redondo Beach Local Coastal Program and consistency with the policies of the Coastal Act.

(b) **Findings.** All decisions on the Coastal Development Permit shall be accompanied by specific findings, including the factual basis for any legal conclusion, in a separate written document, as specified below.

(c) **Findings for approval.** An application for a Coastal Development Permit shall not be approved unless, based on the evidence, the decision-making body makes all of the following findings, in addition to the findings required to approve other applications being considered concurrently:

(1) That the proposed development is in conformity with the Certified Local Coastal Program.

(2) That the proposed development, if located between the sea (or the shoreline of any body of water located within the coastal zone) and the first public road

paralleling the sea, is in conformity with the public access and public recreation policies of Chapter 3 of Division 20 of the Public Resources Code (commencing with Section 30200).

(3) That the decision-making body has complied with any CEQA responsibilities it may have in connection with the project, and that, in approving the proposed development, the decision-making body is not violating any CEQA prohibition that may exist on approval of projects for which there is a less environmentally damaging alternative or a feasible mitigation measure available.

(d) **Findings for denial.** An application for a Coastal Development Permit shall not be denied unless, based on the evidence, the decision-making body makes one or more of the following findings:

(1) That the proposed development is not in conformity with the Certified Local Coastal Program;

(2) That the proposed development, if located between the sea (or the shoreline of any body of water located within the coastal zone) and the first public road paralleling the sea, is not in conformity with the public access or public recreation policies of Chapter 3 of Division 20 of the Public Resources Code (commencing with Section 30200);

(3) That there are feasible alternatives available, and/or feasible mitigation measures beyond that which the City can appropriately impose as permit conditions, that, if implemented, would render the project equally or more compatible with LUP policies and that would also substantially reduce one or more significant adverse effects that the project would have on the environment, either as proposed or as it could reasonably be conditioned.

(e) **Conditions of approval.** The decision-making body may impose conditions as necessary to enable the required findings of fact to be fairly made and/or to be sustained in their validity. Such conditions may include, but need not be limited to, provision for public access and open space or conservation easements; requirements to control storm water runoff and minimize hazards from wave uprush and from geologic hazards consistent with the Coastal Land Use Plan; and the relocation and/or redesign of proposed site improvements. When required by the decision-making body, the landowner shall record with the Office of the Los Angeles County Recorder a deed restriction accepting and agreeing to implement all conditions of permit approval, which shall run with the land, binding all successors to said conditions of approval.

(f) **Failure to decide – approval by operation of law.**

(1) Notification by Applicant: If the decision-making body fails to act on an application within the time limits set forth in Government Code Sections 65950-65957.1, thereby approving the development by operation of law, the person claiming a right to proceed pursuant to Government Code Sections 65950-65957.1 shall notify, in writing, the Planning Director and the Commission of his or her claim that the development has been approved by operation of law. Such notice shall specify the application which is claimed to be approved.

(2) Notification by Planning Director: When the Planning Director determines that the time limits established pursuant to Government Code Sections 65950-65957.1 have expired, the Planning Director shall, within seven (7) calendar days of such determination, notify every person entitled to receive notice pursuant to Section 10-5.2220 that the application has been approved by operation of law pursuant to Government Code Sections 65950-65957.1 and, if appealable, that the application may be appealed to the Coastal Commission pursuant to Section 10-5.2222.

10-5.2220 Notice of final decision by the City of Redondo Beach.

(a) **Notice of decision.** Within seven (7) calendar days of a decision by the final decision-making body within the City's review system to which the matter has been taken to approve or deny a Coastal Development Permit, in compliance with Section 10-5.2218, the Planning Director shall provide notice of such decision by first class mail to the applicant, property owner and to any person who specifically requested notice of such decision by submitting a self-addressed stamped envelope to the Planning Department. The Planning Department shall also send notice to the Coastal Commission by certified mail.

(b) **Content of notice.** The notice of decision shall contain the following information:

(1) Project description and location;
(2) Special Conditions imposed, if any;
(3) Written findings for the decision as specified in Section 10-5.2218;
(4) Appeal procedure as specified in Section 10-5.2222.

10-5.2222 Appeals.

(a) **Appeal of decision of the Planning Director.** If the Planning Director has jurisdiction over a Coastal Development Permit application pursuant to Section 10-5.2212(d) of this article, and the decision of the Planning Director is appealable within the City system ("locally appealable"), pursuant to City law, that decision shall be appealable to the Planning Commission and no further. Accordingly, such decisions shall not be appealable to the Coastal Commission. If the Planning Director has jurisdiction over a Coastal Development Permit application pursuant to Section 10-5.2212(d) of this article, and the decision of the Planning Director is not locally appealable, pursuant to City law, that decision cannot be appealed directly to the Coastal Commission either.

(b) **Appeal of decision of the Planning Commission (or Harbor Commission) to the City Council.** Decisions made by the Planning Commission on appeals from decisions by the Planning Director shall not be further appealable. However, all other decisions by the Planning Commission (or the Harbor Commission where it has jurisdiction) are appealable to the City Council. Decisions by the Planning Commission (or Harbor Commission where it has jurisdiction) for the approval or denial of an application for a Coastal Development Permit shall be final and conclusive unless, by 5:00 p.m. of the tenth (10th) day following such decision (or of the next working day if the tenth (10th) day falls on a weekend or holiday):

(1) A written appeal on the form designated by the City is filed by any interested party with the City Clerk requesting a public hearing before the City Council stating the specific grounds for the appeal which shall be limited to those stated in subsection (c) of this section below, and all required fees for said appeal are paid in full, as limited by subsection (d) of this section; or

(2) The Mayor or a member of the City Council requests a public hearing before the City Council stating the grounds for the appeal. Provided however that the City Council member or Mayor requesting the appeal shall disqualify him or herself from hearing the appeal unless he or she can certify in writing that the appeal is being requested as a result of public interest in the decision to be reviewed and he or she has no predisposition against or in favor of the project. The City Council as a whole shall be prohibited from voting to appeal any matter in which they will sit as the reviewing body.

Such appeal, or City Council request for a public hearing, shall be set for a public hearing by the City Clerk in a timely fashion.

(c) **Appeal of decision of the City Council to the Coastal Commission.**

(1) **Exhaustion of Local Appeals.** An appellant must exhaust all local appeals under the City's appeal procedure (by pursuing his or her appeal before all appropriate local appellate bodies pursuant to this section) prior to filing an appeal to the Coastal Commission.

(2) **Decisions appealable to the Coastal Commission.** A decision of the City Council on an application for Coastal Development Permit is not appealable to the Coastal Commission unless it constitutes any of the following, in which case it is appealable to the Coastal Commission:

a. Approval of a development project located within any appealable area, as defined in Section 10-5.2204(a)(1). When a decision of the City Council on an application for Coastal Development Permit is appealable pursuant to this paragraph based on a road that qualifies as the "first public road paralleling the sea" pursuant to the definition in Section 10-5.2204 of this article, the precise boundary of the permit and appeal jurisdiction shall be located along the inland right-of-way of such road.

b. Approval or denial of a development that constitutes a major public works project or a major energy facility.

(3) **Appellants.** Where a decision is appealable to the Coastal Commission, an appeal may be made by:

a. The applicant or anyone who has pursued his or her appeal to the local appellate body (bodies) pursuant to the local government appeal procedures.

b. Any two members of the Coastal Commission.

(4) **Filing of an appeal to the Coastal Commission.** All appeals must be received by the Coastal Commission's South Coast District Office within ten (10) working days of the date on which the Coastal Commission received the "notice of decision" specified in Section 10-5.2220 of this article. An appellant may contact the Coastal Commission for the appropriate forms and instructions to file an appeal. An appeal must contain the following information:

a. The name and address of the permit applicant and appellant;

b. The date of the local government action;

c. A description of the development;

d. The name of the governing body having jurisdiction over the project area;

e. The names and addresses of all persons who submitted written comments or who spoke and left his or her name at any public hearing on the project, where such information is available;

f. The names and address of all other persons known by the appellant to have an interest in the matter on appeal;

g. The specific grounds for appeal which shall be limited to those stated in subsection (c) of this section below;

h. A statement of facts on which the appeal is based;

i. A summary of the significant question raised by the appeal.

(5) **Notification by appellant of an appeal to the Coastal Commission.** The appellant shall notify the applicant, any persons known to be interested in the application, and the City of Redondo Beach of the filing of the appeal. Notification shall be by delivering a copy of the completed Notice of Appeal to the domicile(s), office(s), or mailing address(es) of said parties. In any event, such notification shall be by such means as may reasonably advise said parties of the pendency of the appeal. Unwarranted failure to perform such notification may be grounds for dismissal of the appeal by the Coastal Commission (14 Cal. Code of Regulations/13111(c)).

(d) **Grounds for appeal.**

(1) The grounds for appeal of a decision by the City of Redondo Beach

approving a Coastal Development Permit shall be limited to an allegation that the decision is not in conformity with the Certified Local Coastal Program, or the public access policies of the Coastal Act. The appeal shall include a statement of facts on which the appeal is based and specify which provisions of the Local Coastal Program or which public access policies the decision does not conform to.

(2) The grounds for appeal of a decision by the City of Redondo Beach denying a Coastal Development Permit for a major public works facility or a major energy facility, as defined in Section 10-5.2204, shall be limited to the allegation that the development conforms to the standards set forth in the certified local coastal program and the public access policies set forth in Chapter Three of the Coastal Act. The appeal shall include a statement of facts on which the appeal is based and specify the basis for challenging the findings of the decision-making body.

(e) **Appeals fee.** Notwithstanding any other provision of the Redondo Beach Municipal Code, no appeals fee shall be required for the filing or processing of an appeal, within the city system, of any decision that may eventually be appealable to the Coastal Commission pursuant to Section 10-5.2222(b)(2) of this article.

(f) **Effect of appeal to the Coastal Commission.** Upon receipt in the Coastal Commission office of a timely appeal by a qualified appellant on a decision that is appealable because it is either a Major Public Works project or Major Energy facility or it is located in the appealable area, pursuant to Section 10-5.2222(c)(2), the operation and effect of the City's action, and of the coastal development permit, shall be stayed pending a Coastal Commission decision on the appeal. Upon receipt of a Notice of Appeal, the City shall refrain from issuing a development permit for the proposed development and shall, within five (5) working days, deliver to the executive director all relevant documents and materials used by the local government in its consideration of the coastal development permit application.

(g) **Effect of the lack of an appeal to the Coastal Commission.** Any decision listed in Section 10-5.2222(b)(2) of this article shall become final and effective after the ten (10) working day appeal period to the Coastal Commission has expired unless either of the following occur:

(1) an appeal is filed in accordance with Section 10-5.2222(b)(4) of this article, or

(2) the "notice of decision" specified in Section 10-5.2220 of this article does not meet the requirements of Section 13571 of Title 14 of the California Code of Regulations, including because it mischaracterizes the appealability of the City's action.

Regardless of whether an appeal is submitted, the local government's action shall become final if an appeal fee is imposed pursuant to subdivision (d) of Section 30620 of the Coastal Act, and that fee is not deposited with the Coastal Commission within the time prescribed.

10-5.2223 Condition compliance and permit issuance. All coastal development permits subject to conditions of approval pertaining to public access and open space or conservation easements shall be handled in a manner consistent with the procedures outlined in Section 13574 of Title 14 of the California Code of Regulations, including the submission of all legal documents specified in the conditions of approval, prior to the issuance of the permit, for review and approval by the Executive Director.

10-5.2224 Expiration of unused permits.

(a) **Permit Expiration.** A Coastal Development Permit shall expire on the latest expiration date applicable to any other permit or approval required for the project, including any extension granted for other permits or approvals. Should the project not

require City permits or approvals other than a Coastal Development Permit, the Coastal Development Permit shall expire two (2) years from its date of approval if the project has not been commenced during that time. The decision-making body may grant a reasonable extension of time for due cause. Application for and action on an extension shall be accomplished in the same manner specified by this article for initial approval of Coastal Development Permit except as modified below.

(b) **Application for extension of permit.** Any request for a time extension to prevent permit expiration shall be made in writing by the applicant or authorized agent prior to expiration of the two-year period. Application for and action on an extension shall be accomplished in the same manner specified by this article for initial approval of a Coastal Development Permit except as modified below. The submittal of an application to extend a permit's expiration date automatically extends the expiration date of the permit until the decision making body acts on that request.

(c) **Immaterial extension of permit.** If the Planning Director determines that a request for an extension of the expiration date on an unexpired permit is consistent with the certified Land Use Plan, and that there are no changed circumstances or new information that could affect the City's conclusion regarding the development's consistency with the certified Land Use Plan or with the public access policies of the Coastal Act, notice of such determination and of the procedures set forth in this section shall be posted on the property and provided by first class mail to all those known by the Planning Director to be interested in the matter. The matter, along with the Planning Director's determination, shall be reported to the decision-making body that approved the original permit at its next regular meeting.

(1) If no objection to the extension of the permit is received within 10 working days of the mailing of the notice, and no member of the decision-making body requests a hearing on the matter when it receives the report on the matter, the permit shall be extended for one year.

(2) If there is objection, and the Planning Director considers that there is an issue concerning the matter's conformance with the Local Coastal Program or the public access policies of the Coastal Act, the matter shall be processed as indicated in subsections (a) and (b).

(3) If there is an objection but the Planning Director continues to believe that the matter is consistent with the Local Coastal Plan and the public access policies of the Coastal Act, and that there are no changed circumstances or new information as indicated above, he or she shall report be the objection to the decision-making body along with the text of the objection received. If two or more members of the decision-making body do not concur that a new hearing is needed the matter is extended. If two or more members of the decision-making body request a hearing, the matter shall be noticed and set for hearing and action on the extension request shall be accomplished in the same manner as specified as indicated in subsection (a).

(d) **Grounds for Denial.** It shall be a legitimate basis for denial that changed circumstances have rendered exercise of the approval as originally granted infeasible or inimical to the health, safety and welfare of the community.

10-5.2225 Reconsideration.

(a) The applicant of record may request any decision-making body that has acted on its application for a coastal development permit to grant reconsideration of the denial of that application or, if the application was approved, of any term or condition of the coastal development permit that was granted. This request shall be in writing and shall be received by the decision-making body within thirty (30) days of the final vote.

(b) **Grounds for Reconsideration.** The basis of the request for reconsideration

shall be either that there is relevant new evidence which, in the exercise of reasonable diligence, could not have been presented at the hearing on the matter or that an error of fact or law has occurred which has the potential of altering the initial decision.

(c) The decision-making body shall have the discretion to grant or deny requests for reconsideration.

(d) A decision to deny a request for reconsideration is not subject to appeal.

(e) This section shall not alter any right otherwise provided by this article to appeal an action; provided, that a request for reconsideration shall be made only once for any one development application, and shall, for purposes of any applicable time limits for action on an application, be considered a new application.

(f) The decision-making body shall schedule a hearing on the reconsideration request at the next regularly scheduled meeting or as soon as practicable after the decision-making body distributes notice of the hearing consistent with the provisions of section 10-5.2216. The request for reconsideration shall be reported to the decision-making body with a preliminary recommendation on the grounds for reconsideration.

(g) The applicant and all aggrieved parties to the original final decision shall be afforded a reasonable time to address the merits of the request.

(h) If reconsideration is granted, the application shall be processed as a new application, in a separate action, in accordance with applicable sections of this article. However, no new fee shall be charged to process the new application.

10-5.2226 Permit amendment.

The decision making body that approved a permit may approve an amendment to the permit if the amendment does not lessen the intended effect of the permit or if it based on newly discovered material information that could not, with reasonable diligence, have been discovered and presented prior to the original action.

(a) Upon application by the permittee, for an amendment to its permit, the Planning Director shall determine whether the proposed amendment meets the above criteria, and if it does not meet those criteria, it shall be rejected. If the Planning Director rejects an application for an amendment, the applicant may ask the decision making body that approved the underlying permit to determine whether the Planning Director's determination is incorrect and the application for amendment should be accepted.

(b) Application for and action on an amendment shall be accomplished in the same manner specified by this article for initial approval of Coastal Development Permit, except as otherwise provided in this section. All procedures for notice and hearing indicated in other sections of this article shall apply to permit amendments in the same manner in which they apply to initial permit applications

(c) **Immaterial amendment of the permit.** If, after accepting a request to amend a coastal development permit, the Planning Director determines that the amendment request (a) does not have the potential for adverse impacts on coastal resources or public access, and (b) is consistent with the certified Local Coastal Program, the request may be determined to be immaterial. Notice of such determination, including a description of the proposed amendments and summary of the procedures set forth in this section, shall be posted at the project site and mailed to all persons the Planning Director has reason to believe may be interested in the application.

(1) If no written objection to a notice of immaterial amendment is received at the at the Planning Department offices within ten (10) working days of mailing notice, the determination of immateriality shall be conclusive and the amendment shall be approved.

(2) If a written objection to notice of an immaterial amendment is received within ten (10) working days of mailing notice, and the Planning Director determines that the

objection does not raise an issue of conformity with the certified Land Use Plan, or, if applicable, the public access policies of the Coastal Act, the immaterial amendment shall not be effective until the amendment and objection are reported to the decision making body that approved the underlying permit at its next regularly scheduled meeting. The Planning Director shall include a copy of the letter(s) of objection with the report to the decision-making body. If any two (2) members of the decision making body object to the Planning Director's designation of immateriality, the amendment application shall be referred to the decision-making body for action in the same manner specified by this article for initial approval of Coastal Development Permit. Otherwise, the immaterial amendment shall become effective.

(3) If a written objection to the notice of an immaterial amendment is received within ten (10) working days of mailing notice, and the Planning Director determines that the objection does raise an issue of conformity with the local coastal program or, if applicable, with the public access policies of the Coastal Act, the immaterial amendment application shall be referred to the decision making body for action as set forth in subsection (b) above.

10-5.2228 Emergency Coastal Development Permit.

(a) In the event of an emergency as defined in Section 10-5.2204, temporary emergency authorization to proceed with remedial measures may be given by the Planning Director until such time as a full coastal development permit application shall be filed.

(1) **Application.** Application shall be made to the Planning Director by letter if time allows, or in person or by telephone, if time does not allow. The information, to be reported at the time of the emergency or within three days after the emergency, shall include the following:

a. Nature of the emergency;

b. Cause of the emergency, insofar as this can be established;

c. Location of the emergency;

d. The remedial, protective, or preventative work required to deal with the emergency;

e. The circumstances during the emergency that appeared to justify the cause(s) of action taken, including the probable consequences of failing to take action.

(2) **Limitations.** The Planning Director shall not grant an emergency coastal development permit for any development that falls within an area in which the Coastal Commission retains direct permit review authority. In such areas and for such developments, a request for an emergency authorization must be made to the Coastal Commission.

a. In addition, a waiver from coastal development permit requirements may be obtained from the Coastal Commission Executive Director for development that is required to protect life or public property in accordance with Section 30611 of the Coastal Act.

(3) **Notice.** The Planning Director shall provide notice of the proposed emergency action. The extent and type of the notice shall be determined on the basis of the nature of the emergency. If the nature of the emergency does not allow sufficient time for public notice to be given before the emergency work begins, the Planning Director shall provide public notice of the action taken, or being taken, as soon as is practical. Public notice of the nature of the emergency and the remedial actions to be taken shall be posted on the site in a conspicuous place and mailed to all persons the Planning Director has reason to know would be interested in such action and to the Coastal Commission.

(4) **Findings and conditions.** The Planning Director may grant an emergency coastal development permit upon reasonable terms and conditions, which shall include an expiration date, the necessity for a regular permit application later, and the requirement that the permitee apply for a coastal development permit pursuant to Section 10-5.2210 for the removal of work authorized by the emergency permit if the retention of the work is denied in the follow-up regular permit application, if the Planning Director finds that:

a. An emergency exists that requires action more quickly than permitted by the procedures for a Coastal Development Permit and the work can and will be completed within thirty (30) days unless otherwise specified by the terms of the permit.

b. Public comment on the proposed emergency action has been reviewed, if time allows.

c. The work proposed is consistent with the requirements of the Certified Local Coastal Program.

d. The work proposed is the minimum action necessary to address the emergency and, to the maximum extent feasible, is the least environmentally damaging temporary alternative for addressing the emergency.

(5) **Contents of Emergency Permit.** The emergency permit shall be a written document that includes the following information:

a. The date of issuance;

b. An expiration date;

c. The scope of work to be performed

d. Terms and conditions of the permit;

e. A provision stating that within 60 days of issuance of the emergency permit, a regular coastal development permit application shall be submitted and properly filed consistent with the requirements of this Chapter;

f. A provision stating that any development or structures constructed pursuant to an emergency permit shall be considered temporary until authorized by a follow-up regular coastal development permit and that issuance of an emergency coastal development permit shall not constitute an entitlement to the erection of permanent development or structures;

g. A provision that states that: The development authorized in the emergency permit must be removed unless a complete application for a regular coastal development permit is filed within 60 days of approval of the emergency permit and said regular permit is approved. If a regular coastal development permit authorizing permanent retention of the development is denied, then the development that was authorized in the emergency permit, or the denied portion of the development, must be removed. Such removal, however, shall be pursuant to a separate permit.

(6) **Expiration of the emergency permit.** An emergency permit shall be valid for sixty (60) days from the date of issuance by the Planning Director unless extended by submittal of a follow up application. Within sixty (60) days of issuance of an emergency permit, the permittee must submit a follow-up regular coastal development permit application for the development even if only to remove the development undertaken pursuant to the emergency permit and restore the site to its previous condition.

(7) **Report to City Council and Coastal Commission.** The Planning Director shall report in writing and orally, the granting of an emergency permit to the City Council at its next scheduled meeting, and to the Coastal Commission Executive Director. The report shall include a description of the nature of the emergency, the development involved and the person or entity undertaking the development. Copies of the report shall be available at the meeting and shall be mailed to the Coastal Commission and to all persons requesting such notification of local coastal development decisions.

10-5.2230 Reapplication.

(a) No application for the granting of a coastal development permit which has been denied shall be filed earlier than one (1) year after the date such denial becomes effective, unless the request for reapplication reflects a major change in circumstances and specific permission to do so has been granted by the City Council.

10-5.2232 Revocation.

(a) **Grounds for revocation.** The City may initiate revocation proceedings to revoke a Coastal Development Permit based upon the receipt of credible evidence indicating one or more of the following:

(1) That the approval was obtained by fraud or misrepresentation;

(2) That exercise of the approval violates any State, federal or local statute or regulation;

(3) That exercise of the rights under the approval is detrimental to the health, safety and welfare of the community;

(4) That exercise of the rights under the approval constitutes a nuisance.

At any hearing on revocation or modification the permittee and any other person whose property rights are affected by revocation, modification, or continuance of the exercise of rights under the approval, shall have the right to produce any arguments and introduce any evidence in support of their position.

(b) **Temporary Suspension.** Where, prior to holding a public hearing, the Planning Director makes a preliminary determination that grounds exist for revocation of a Coastal Development Permit, the operation of the permit shall be reviewed and be automatically suspended if it is a threat to public health and safety. The Director shall advise the applicant in writing that any development undertaken during suspension of the permit may be in violation of the California Coastal Act.

(c) **Notice and public hearing.** After notice to the applicant and public hearing as prescribed in Section 10-5.2216, the Planning Commission (or Harbor Commission where applicable), subject to appeal to the City Council, may revoke or modify any Coastal Development Permit based on findings of any grounds for revocation as listed in subsection (a) of this section.

10-5.2234 Enforcement.

(a) In addition to the provisions contained in this article, the provisions of Chapter 9 of Division 20 of the Public Resources Code shall also apply with respect to Judicial Review, Enforcement (including issuance of Administrative orders) and Penalties.

10-5.2236 Change of ownership.

(a) A Coastal Development Permit that is valid and in effect, and was granted pursuant to the provisions of this article shall adhere to the land and continue to be valid upon change of ownership of the land or any existing building or structure on said land.

10-5.2238 Local Coastal Program amendments.

(a) **Amendments to the Coastal Land Use Plan.** Amendments to the Coastal Land Use Plan (LUP) shall be subject to the procedures of Section 10-5.2505 of the Zoning Ordinance for the Coastal Zone.

(b) **Amendments to the Zoning Ordinance for the Coastal Zone.** Amendments to the Zoning Ordinance for the Coastal Zone shall be subject to the procedures of Section 10-5.2504.

(c) **Coastal Commission certification of amendments.** Any proposed amendment to the Local Coastal Program shall not take effect until it has been certified by the Coastal Commission. Any amendment approved by the City shall be submitted to the Coastal Commission in accordance with Sections 30512 and 30513 of the Public Resources Code. An amendment to the certified Local Coastal Program shall not become effective until the amendment is submitted pursuant to the requirements of Sections 13551 and 13552 of Title 14 of the California Code of Regulations and certified by the California Coastal Commission pursuant to Chapter 6, Article 2 of the California Coastal Act.

ARTICLE 11 -- TRANSPORTATION DEMAND MANAGEMENT

Sections

10-5.2400 Purpose.
10-5.2402 Definitions.
10-5.2404 Applicability of requirements.
10-5.2406 Development standards.
10-5.2408 Monitoring.
10-5.2410 Enforcement.

10-5.2400 Purpose.

The specific purposes of this article are to set forth requirements for new applicable developments to provide facilities and/or programs that encourage and accommodate the use of ridesharing, transit, pedestrian and bicycle commuting as alternatives to single-occupant motor vehicle trips. A reduction in such trips can be expected to assist in reduced traffic congestion, air pollution and energy consumption impacts related to employment growth generated by new development. Further, it is the intent of this article to comply with the requirements of the Los Angeles County Congestion Management Plan (CMP).

10-5.2402 Definitions.

For the purposes of this article only, the following words and phrases used in said article are defined as follows.

(a) **"Alternative transportation"** means the use of modes of transportation other than the single passenger motor vehicle, including but not limited to carpools, vanpools, buspools, public transit, walking and bicycling.

(b) **"Applicable development"** means any development project that is determined to meet or exceed the project size threshold criteria contained in Section 10-5.2406 of this article.

(c) **"Buspool"** means a vehicle carrying sixteen (16) or more passengers commuting on a regular basis to and from work following a relatively fixed route and schedule.

(d) **"Carpool"** means a vehicle carrying two (2) to six (6) persons commuting together to and from work on a regular basis.

(e) **"Developer"** shall mean the builder who is responsible for the planning, design and construction of an applicable development project. A developer may be responsible for implementing the provisions of Section 10-5.2406 of this article as determined by the property owner.

(f) **"Development"** means the construction or addition of new building gross square footage. Existing square footage shall not be counted in determining the thresholds that apply in Section 10-5.2406 of this article.

(g) **"Employee parking area"** means the portion of total required parking at a development used by onsite employees, and shall be calculated as follows:

Type of Use	Percent of Total Required Parking Devoted to Employees
Commercial	30%
Office/Professional	85%
Industrial/Manufacturing	90%

(h) **"Mixed use development"** is a development consisting of nonresidential and residential components. The nonresidential and residential square footage shall be calculated separately for purposes of this ordinance.

(i) **"Preferential parking"** means parking spaces designated or assigned, through use of a sign or painted space markings for carpool and vanpool vehicles carrying commute passengers on a regular basis that are provided in a location more convenient to a place of employment than parking spaces provided for single occupant vehicles.

(j) **"Property owner"** means the legal owner of a development who serves as the lessor to a tenant. The property owner shall be responsible for complying with the provisions of the ordinance either directly or by delegating such responsibility as appropriate to a tenant and/or his/her agent.

(k) **"Tenant"** or **"occupant"** as applied to a building or land, shall mean and include any person who occupies the whole or a part of such building or land, whether alone or with others. Tenant shall also mean the lessee of facility space at an applicable development project.

(l) **"Transportation Demand Management (TDM)"** means the alteration of travel behavior (usually on the part of commuters) through programs of incentives, services, and policies. TDM addresses alternatives to single occupant vehicles such as carpooling and vanpooling, and changes in work schedules that move trips out of the peak period or eliminate them altogether (as is the case in telecommuting or compressed work weeks).

(m) **"Trip reduction"** means reduction in the number of work-related trips made by single occupant vehicles.

(n) **"Vanpool"** means a vehicle carrying seven or more persons commuting together to and from work on a regular basis, usually in a vehicle with a seating arrangement designed to carry seven (7) to fifteen (15) adult passengers, and on a prepaid subscription basis.

(o) **"Vehicle"** means any motorized form of transportation, including but not limited to automobiles, vans, buses and motorcycles.

10-5.2404 Applicability of requirements.

Prior to approval of any development project, the applicant shall make provision for, as a minimum, all of the applicable transportation demand management and trip reduction measures set forth in Section 10-5.2406 of this article.

All facilities and improvements constructed or otherwise required shall be maintained in a state of good repair.

10-5.2406 Development standards.

(a) Nonresidential development of 25,000 square feet or more shall provide the following to the satisfaction of the City:

(1) A bulletin board, display case, or kiosk displaying transportation information located where the greatest number of employees are likely to see it. Information in the area shall include, but is not limited to, the following:

a. Current maps, routes and schedules for public transit routes serving the site;

b. Telephone numbers for referrals on transportation information including

numbers for the regional ridesharing agency and local transit operators;

c. Ridesharing promotional material supplied by commuter-oriented organizations;

d. Bicycle route and facility information, including regional/local bicycle maps and bicycle safety information;

e. A listing of facilities available for carpoolers, vanpoolers, bicyclists, transit riders and pedestrians at the site.

(b) Nonresidential development of 50,000 square feet or more shall comply with subsection (a) of this section and shall provide all of the following measures to the satisfaction of the City:

(1) Not less than ten (10%) percent of the employee parking area, shall be located as close as is practical to the employee entrance(s), and shall be reserved for use by potential carpool/vanpool vehicles, without displacing handicapped and customer parking needs. This preferential carpool/vanpool parking area shall be identified on the site plan upon application for building permit, to the satisfaction of the City. A statement that preferential carpool/vanpool spaces for employees are available and a description of the method for obtaining such spaces must be included on the required transportation information board. Spaces will be signed/striped as demand warrants; provided that at all times at least one space for projects of 50,000 square feet to 100,000 square feet and two (2) spaces for projects over 100,000 square feet will be signed/striped for carpool/vanpool vehicles.

(2) Preferential parking spaces reserved for vanpools must be accessible to vanpool vehicles. When located within a parking structure, a minimum vertical interior clearance of seven (7) feet four (4) inches shall be provided for those spaces and accessways to be used by such vehicles. Adequate turning radii and parking space dimensions shall also be included in vanpool parking areas.

(3) Bicycle racks or other secure bicycle parking shall be provided to accommodate four (4) bicycles per the first 50,000 square feet of non-residential development and one bicycle per each additional 50,000 square feet of non-residential development. Calculations which result in a fraction of 0.5 or higher shall be rounded up to the nearest whole number. A bicycle parking facility may also be a fully enclosed space or locker accessible only to the owner or operator of the bicycle, which protects the bike from inclement weather. Specific facilities and location (e.g., provision of racks, lockers, or locked room) shall be to the satisfaction of the City.

(c) Non-residential development of 100,000 square feet or more shall comply with subsections (a) and (b) of this section, and shall provide all of the following measures to the satisfaction of the City:

(1) A safe and convenient on site zone in which vanpool and carpool vehicles may deliver or board their passengers.

(2) Sidewalks or other designated pathways following direct and safe routes from the external pedestrian circulation system to each building in the development.

(3) If determined necessary by the City to mitigate the project impact, bus stop improvements must be provided. The City will consult with the local bus service providers in determining appropriate improvements. When locating bus stops and/or planning building entrances, entrances must be designed to provide safe and efficient access to nearby transit stations or stops.

(4) Safe and convenient access from the external circulation system to bicycle parking facilities onsite.

10-5.2408 Monitoring.

Prior to the issuance of a certificate of occupancy, the Director of Public Works or the Director's delegate shall determine that all physical site improvements required pursuant to the

provisions of this article have been completed.

10-5.2410 Enforcement.

(a) It shall be the duty of the Director of Public Works to inform the Building Official of any development not complying with the provisions of this article.

(b) **Methods of enforcement.**

(1) In addition to the regulations of this chapter, other regulations of the Redondo Beach Municipal Code, and other provisions of law which govern the appeal or disapproval of applications for permits or licenses covered by this chapter, the Building Official shall have the authority to implement the enforcement thereof by serving notice requiring the conformance with all requirements of this article upon the owner, agent, occupant or tenant of the improvement, building, structure or land.

(2) In addition to the foregoing remedies, the City Attorney may institute any necessary legal proceedings to enforce the provisions of this article, including the ability to maintain an action for injunctive relief to restrain or enjoin or to cause the correction or removal of any violation of this article, or for an injunction in appropriate cases.

ARTICLE 12 -- PROCEDURES

Sections

10-5.2500 Administrative Design Review.
10-5.2502 Planning Commission Design Review.
10-5.2504 Zoning Amendments.
10-5.2505 Specific Plan, and Coastal LUP Amendments.
10-5.2506 Conditional Use Permits.
10-5.2508 Modifications.
10-5.2510 Variances.
10-5.2512 Review of projects in the Harbor-Pier area.
10-5.2514 Planned Development Review.
10-5.2516 Historic Variances.
10-5.2518 Development Agreements.
10-5.2520 Temporary Use Permits.

10-5.2500 Administrative Design Review.

(a) **Purpose.** The purpose of Administrative Design Review is to enable the Planning Director to review development projects that otherwise meet the zoning regulations, in terms of the appropriateness of the design. The Planning Director shall review:

(1) All new single-family residences;

(2) All additions to existing single-family residences where the combined addition is greater than 500 square feet of gross floor area to the dwelling and/or any accessory building;

(3) All additions to existing single-family residences that entail expansion of floor area above the first story;

(4) All additions of less than 1,000 gross square feet to multiple-family residences.

(5) All other development not subject to Planning Commission Design Review pursuant to Section 10-5.2502.

(b) **Criteria.** The following criteria shall be used in determining a project's consistency with the intent and purpose of this section (including all procedural requirements imposed on the City and applicant and all substantive requirements imposed on projects):

(1) All the provisions of this chapter are complied with;

(2) Traffic congestion or impairment of traffic visibility is avoided;

(3) Pedestrian safety and welfare are protected;

(4) The design is compatible with the overall community and surrounding neighborhood;

(5) The location and design of the project shall not adversely impact surrounding properties or harmfully impact the public health, safety and general welfare;

(6) The architectural style and design of the project shall:

a. Enhance the neighborhood, contribute beneficially to the overall design quality and visual character of the community, and maintain a stable, desirable character;

b. Make use of complementary materials and forms that are harmonious with existing improvements and that soften the appearance of volume and bulk, while allowing flexibility for distinguished design solutions;

c. Avoid a box-like appearance through variations in the roof line and building elevations and through distinguishing design features;

d. Continue on all elevations the architectural character established for the street facing elevations to the extent feasible;

e. Insure that the physical proportions of the project and the manner in which the project is designed is appropriate in relation to the size, shape, and topography of the site;

f. Provide sufficient area available for use of extensive landscaping to complement the architectural design of the structure, and to minimize the amount of paving to the degree practicable;

g. Meet the Sign Regulations Criteria in Section 10-5.1802 or demonstrate consistency with a sign program previously approved by the Planning Commission.

(7) In the Heart of the City Specific Plan area, the project shall be consistent with the applicable design guidelines in the Specific Plan.

(c) **Application.**

(1) The applicant shall file with the Planning Department a completed application in a form provided by the Planning Department. The application shall be made concurrently with or prior to an application for a Coastal Development Permit. A completed application for plan check submitted to the Building Division also constitutes an application for the purposes of this section.

(2) The owner of record of the lot or parcel of property which is to be affected by the application shall file an affidavit authorizing the application on a form provided by the Planning Department.

(3) Upon the filing of an application, the applicant shall pay a fee, as set forth by resolution of the City Council.

(d) **Contents of application.** In addition to the application and fee, a site plan, floor plan, and elevations of the project drawn to scale and dimensioned shall be submitted which include the following information as applicable:

(1) Existing topography and proposed grading;

(2) Existing trees with a trunk diameter of six (6) inches or greater;

(3) All buildings and structures, and the uses within each room;

(4) Improvements in the public right-of-way, including location of sidewalk, parkway, curb, gutter, street width to centerline, and dedications;

(5) Exterior lighting;

(6) Easements;

(7) Off-street parking areas, including the stall striping, aisles, and driveways;

(8) The lot dimensions;

(9) Setbacks and spaces between buildings;

(10) Walls, fences, and landscaping and their location, height, and materials;

(11) Landscaping areas;

(12) Trash and recycling facilities;

(13) The architectural elevations of all sides of all structures depicting design, color, materials, textures, ornaments, or other architectural features;

(14) The location, dimensions, and design of all signs;

(15) A section of the building as it relates to the existing topography and proposed grading where the slope of the site is greater than four (4) feet;

(16) Such other data as may be required to demonstrate that the project meets the criteria.

(e) **Decision on application.** The Planning Director shall review the application and shall approve, approve with conditions, or deny the application.

(1) If the decision of the Planning Director is to approve the application, an approval stamp shall be affixed to the plans.

(2) If the decision of the Planning Director is to deny the application, the decision shall be in writing and shall recite the failure to meet the criteria upon which the decision is based. Where the decision is to deny the application, notice of the decision shall be mailed to the

applicant by first class mail within seven (7) days of the decision.

(f) **Appeal of decision denying the application.** The decision of the Planning Director to deny the application shall be final and conclusive unless, within ten (10) days after the date of such decision, a written appeal is filed with the Planning Department requesting a public hearing before the Planning Commission.

(g) **Setting hearings.** The Planning Department shall set an appeal for a public hearing before the Planning Commission in a timely fashion.

(h) **Notice of public hearing before the Planning Commission.** Notice of public hearing before the Planning Commission to consider an appeal of the decision of the Planning Director shall be given as follows:

(1) By publication at least once in a weekly newspaper of general circulation in the City not less than ten (10) calendar days prior to the date of the public hearing; and

(2) By mailing a written notice thereof, not less than ten (10) days prior to the date of such hearing to the applicant, to the owner of the subject property and to the owners of properties within 300 feet of the exterior boundary of the subject property or properties; such notices shall be sent by first-class mail, with postage prepaid, using the addresses from the last adopted tax roll, if available; and

(3) By posting such notice in at least one prominent place on or about each parcel which is the subject of the proposed action, or upon utility poles or sticks along or about the street line of such parcel. In the event more than one parcel is the subject of such hearing, and such parcels comprise 200 or more feet of street frontage, at least one such notice shall be posted on or about the street line at intervals of not less than 200 feet, starting at either end of the subject properties where the property line intersects the street line.

(i) **Decision of the Planning Commission.** The decision of the Planning Commission on all applications shall be final and conclusive.

(j) **Expiration.** An Administrative Design Review approval shall become null and void unless vested within thirty-six (36) months after the date of the approval. Such time limits may be extended by the Planning Director upon the written request of the applicant and the presentation of proof of an unusual hardship not of the applicant's own making. If an established time limit for development expires, and no extension has been granted, the approval, and all rights and privileges established therein, shall be considered null and void.

(k) **Revocation.** After notice to the applicant and subject to appeal to the Planning Commission, the Planning Director may revoke or modify any Administrative Design Review approval issued on one or more of the following grounds:

(1) That the approval was obtained by fraud or misrepresentation;

(2) That the use for which such approval was granted has ceased for a period of at least eighteen (18) consecutive calendar months;

(3) That changed circumstances have rendered exercise of the approval as originally granted infeasible or inimical to the health, safety and welfare of the community;

(4) That there has not been substantial compliance with the terms and conditions of the approval;

(5) That exercise of the approval violates any State, federal or local statute or regulation;

(6) That exercise of the rights under the approval is detrimental to the health, safety and welfare of the community;

(7) That exercise of the rights under the approval constitutes a nuisance.

At any hearing on revocation or modification the permittee and any other person whose property rights are affected by revocation, modification, or continuance of the exercise of rights under the approval, shall have the right to produce any arguments and introduce any evidence in support of their position.

(l) If a coastal development permit is affected by the Planning Director's modification of any Administrative Design Review approval, the approved coastal development permit shall also be amended.

10-5.2502 Planning Commission Design Review.

(a) **Purpose.** Planning Commission Design Review is established to ensure compatibility, originality, variety, and innovation in the architecture, design, landscaping, and site planning of developments in the community. The provisions of this section will serve to protect property values, prevent the blight and deterioration of neighborhoods, promote sound land use, encourage design excellence, and protect the overall health, safety, and welfare of the City. The Planning Commission shall review:

(1) **New construction, in all zones *except for the W Waterfront and CC Catalina Corridor zones.***

a. Any new commercial, industrial, mixed use or public development of any size on a vacant site involving more than 10,000 square feet of land;

b. Any new multi-family residential development.

(2) **Addition, nonresidential.** Any addition of gross floor area of 1,000 square feet or more, whether attached or detached, to an existing commercial, industrial, mixed use, or public development, on a site involving more than 10,000 square feet of land area.

(3) **Addition, multi-family residential.** Any addition of gross floor area of 1,000 square feet or more, whether attached or detached, to a multi-family residential development.

(4) **Other.** Other developments as referenced in Title 10, which due to their unique nature, require Planning Commission Design Review, or Harbor Commission Design Review as described in Section 10-5.2512.

(5) ***W Waterfront zone, appealable area.*** *Any development that is in the portion of the W Waterfront zone within the "appealable area" for Coastal Permits as defined in Section 10-5.2204(a)(1) and not exempt from Coastal Permit requirements pursuant to Section 10-5.2208(a).*

(6) ***W Waterfront and CC Catalina Corridor Zones.*** *Any new development in the W Waterfront Zone or in the CC Catalina Corridor zone on a site of two (2) or more acres in area.*

(b) **Criteria.** The following criteria shall be used in determining a project's consistency with the intent and purpose of this section:

(1) **User impact and needs.** The design of the project shall consider the impact and the needs of the user in respect to circulation, parking, traffic, utilities, public services, noise and odor, privacy, private and common open spaces, trash collection, security and crime deterrence, energy consumption, physical barriers, and other design concerns.

(2) **Relationship to physical features.** The location of buildings and structures shall respect the natural terrain of the site and shall be functionally integrated with any natural features of the landscape to include the preservation of existing trees, where feasible.

(3) **Consistency of architectural style.** The building or structure shall be harmonious and consistent within the proposed architectural style regarding roofing, materials, windows, doors, openings, textures, colors, and exterior treatment.

(4) **Balance and integration with the neighborhood.** The overall design shall be integrated and compatible with the neighborhood and shall strive to be in harmony with the scale and bulk of surrounding properties.

(5) **Building design.** The design of buildings and structures shall strive to provide

Text in *italics* applies to the area of deferred certification, Area 2 of the Coastal Zone and has not been reviewed or certified by the Coastal Commission and is not effective in the Coastal Zone.

innovation, variety, and creativity in the proposed design solution. All architectural elevations shall be designed to eliminate the appearance of flat facades or boxlike construction:

a. The front facade shall have vertical and horizontal offsets to add architectural interest to the exterior of the building and where possible, bay windows and similar architectural projections shall be used.

b. The roof planes of the building, as well as the building shape, shall be varied where feasible, and a visible and significant roof line shall be used to soften the vertical mass.

c. Harmonious variations in the treatment or use of wall materials shall be integrated into the architectural design.

(6) **Signs.** Signs and sign programs shall meet the criteria established in Sign Regulation Criteria, Section 10-5.1802.

(7) ***Consistency with the Heart of the City Specific Plan.*** *In the Heart of the City Specific Plan area, the project shall be consistent with the applicable design guidelines in the Specific Plan.*

(8) **Conditions of approval.** The conditions stated in the resolution or design considerations integrated into the project shall be deemed necessary to protect the public health, safety, and general welfare. Such conditions may include but shall not be limited to:

a. Changes to the design of buildings and structures;

b. Additional setbacks, open spaces, and buffers;

c. Provision of fences and walls;

d. Street dedications and improvements, including service roads and alleys;

e. The control of vehicular ingress, egress, and circulation;

f. Sign requirements or a sign program, consistent with the Sign Regulations Criteria in Section 10-5.1802;

g. Provision of landscaping and the maintenance thereof;

h. The regulation of noise, vibration, odor and the like;

i. Requirements for off-street loading facilities;

j. Removal of existing billboards on the site, subject to the findings required by Section 10-5.2006(b)(7);

k. Such other conditions as will make possible the development of the City's coastal zone in an orderly and efficient manner and in conformity with the intent and purposes set forth in this chapter and the Coastal Land Use Plan.

(c) **Application.**

(1) The applicant shall file with the Planning Department a completed application in a form provided by the Planning Department. The application shall be made concurrently with or prior to an application for a Coastal Development Permit.

(2) The owner of record of the lot or parcel of property which is to be affected by the application shall file an affidavit authorizing the application on a form provided by the Planning Department.

(3) Upon the filing of an application, the applicant shall pay a fee, as set forth by resolution of the City Council.

(d) **Contents of application.** In addition to the application and fee, a site plan, floor plan, and elevations of the project drawn to scale and dimensioned shall be submitted which include the following information as applicable:

(1) Existing topography and proposed grading;

(2) Existing trees with a trunk diameter of six (6) inches or greater;

(3) All buildings and structures, and the uses within each room;

(4) Improvements in the public right-of-way, including location of sidewalk, parkway, curb, gutter, street width to centerline, and dedications;

Text in *italics* applies to the area of deferred certification, Area 2 of the Coastal Zone and has not been reviewed or certified by the Coastal Commission and is not effective in the Coastal Zone.

(5) Exterior lighting;

(6) Easements;

(7) Off-street parking areas, including the stall striping, aisles, and driveways;

(8) The lot dimensions;

(9) Setbacks and spaces between buildings;

(10) Walls, fences, and landscaping and their location, height, and materials;

(11) Landscaping areas;

(12) Trash and recycling facilities;

(13) The architectural elevations of all sides of all structures depicting design, color, materials, textures, ornaments, or other architectural features;

(14) The location, dimensions, and design of all signs;

(15) A section of the building as it relates to the existing topography and proposed grading where the slope of the site is greater than four (4) feet;

(16) Such other data as may be required to demonstrate that the project meets the criteria.

(e) **Setting hearings.** All applications shall be set for at least one public hearing before the Planning Commission in a timely fashion.

(f) **Notice of public hearing before the Planning Commission.** Notice of public hearing before the Planning Commission to consider an application for Planning Commission Design Review shall be given as follows:

(1) By publication at least once in a weekly newspaper of general circulation in the City not less than ten (10) calendar days prior to the date of the public hearing; and

(2) By mailing a written notice thereof, not less than ten (10) days prior to the date of such hearing to the applicant, to the owner of the subject property and to the owners of properties within 300 feet of the exterior boundary of the subject property or properties; such notices shall be sent by first-class mail, with postage prepaid, using the addresses from the last adopted tax roll, if available; and

(3) By posting such notice in at least one prominent place on or about each parcel which is the subject of the proposed action, or upon utility poles or sticks along or about the street line of such parcel. In the event more than one parcel is the subject of such hearing, and such parcels comprise 200 or more feet of street frontage, at least one such notice shall be posted on or about the street line at intervals of not less than 200 feet, starting at either end of the subject properties where the property line intersects the street line.

(g) **Appeal of decision of the Planning Commission.** Decisions by the Planning Commission for the approval or denial of an application for Planning Commission Design Review shall be final and conclusive unless, by 5:00 p.m. of the tenth (10th) day following such decision (or of the next working day if the tenth (10th) day falls on a weekend or holiday):

(1) A written appeal on the form designated by the City is filed by any interested party with the City Clerk requesting a public hearing before the City Council stating the grounds for the appeal and all required fees for said appeal are paid in full; or

(2) The Mayor or a member of the City Council requests a public hearing before the City Council stating the grounds for the appeal. Provided however that the City Council member or Mayor requesting the appeal shall disqualify him or herself from hearing the appeal unless he or she can certify in writing that the appeal is being requested as a result of public interest in the decision to be reviewed and he or she has no predisposition against or in favor of the project. The City Council as a whole shall be prohibited from voting to appeal any matter in which they will sit as the reviewing body.

Such appeal, or City Council request for a public hearing, shall be set for a public hearing by the City Clerk in a timely fashion.

(h) **Notice of public hearing before the City Council.** Notice of public hearing before the

City Council to consider an appeal of the decision of the Planning Commission shall be given pursuant to subsection (f) of this section.

(i) **Decision of the City Council.** The decision of the City Council on all applications shall be final and conclusive.

(j) **Expiration.** An approval granted pursuant to Planning Commission Design Review shall become null and void unless vested within thirty-six (36) months after the date of the public hearing at which the vote was taken. Such time limits may be extended by the Planning Commission at a public hearing with notice given pursuant to subsection (f) of this section, upon the written request of the applicant and payment of a fee as set forth by resolution of the City Council. The request shall be filed with the Planning Department prior to the expiration of the approval and shall include presentation of proof of an unusual hardship not of the applicant's own making. If an established time limit for development expires, and no extension has been granted, the approval, and all rights and privileges established therein, shall be considered null and void.

(k) **Revocation.** After notice to the applicant and public hearing, the Planning Commission, subject to appeal to the City Council, may revoke or modify any Planning Commission Design Review issued on one or more of the following grounds:

(1) That the approval was obtained by fraud or misrepresentation;

(2) That the use for which such approval was granted has ceased for a period of at least eighteen (18) consecutive calendar months;

(3) That changed circumstances have rendered exercise of the approval as originally granted infeasible or inimical to the health, safety and welfare of the community;

(4) That there has not been substantial compliance with the terms and conditions of the approval;

(5) That exercise of the approval violates any State, federal or local statute or regulation;

(6) That exercise of the rights under the approval is detrimental to the health, safety and welfare of the community;

(7) That exercise of the rights under the approval constitutes a nuisance.

At any hearing on revocation or modification the permittee and any other person whose property rights are affected by revocation, modification, or continuance of the exercise of rights under the approval, shall have the right to produce any arguments and introduce any evidence in support of their position.

10-5.2504 Zoning amendments.

(a) **Purpose.** The purpose of this section is to set forth the method by which the zoning map and/or the zoning regulations of this chapter may be amended.

(b) **Initiation of amendments.**

(1) **Zoning map.** Zoning Map Amendments may be initiated by:

a. Action of the City Council or Planning Commission; or

b. **Application by property owner.** The applicant shall file with the Planning Department a completed application in a form provided by the Planning Department. Upon the filing of an application, the applicant shall pay a fee, as set forth by resolution of the City Council.

1. The owner of record of the lot or parcel of property which is to be affected by the application shall file an affidavit authorizing the application on a form provided by the Planning Department.

2. If property that is the subject of an application is in more than one

ownership, all of the owners or their authorized agents shall join in filing the application.

3. A map showing the location and street address of the property that is the subject of the amendment shall be submitted along with the completed application.

4. Where the proposed Zoning Map Amendment also requires an amendment to the Land Use Plan map, the amendment to the Land Use Plan shall be considered concurrently with the application.

(2) **Zoning regulations.** Amendments to the zoning regulations may be initiated by:

a. Action of the City Council or Planning Commission;

b. Recommendation by the Planning Director or the City Attorney;

c. Recommendation by the Harbor Director for regulations affecting the Harbor-Pier area.

(c) **Setting hearings.** Where an application has been filed by the property owner for a Zoning Map Amendment, the application shall be set for at least one public hearing before the Planning Commission in a timely fashion.

(d) **Notice of public hearing before the Planning Commission.** Notice of public hearing before the Planning Commission shall be given as follows:

(1) **Zoning Map Amendment.** Notice of a Zoning Map Amendment shall be given:

a. By publication at least once in a weekly newspaper of general circulation in the City not less than ten (10) calendar days prior to the date of the public hearing; and

b. By mailing a written notice thereof, not less than ten (10) days prior to the date of such hearing to the owner of the subject property and to the owners of properties within 300 feet of the exterior boundary of the subject property or properties; such notices shall be sent by first-class mail, with postage prepaid, using the addresses from the last adopted tax roll, if available; and

c. By posting such notice in at least one prominent place on or about each parcel which is the subject of the proposed action, or upon utility poles or sticks along or about the street line of such parcel. In the event more than one parcel is the subject of such hearing, and such parcels comprise 200 or more feet of street frontage, at least one such notice shall be posted on or about the street line at intervals of not less than 200 feet, starting at either end of the subject properties where the property line intersects the street line.

(2) **Zoning regulation amendment relating to permitted uses of property.** If the proposed amendment is to the land use regulations affecting the permitted use of real property, the noticing shall be pursuant to subsection (d)(1) of this section, except that if the number of owners to whom notice would be mailed pursuant to this subsection is greater than 1,000, the only notice required shall be a display advertisement of at least one-eighth (1/8) page in a weekly newspaper of general circulation within the City at least ten (10) days prior to the hearing.

(3) **Zoning regulation amendment relating to development standards.** If the proposed amendment is to the zoning regulations and relates to development standards or regulations not relating to the permitted uses of real property, notice shall be given by publication at least once in a weekly newspaper of general circulation in the City not less than ten (10) calendar days prior to the date of the public hearing.

(e) **Content of notice.** The notice shall contain the information required in subsection (d) above. Additionally the notice shall state that following final local government approval that the zoning map or zoning regulation amendment shall be submitted to the Coastal Commission as an amendment to the certified LCP.

(f) **Decision of the Planning Commission.**

(1) Following the public hearing, the Planning Commission shall recommend approval, conditional approval or disapproval of the proposal.

(2) In the case of an application for a Zoning Map Amendment, the Planning

Use Plan map, or to the Coastal Land Use Plan, shall be final and conclusive unless, by 5:00 p.m. of the tenth (10th) day following such decision (or of the next working day if the tenth (10th) day falls on a weekend or holiday):

(1) A written appeal on the form designated by the City is filed by any interested party with the City Clerk requesting a public hearing before the City Council stating the grounds for the appeal and all required fees for said appeal are paid in full; or

(2) The Mayor or a member of the City Council requests a public hearing before the City Council stating the grounds for the appeal. Provided however that the City Council member or Mayor requesting the appeal shall disqualify him or herself from hearing the appeal unless he or she can certify in writing that the appeal is being requested as a result of public interest in the decision to be reviewed and he or she has no predisposition against or in favor of the amendment. The City Council as a whole shall be prohibited from voting to appeal any matter in which they will sit as the reviewing body.

Such appeal, or City Council request for a public hearing, shall be set for a public hearing by the City Clerk in a timely fashion.

(h) **Notice of public hearing before the City Council.** Notice of public hearings before the City Council shall be given shall be given pursuant to subsection (d) of this section.

(i) **Decision of the City Council.** The decision of the City Council on all proposed amendments to a Specific Plan shall be final and conclusive for purposes of local government action. Amendments to a Specific Plan or the Coastal Land Use Plan map or to the Coastal Land Use Plan shall not take effect until certified by the Coastal Commission as required in Section 10-5.2238(c). Note that General Plan Amendments may also be necessary.

10-5.2506 Conditional Use Permits.

(a) **Purpose.** The purpose of a Conditional Use Permit shall be to review certain uses possessing unique characteristics, as listed in Article 2 of this chapter, to insure that the establishment or significant alteration of those uses will not adversely affect surrounding uses and properties nor disrupt the orderly development of the community. The review shall be for the further purpose of stipulating such conditions regulating those uses to assure that the criteria of this section shall be met.

(b) **Criteria.** The following criteria shall be used in determining a project's consistency with the intent and purpose of this section:

(1) The site for the proposed use shall be in conformity with the General Plan and the Coastal Land Use Plan and shall be adequate in size and shape to accommodate such use and all setbacks, spaces, walls and fences, parking, loading, landscaping, and other features required by this chapter to adjust such use with the land and uses in the neighborhood.

(2) The site for the proposed use shall have adequate access to a public street or highway of adequate width and pavement to carry the quantity and kind of traffic generated by the proposed use.

(3) The proposed use shall have no adverse effect on abutting property or the permitted use thereof.

(4) The conditions stated in the resolution or design considerations integrated into the project shall be deemed necessary to protect the public health, safety, and general welfare. Such conditions may include but shall not be limited to:

a. Additional setbacks, open spaces, and buffers;
b. Provision of fences and walls;
c. Street dedications and improvements, including service roads and alleys;

d. The control of vehicular ingress, egress, and circulation;

e. Sign requirements or a sign program, consistent with the Sign Regulations Criteria in Section 10-5.1802;

f. Provision of landscaping and the maintenance thereof;

g. The regulation of noise, vibration, odor and the like;

h. Requirements for off-street loading facilities;

i. A time period within which the proposed use shall be developed;

j. Hours of permitted operation and similar restrictions;

k. Removal of existing billboards on the site, subject to the findings required by Section 10-5.2006(b)(7); and

l. Such other conditions as will make possible the development of the City in an orderly and efficient manner and in conformity with the intent and purposes set forth in this chapter, the General Plan and the Coastal Land Use Plan.

(c) **Application.**

(1) The applicant shall file with the Planning Department a completed application in a form provided by the Planning Department. The application shall be made concurrently with or prior to any application for a Coastal Development Permit.

(2) The owner of record of the lot or parcel of property which is to be affected by the application shall file an affidavit authorizing the application on a form provided by the Planning Department.

(3) Upon filing of an application, the applicant shall pay a fee as set forth by resolution of the City Council.

(d) **Contents of application.** In addition to the application and fee, a site plan, floor plan, and elevations of the project drawn to scale and dimensioned shall be submitted which include the following information as applicable:

(1) Existing topography and proposed grading;

(2) Existing trees with a trunk diameter of six (6) inches or greater;

(3) All buildings and structures, and the uses within each room;

(4) Improvements in the public right-of-way, including location of sidewalk, parkway, curb, gutter, street width to centerline, and dedications;

(5) Exterior lighting;

(6) Easements;

(7) Off-street parking areas, including the stall striping, aisles, and driveways;

(8) The lot dimensions;

(9) Setbacks and spaces between buildings;

(10) Walls, fences, and landscaping and their location, height, and materials;

(11) Landscaping areas;

(12) Trash and recycling facilities;

(13) The architectural elevations of all sides of all structures depicting design, color, materials, textures, ornaments, or other architectural features;

(14) The location, dimensions, and design of all signs;

(15) A section of the building as it relates to the existing topography and proposed grading where the slope of the site is greater than four (4) feet;

(16) Such other data as may be required to demonstrate the criteria have been met.

(e) **Setting hearings.** All applications shall be set for at least one public hearing before the Planning Commission in a timely fashion.

(f) **Notice of public hearing before the Planning Commission.** Notice of public hearing before the Planning Commission to consider an application for a Conditional Use Permit shall be given as follows:

(1) By publication at least once in a weekly newspaper of general circulation in the

City not less than ten (10) calendar days prior to the date of the public hearing; and

(2) By mailing a written notice thereof, not less than ten (10) days prior to the date of such hearing to the applicant, the owner of the subject property and to the owners of properties within 300 feet of the exterior boundary of the subject property or properties; such notices shall be sent by first-class mail, with postage prepaid, using the addresses from the last adopted tax roll, if available; and

(3) By posting such notice in at least one prominent place on or about each parcel which is the subject of the proposed action, or upon utility poles or sticks along or about the street line of such parcel. In the event more than one parcel is the subject of such hearing, and such parcels comprise 200 or more feet of street frontage, at least one such notice shall be posted on or about the street line at intervals of not less than 200 feet, starting at either end of the subject properties where the property line intersects the street line.

(g) **Appeal of decision of the Planning Commission.** Decisions by the Planning Commission for the approval or denial of an application for Conditional Use Permit shall be final and conclusive unless, by 5:00 p.m. of the tenth (10th) day following such decision (or of the next working day if the tenth (10th) day falls on a weekend or holiday):

(1) A written appeal on the form designated by the City is filed by any interested party with the City Clerk requesting a public hearing before the City Council stating the grounds for the appeal and all required fees for said appeal are paid in full; or

(2) The Mayor or a member of the City Council requests a public hearing before the City Council stating the grounds for the appeal. Provided however that the City Council member or Mayor requesting the appeal shall disqualify him or herself from hearing the appeal unless he or she can certify in writing that the appeal is being requested as a result of public interest in the decision to be reviewed and he or she has no predisposition against or in favor of the project. The City Council as a whole shall be prohibited from voting to appeal any matter in which they will sit as the reviewing body.

Such appeal, or City Council request for a public hearing, shall be set for a public hearing by the City Clerk in a timely fashion.

(h) **Notice of hearings before the City Council.** Notice of public hearing before the City Council to consider an appeal of the decision of the Planning Commission shall be given pursuant to subsection (f) of this section.

(i) **Decision of the City Council.** The decision of the City Council on all appeals shall be final and conclusive.

(j) **Expiration.**

(1) A Conditional Use Permit shall become null and void unless vested within thirty-six (36) months after the date of the public hearing at which the vote was taken. Such time limits may be extended by the Planning Commission at a public hearing with notice given pursuant to subsection (f) of this section, upon the written request of the applicant and payment of a fee as set forth by resolution of the City Council. The request shall be filed with the Planning Department prior to the expiration of the approval and shall include presentation of proof of an unusual hardship not of the applicant's own making. If an established time limit for development expires, and no extension has been granted, the approval, and all rights and privileges established therein, shall be considered null and void.

(2) A Conditional Use Permit issued in conjunction with a vesting tentative map shall not expire until the expiration of such map, and any extension of a vesting tentative map shall automatically extend the Conditional Use Permit to the expiration date of such map.

(k) **Revocation.** After notice to the applicant and public hearing, the Planning Commission, subject to appeal to the City Council, may revoke or modify any Conditional Use Permit issued on one or more of the following grounds:

(1) That the approval was obtained by fraud or misrepresentation;

(2) That the use for which such approval was granted has ceased for a period of at least eighteen (18) consecutive calendar months;

(3) That changed circumstances have rendered exercise of the approval as originally granted infeasible or inimical to the health, safety and welfare of the community;

(4) That there has not been substantial compliance with the terms and conditions of the approval;

(5) That exercise of the approval violates any State, federal or local statute or regulation;

(6) That exercise of the rights under the approval is detrimental to the health, safety and welfare of the community;

(7) That exercise of the rights under the approval constitutes a nuisance.

At any hearing on revocation or modification the permittee and any other person whose property rights are affected by revocation, modification, or continuance of the exercise of rights under the approval, shall have the right to produce any arguments and introduce any evidence in support of their position.

(l) If a coastal development permit is affected by the Planning Director's revocation or modification of any Conditional Use Permit, the approved coastal development permit may need an amendment.

10-5.2508 Modifications.

(a) **Purpose.** The Land Use Administrator may grant Modifications from certain standards and requirements of the zoning ordinance, as described below, in order to provide both citizens and the City with an expeditious, convenient, and economical solution to certain minor land use problems, serving to free the Planning Commission for the consideration of matters having a broader effect on the community as a whole. The Land Use Administrator shall provide fair and equitable solutions according to law and accepted planning practices when extraordinary conditions warrant a proposed minor deviation from certain standards and requirements of the zoning ordinance. The Land Use Administrator shall be the Planning Director or, if the Planning Director so delegates, either the Senior Planner, Associate Planner or the Assistant Planner.

(b) **Criteria.** The Land Use Administrator may grant Modifications as described herein subject to the following criteria:

(1) The location of buildings and structures shall respect the natural terrain of the site in order to minimize grading and to preserve existing mature trees, where feasible.

(2) The building or structures shall be harmonious and consistent within the proposed architectural style regarding roofing, materials, windows, doors, openings, textures, colors, and exterior treatment.

(3) The overall design of the building or structures shall be integrated and compatible with the scale of the overall neighborhood and shall strive to be balanced and in harmony with the scale and bulk of surrounding properties.

(4) The requirement modified is not within Article 10 or substantive requirements for consistency with the certified Land Use Plan.

(c) **Jurisdiction of the Land Use Administrator.**

(1) The Land Use Administrator may approve, conditionally approve, or deny only the following deviations from the standards and requirements of this chapter. In addition, the Land Use Administrator may not approve deviations from standards or requirements listed in Article 10 of this chapter. In those instances where a project requires a Variance, all proposed deviations, even those that would otherwise qualify for consideration as Modifications under the provisions of this section, shall be considered as Variances and processed as provided for in

Section 10-5.2510 of this article.

a. A maximum fifty (50%) percent reduction in the required side setback up to a minimum side setback dimension of thirty (30) inches as long as the water quality BMPs, as required in Chapter 7 of Title 5 of the Redondo Beach Municipal Code, are not materially compromised;

b. A maximum fifty (50%) percent reduction in the required rear setback up to a minimum rear setback dimension of ten (10) feet as long as the water quality BMPs, as required in Chapter 7 of Title 5 of the Redondo Beach Municipal Code, are not materially compromised. No deviation is allowed for homes seaward of the Esplanade;

c. A maximum twenty-five (25%) percent reduction in the required front setback for a single-family home where there are existing variable setbacks on the same block face;

d. A maximum thirty-three and one-third (33 1/3%) percent increase in the allowable height of walls;

e. A maximum one-foot reduction in the turning radius of ninety (90°) degree parking stalls where the width of the stalls is increased by one foot;

f. When making additions that expand the building area of an existing single-family residence, duplex, or an accessory building on the same site, a waiver of the requirement for a two (2) car garage per unit as applicable;

g. A maximum twenty-five (25%) percent reduction in the required outdoor living space to a minimum of 600 square feet when expanding an existing single-family home;

h. An encroachment into the front setback for a private garage which is accessory to a single-family dwelling in a residential zone (subject to the standards of subsection (d) of Section 10-5.1500), or an encroachment into the nineteen (19) foot distance between garage openings and the property line abutting the side street on corner lots (subject to the standards of subsection (d) of Section 10-5.1500), when such lot has an elevation of four (4) feet or more above or below the street elevation within thirty (30) feet of the street-abutting property line, subject to the following criteria:

1. The design of the project is necessary to provide a safe and useable private garage;

2. The overall design is integrated and compatible, to the extent possible, with the scale of the neighborhood and is balanced and in harmony, to the extent possible, with the surrounding properties;

3. The style of the building regarding roofing, materials, windows, texture, and colors is consistent and harmonious with the main building;

4. The proposed private garage is functionally integrated with the natural features of the landscape, including the prevention of soil erosion or other detrimental physical effects to the site;

i. A maximum fifty (50%) percent reduction in the setback between dwelling units for patios, sunrooms, atriums, and other unheated space;

j. A maximum thirty-three and one-third (33 1/3%) percent increase in the allowable horizontal dimensions applicable to arbors or similar structures in Section 10-5.1522(a)(2)(e).

(2) The Land Use Administrator may decline to handle or determine a matter which otherwise qualifies for consideration as a Modification under the provisions of this section and may instead refer such matter to the Planning Commission for consideration as a Variance as provided for in Section 10-5.2510 of this article.

(d) **Application.**

(1) The applicant shall file with the Planning Department a completed application in a form provided by the Planning Department. The application shall be made concurrently with or prior to an application for a Coastal Development Permit.

(2) The owner of record of the lot or parcel of property which is to be affected by the application shall file an affidavit authorizing the application on a form provided by the Planning Department.

(3) Upon the filing of an application, the applicant shall pay a fee, as set forth by resolution of the City Council.

(e) **Contents of application.** In addition to the application and fee, a site plan, floor plan, and elevations of the project drawn to scale and dimensioned shall be submitted which include the following information as applicable:

(1) Existing topography and proposed grading;

(2) Existing trees with a trunk diameter of six (6) inches;

(3) All buildings and structures, and the uses within each room;

(4) Improvements in the public right-of-way, including location of sidewalk, parkway, curb, gutter, street width to centerline, and dedications;

(5) Exterior lighting;

(6) Easements;

(7) Off-street parking areas, including the stall striping, aisles, and driveways;

(8) The lot dimensions;

(9) Setbacks and spaces between buildings;

(10) Walls, fences, and landscaping and their location, height, and materials;

(11) Landscaping areas;

(12) Trash and recycling facilities;

(13) The architectural elevations of all sides of all structures depicting design, color, materials, textures, ornaments, or other architectural features;

(14) The location, dimensions, and design of all signs;

(15) A section of the building as it relates to the existing topography and proposed grading where the slope of the site is greater than four (4) feet;

(16) Such other data as may be required to demonstrate that the project meets the criteria.

(f) **Land Use Administrator decision and notice.** The Land Use Administrator shall consider all pertinent information and, within twenty-one (21) days after the receipt of a Modification application, render and give notice of a decision to approve, conditionally approve, or deny the request. Such decisions shall be embodied in a "Notice of Decision on Modification Request" and shall describe the subject property in terms adequate to identify it, shall set forth the request of the applicant, shall set forth the decision of the Land Use Administrator, and shall note that the decision shall become final and conclusive unless an appeal is filed within ten (10) days of the date of such notice. The notice shall be sent to the applicant, to the owner of the subject property and to the owners of properties within 300 feet of the exterior boundary of the subject property or properties; such notices shall be sent by first class mail, with postage prepaid, using the addresses from the last adopted tax roll, if available.

(g) **Request for neighborhood hearing.** Decisions of the Land Use Administrator shall be final and conclusive unless within ten (10) days of the date of the notice, a written appeal setting forth all the points of disagreement with the Land Use Administrator is filed with the Planning Department requesting a neighborhood hearing before the Land Use Administrator. Such matter shall be set for hearing before the Land Use Administrator in a timely fashion.

(h) **Notice of neighborhood hearing.**

(1) Notice of the neighborhood hearing before the Land Use Administrator shall be given by mailing a written notice thereof, not less than ten (10) days prior to the date of such hearing, to the applicant, to the owner of the subject property and to the owners of properties within 300 feet of the exterior boundary of the subject property or properties; such notices shall be sent by first-class mail, with postage prepaid, using the addresses from the last adopted tax

roll, if available.

(2) Notice of a neighborhood hearing before the Land Use Administrator shall consist of the caption "Notice of Neighborhood Hearing Regarding Modification Request" or other descriptive title, shall describe the subject property in any terms adequate to identify it, shall set forth the request of the applicant, shall give the time and place at which the hearing will be held, and shall advise those so notified that they may attend and be heard.

(i) **Neighborhood hearing and notice of new decision.** The Land Use Administrator shall establish reasonable rules governing the conduct of neighborhood hearings and may administer oaths to persons testifying at the hearing. Upon completion of the neighborhood hearing, the Land Use Administrator shall consider all pertinent information and testimony and, within twelve (12) days thereafter, render and give notice of a new decision that restates, modifies, or reverses the earlier decision. Such new decision shall be embodied in a "Notice of Findings and Determinations at Neighborhood Hearing." The notice shall be mailed to the applicant, to the owner of the subject property and to the owners of properties within 300 feet of the exterior boundary of the subject property or properties; such notices shall be sent by first-class mail, with postage prepaid, using the addresses from the last adopted tax roll, if available. The decision of the Land Use Administrator for the approval or denial of an application for Modification shall be final and conclusive unless, within ten (10) days of the date of such notice a written appeal, setting forth all the points of disagreement with the Land Use Administrator, is filed with the Planning Department requesting a public hearing before the Planning Commission.

(j) **Appeal of decision of the Land Use Administrator.** The Planning Department shall set an appeal for a public hearing before the Planning Commission in a timely fashion.

(k) **Notice of public hearing before the Planning Commission.** Notice of public hearing before the Planning Commission to consider an appeal from the decision of the Land Use Administrator shall be given as follows:

(1) By publication at least once in a weekly newspaper of general circulation in the City not less than ten (10) calendar days prior to the date of the public hearing; and

(2) By mailing a written notice thereof, not less than ten (10) days prior to the date of such hearing to the applicant, to the owner of the subject property and to the owners of properties within 300 feet of the exterior boundary of the subject property or properties; such notices shall be sent by first-class mail, with postage prepaid, using the addresses from the last adopted tax roll, if available; and

(3) By posting such notice in at least one prominent place on or about each parcel which is the subject of the proposed action, or upon utility poles or sticks along or about the street line of such parcel. In the event more than one parcel is the subject of such hearing, and such parcels comprise 200 or more feet of street frontage, at least one such notice shall be posted on or about the street line at intervals of not less than 200 feet, starting at either end of the subject properties where the property line intersects the street line.

(l) **Appeal of decision of the Planning Commission.** Decisions by the Planning Commission for the approval or denial of an application for Modification shall be final and conclusive unless, by 5:00 p.m. of the tenth (10th) day following such decision (or of the next working day if the tenth (10th) day falls on a weekend or holiday):

(1) A written appeal on the form designated by the City is filed by any interested party with the City Clerk requesting a public hearing before the City Council stating the grounds for the appeal and all required fees for said appeal are paid in full; or

(2) The Mayor or a member of the City Council requests a public hearing before the City Council stating the grounds for the appeal. Provided however that the City Council member or Mayor requesting the appeal shall disqualify him or herself from hearing the appeal unless he or she can certify in writing that the appeal is being requested as a result of public interest in

the decision to be reviewed and he or she has no predisposition against or in favor of the project. The City Council as a whole shall be prohibited from voting to appeal any matter in which they will sit as the reviewing body.

Such appeal, or City Council request for a public hearing, shall be set for a public hearing by the City Clerk in a timely fashion.

(m) **Notice of public hearing before the City Council.** Notice of public hearing before the City Council to consider an appeal from the decision of the Planning Commission shall be given pursuant to subsection (k) of this section.

(n) **Decision of the City Council.** The decision of the City Council on all appeals shall be final and conclusive. The decision of the modification shall be made prior to or concurrent with action on the coastal development permit.

(o) **Expiration.** A Modification shall become null and void unless vested within thirty-six (36) months after the date of the approval of the Modification. Such time limits may be extended by the Land Use Administrator not to exceed the expiration date of any required coastal development permit upon the written request of the applicant and payment of a fee as set forth by resolution of the City Council. The request shall be filed with the Planning Department prior to the expiration of the approval and shall include presentation of proof of an unusual hardship not of the applicant's own making. If an established time limit for development expires, and no extension has been granted, the approval, and all rights and privileges established therein, shall be considered null and void.

10-5.2510 Variances.

(a) **Purpose.** The purpose of a Variance is to authorize development of a project which does not meet the standards and/or regulations of Title 10, except that a Variance shall not be granted which authorizes a use or activity which is not otherwise expressly authorized by the zone.

(b) **Criteria.** Variances from the standards and regulations of this chapter shall be granted only when:

(1) There are special circumstances applicable to the property, including size, shape, topography, location, or surroundings, such that the strict application of the zoning provisions deprives such property of privileges enjoyed by other property in the vicinity and under identical zone designation;

(2) Any Variance granted shall be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated; and

(3) The granting of a Variance shall not be contrary to the objectives of the Comprehensive General Plan and the certified Land Use Plan and shall not allow development to be inconsistent with standards of development in Article 10 of this chapter.

(c) **Application.**

(1) The applicant shall file with the Planning Department a completed application in a form provided by the Planning Department. The application shall be made concurrently with or prior to an application for a Coastal Development Permit.

(2) The owner of record of the lot or parcel of property which is to be affected by the application shall file an affidavit authorizing the application on a form provided by the Planning Department.

(3) Upon the filing of an application, the applicant shall pay a fee, as set forth by resolution of the City Council.

(d) **Contents of application.** In addition to the application and fee, a site plan, floor plan, and elevations of the project drawn to scale and dimensioned shall be submitted which include the following information as applicable:

(1) Existing topography and proposed grading;

(2) Existing trees with a trunk diameter of six (6) inches or greater;

(3) All buildings and structures, and the uses within each room;

(4) Improvements in the public right-of-way, including location of sidewalk, parkway, curb, gutter, street width to centerline, and dedications;

(5) Exterior lighting;

(6) Easements;

(7) Off-street parking areas, including the stall striping, aisles, and driveways;

(8) The lot dimensions;

(9) Setbacks and spaces between buildings;

(10) Walls, fences, and landscaping and their location, height, and materials;

(11) Landscaping areas;

(12) Trash and recycling facilities;

(13) The architectural elevations of all sides of all structures depicting design, color, materials, textures, ornaments, or other architectural features;

(14) The location, dimensions, and design of all signs;

(15) A section of the building as it relates to the existing topography and proposed grading where the slope of the site is greater than four (4) feet;

(16) Such other data as may be required to demonstrate that the project meets the criteria.

(e) **Setting hearings.** All applications shall be set for at least one public hearing before the Planning Commission in a timely fashion.

(f) **Notice of public hearing before the Planning Commission.** The notice of the public hearing before the Planning Commission shall be given as follows:

(1) By publication at least once in a weekly newspaper of general circulation in the City not less than ten (10) calendar days prior to the date of the public hearing; and

(2) By mailing a written notice thereof, not less than ten (10) days prior to the date of such hearing to the applicant, to the owner of the subject property and to the owners of properties within 300 feet of the exterior boundary of the subject property or properties; such notices shall be sent by first-class mail, with postage prepaid, using the addresses from the last adopted tax roll, if available; and

(3) By posting such notice in at least one prominent place on or about each parcel which is the subject of the proposed action, or upon utility poles or sticks along or about the street line of such parcel. In the event more than one parcel is the subject of such hearing, and such parcels comprise 200 or more feet of street frontage, at least one such notice shall be posted on or about the street line at intervals of not less than 200 feet, starting at either end of the subject properties where the property line intersects the street line.

(g) **Appeal of decision of the Planning Commission.** Decisions by the Planning Commission for the approval or denial of an application for a Variance shall be final and conclusive unless, by 5:00 p.m. of the tenth (10th) day following such decision (or of the next working day if the tenth (10th) day falls on a weekend or holiday):

(1) A written appeal on the form designated by the City is filed by any interested party with the City Clerk requesting a public hearing before the City Council stating the grounds for the appeal and all required fees for said appeal are paid in full; or

(2) The Mayor or a member of the City Council requests a public hearing before the City Council stating the grounds for the appeal. Provided however that the City Council member or Mayor requesting the appeal shall disqualify him or herself from hearing the appeal unless he

or she can certify in writing that the appeal is being requested as a result of public interest in the decision to be reviewed and he or she has no predisposition against or in favor of the project. The City Council as a whole shall be prohibited from voting to appeal any matter in which they will sit as the reviewing body.

Such appeal, or City Council request for a public hearing, shall be set for a public hearing by the City Clerk in a timely fashion.

(h) **Notice of public hearing before the City Council.** Notice of public hearing before the City Council to consider an appeal of the decision of the Planning Commission shall be given pursuant to subsection (f) of this section.

(i) **Decision of the City Council.** The decision of the City Council on all applications shall be final and conclusive. The decision of the variance shall be made prior to or concurrent with action on the coastal development permit.

(j) **Expiration.** A Variance shall become null and void unless vested within thirty-six (36) months after the date of the public hearing at which the vote was taken. Such time limit may be extended by the Planning Commission at a public hearing with notice given pursuant to subsection (f) of this section, upon the written request of the applicant and payment of a fee as set forth by resolution of the City Council. The request shall be filed with the Planning Department prior to the expiration of the approval and shall include presentation of proof of an unusual hardship not of the applicant's own making. If an established time limit for development expires, and no extension has been granted, the approval, and all rights and privileges established therein, shall be considered null and void.

(k) **Revocation.** After notice to the applicant and public hearing, the Planning Commission, subject to appeal to the City Council, may revoke any Variance issued on one or more of the following grounds:

(1) That the approval was obtained by fraud or misrepresentation;

(2) That the use for which such approval was granted has ceased for a period of at least eighteen (18) consecutive calendar months;

(3) That changed circumstances have rendered exercise of the approval as originally granted infeasible or inimical to the health, safety and welfare of the community;

(4) That there has not been substantial compliance with the terms and conditions of the approval;

(5) That exercise of the approval violates any State, federal or local statute or regulation;

(6) That exercise of the rights under the approval is detrimental to the health, safety and welfare of the community;

(7) That exercise of the rights under the approval constitutes a nuisance.

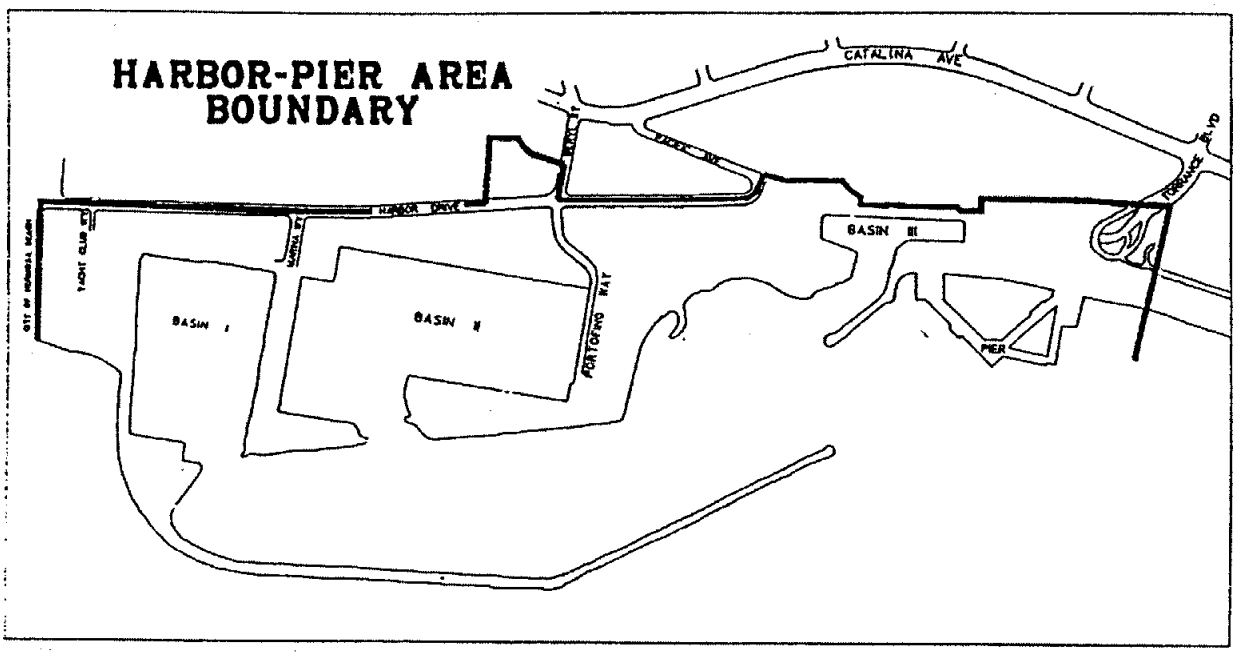
At any hearing on revocation or modification the permittee and any other person whose property rights are affected by revocation, modification, or continuance of the exercise of rights under the approval, shall have the right to produce any arguments and introduce any evidence in support of their position.

10-5.2512 Review of projects in the Harbor-Pier area.

The establishment of uses and the development of structures within the Harbor-Pier area, depicted in subsection (a) of this section, shall be subject to the requirements of Section 10-5.2500 (Administrative Design Review), Section 10-5.2502 (Planning Commission Design Review), Section 10-5.2506 (Conditional Use Permits), Section 10-5.2510 (Variances), Section 10-5.2514 (Planned Development Review), Section 10-5.2518 (Development Agreements), and Section 10-5.2520 (Temporary Use Permits), except that all references to the Planning Commission shall mean the Harbor Commission, all references to the Planning Department

shall mean the Harbor Department, and all references to the Planning Director shall mean the Harbor Director.

(a) **Harbor-Pier area boundary.**



10-5.2514 Planned Development Review.

(a) **Purpose.** The purpose of Planned Development Review is to establish a procedure for review of:

(1) A new development project in a Planned Development (PLD) overlay zone.

(2) An addition of gross floor area to an existing project in a Planned Development (PLD) overlay zone, whether attached or detached, where the addition results in an increase of fifty (50%) percent or more of the existing gross floor area or 1,000 square feet, whichever is less; or, a major exterior alteration or substantial change in use to an existing project in a Planned Development (PLD) overlay zone.

(b) **Eligibility.** No project on a site containing less than 20,000 square feet in area shall be eligible for Planned Development Review.

(c) **Criteria.** The following criteria shall be used in determining a project's consistency with the intent and purpose of this section:

(1) **User impact and needs.** The design of the project shall consider the impact and the needs of the user in respect to circulation, parking, traffic, utilities, public services, noise and odor, privacy, private and common open spaces, trash collection, security and crime deterrence, energy consumption, physical barriers, and other design concerns.

(2) **Relationship to physical features.** The location of buildings and structures shall respect the natural terrain of the site and shall be functionally integrated with any natural features of the landscape to include the preservation of existing trees, where feasible.

(3) **Consistency of architectural style.** The building or structure shall be harmonious and consistent within the proposed architectural style regarding roofing, materials, windows, doors, openings, textures, colors, and exterior treatment.

(4) **Balance and integration with the neighborhood.** The overall design shall be integrated and compatible with the neighborhood and shall strive to be in harmony with the scale and bulk of surrounding properties.

(5) **Building design.** The design of buildings and structures shall strive to provide innovation, variety, and creativity in the proposed design solution. All architectural elevations shall be designed to eliminate the appearance of flat facades or boxlike construction:

a. The front facade shall have vertical and horizontal offsets to add architectural interest to the exterior of the building and where possible, bay windows and similar architectural projections shall be used.

b. The roof planes of the building, as well as the building shape, shall be varied where feasible, and a visible and significant roof line shall be used to soften the vertical mass.

c. Harmonious variations in the treatment or use of wall materials shall be integrated into the architectural design.

(6) **Signs.** Signs and sign programs shall meet the criteria established in Sign Regulation Criteria, Section 10-5.1802.

(d) **Application.**

(1) The applicant shall file with the Planning Department a completed application in a form provided by the Planning Department. The application shall be made concurrently with or prior to an application for a Coastal Development Permit.

(2) The owner of record of the lot or parcel of property which is to be affected by the application shall file an affidavit authorizing the application on a form provided by the Planning Department.

(3) Upon the filing of an application, the applicant shall pay a fee, as set forth by resolution of the City Council.

(e) **Contents of application.** In addition to the application and fee, a site plan, floor plan, and elevations of the project drawn to scale and dimensioned shall be submitted which include the following information as applicable:

(1) Existing topography and proposed grading;

(2) Existing trees with a trunk diameter of six (6) inches or greater;

(3) All buildings and structures, and the uses within each room;

(4) Improvements in the public right-of-way, including location of sidewalk, parkway, curb, gutter, street width to centerline, and dedications;

(5) Exterior lighting;

(6) Easements;

(7) Off-street parking areas, including the stall striping, aisles, and driveways;

(8) The lot dimensions;

(9) Setbacks and spaces between buildings;

(10) Walls, fences, and landscaping and their location, height, and materials;

(11) Landscaping areas;

(12) Trash and recycling facilities;

(13) The architectural elevations of all sides of all structures depicting design, color, materials, textures, ornaments, or other architectural features;

(14) The location, dimensions, and design of all signs;

(15) A section of the building as it relates to the existing topography and proposed grading where the slope of the site is greater than four (4) feet;

(16) Such other data as may be required to demonstrate that the criteria have been met.

(f) **Setting hearings.** All applications shall be set for at least one public hearing before the Planning Commission in a timely fashion.

(g) **Notice of public hearing before the Planning Commission.** The notice of the public

hearing before the Planning Commission shall be given as follows:

(1) By publication at least once in a weekly newspaper of general circulation in the City not less than ten (10) calendar days prior to the date of the public hearing; and

(2) By mailing a written notice thereof, not less than ten (10) days prior to the date of such hearing to the applicant, to the owner of the subject property and to the owners of properties within 300 feet of the exterior boundary of the subject property or properties; such notices shall be sent by first-class mail, with postage prepaid, using the addresses from the last adopted tax roll, if available; and

(3) By posting such notice in at least one prominent place on or about each parcel which is the subject of the proposed action, or upon utility poles or sticks along or about the street line of such parcel. In the event more than one parcel is the subject of such hearing, and such parcels comprise 200 or more feet of street frontage, at least one such notice shall be posted on or about the street line at intervals of not less than 200 feet, starting at either end of the subject properties where the property line intersects the street line.

(h) **Decision of the Planning Commission.**

(1) Following the public hearing, the Commission shall make specific findings as to whether or not the proposed project is consistent with the policies of the General Plan and the Coastal Land Use Plan and the purposes of this title, and shall recommend approval, conditional approval or disapproval of the Planned Development Review.

(2) If the recommendation is for approval, the matter shall be set for public hearing before the City Council in a timely fashion.

(3) A recommendation for denial of the Planned Development Review shall terminate proceedings unless the decision is appealed.

(i) **Appeal of decision of the Planning Commission.** Decisions by the Planning Commission for the denial of a Planned Development Review shall be final and conclusive unless, by 5:00 p.m. of the tenth (10th) day following such decision (or of the next working day if the tenth (10th) day falls on a weekend or holiday):

(1) A written appeal on the form designated by the City is filed by any interested party with the City Clerk requesting a public hearing before the City Council stating the grounds for the appeal and all required fees for said appeal are paid in full; or

(2) The Mayor or a member of the City Council requests a public hearing before the City Council stating the grounds for the appeal. Provided however that the City Council member or Mayor requesting the appeal shall disqualify him or herself from hearing the appeal unless he or she can certify in writing that the appeal is being requested as a result of public interest in the decision to be reviewed and he or she has no predisposition against or in favor of the project. The City Council as a whole shall be prohibited from voting to appeal any matter in which they will sit as the reviewing body.

Such appeal, or City Council request for a public hearing, shall be set for a public hearing by the City Clerk in a timely fashion.

(j) **Notice of public hearing before the City Council.** Notice of public hearings before the City Council shall be given pursuant to subsection (g) of this section.

(k) **Decision of the City Council.** The decision of the City Council on all Planned Development Reviews shall be final and conclusive. The decision on the planned development shall be made prior to or concurrent with action on the Coastal Development Permit.

(l) **Expiration.** An approval granted pursuant to Planned Development Review shall become null and void unless vested within thirty-six (36) months after the date of the public hearing at which the vote was taken. Such time limits may be extended by the Planning Commission not to exceed the expiration date of any required coastal development permit at a public hearing with notice given pursuant to subsection (g) of this section, upon the written request of the applicant and payment of a fee as set forth by resolution of the City Council. The

request shall be filed with the Planning Department prior to the expiration of the approval and shall include presentation of proof of an unusual hardship not of the applicant's own making. If an established time limit for development expires, and no extension has been granted, the approval, and all rights and privileges established therein, shall be considered null and void.

10-5.2516 Historic Variances.

(a) **Purpose.** Historic Variances are intended to provide relief from strict compliance with development standards and/or regulations of Title 10 that may impair the ability of a landmark or historic district building or site to be properly used for adaptive reuse and/or to be altered in a manner that will have the least impact upon its historic character and the surrounding area. The intent is to grant Historic Variances only to the extent that they are necessary to achieve the objectives stated and no further.

(b) **Eligibility.**

(1) No property shall be eligible for a Historic Variance unless and until such property is designated as a landmark or is within a designated historic district pursuant to Article 3, Chapter 4, Title 10 of the Redondo Beach Municipal Code.

(2) In the event that a property loses its status as a landmark or part of a historic district, the provisions of this section shall thereafter be rendered inapplicable to such property.

(c) **Criteria.** A Historic Variance shall be granted only when:

(1) The Historic Variance is necessary to provide for the appropriate adaptive reuse of an existing building, and/or to provide for the design and alteration of a building or site in a manner that will enhance its functional use and utility;

(2) The Historic Variance will not prevent the use from being able to adequately function on the site;

(3) The Historic Variance will not adversely impact property within the neighborhood and historic district, if a district has been formed;

(4) The granting of the Historic Variance will not be contrary to the objectives of the General Plan and the Coastal Land Use Plan and shall not relieve the City, applicant or project of the responsibility to comply with substantive standards and procedural requirements of Article 10 of this chapter.

(d) **Application.** An application for Historic Variance shall be processed the same as Variances as described in Section 10-5.2510(c), (d), (e), (f), (g), (h), and (i). An application shall be made concurrently with or prior to an application for a Coastal Development Permit.

(e) **Expiration.** A Historic Variance shall become null and void unless vested within thirty-six (36) months after the date of the public hearing at which the vote was taken. Such time limits may be extended by the Planning Commission at a public hearing with notice given pursuant to subsection (f) of Section 10-5.2510, upon the written request of the applicant and payment of a fee as set forth by resolution of the City Council. The request shall be filed with the Planning Department prior to the expiration of the approval and shall include presentation of proof of an unusual hardship not of the applicant's own making. If an established time limit for development expires, and no extension has been granted, the approval, and all rights and privileges established therein, shall be considered null and void.

(f) **Revocation.** After notice to the applicant and public hearing, the Planning Commission, subject to appeal to the City Council, may revoke or modify any Historic Variance issued on one or more of the following grounds:

(1) That the approval was obtained by fraud or misrepresentation;

(2) That the use for which such approval was granted has ceased for a period of at least eighteen (18) consecutive calendar months;

(3) That changed circumstances have rendered exercise of the approval as originally granted infeasible or inimical to the health, safety and welfare of the community;

(4) That there has not been substantial compliance with the terms and conditions of the approval;

(5) That exercise of the approval violates any State, federal or local statute or regulation;

(6) That exercise of the rights under the approval is detrimental to the health, safety and welfare of the community;

(7) That exercise of the rights under the approval constitutes a nuisance.

At any hearing on revocation or modification the permittee and any other person whose property rights are affected by revocation, modification, or continuance of the exercise of rights under the approval, shall have the right to produce any arguments and introduce any evidence in support of their position.

10-5.2518 Development Agreements.

(a) **Purpose.**

(1) This section is enacted pursuant to Article 2.5 of Chapter 4 of Division 1 of Title 7 of the Government Code of the State (Sections 65864 et seq.). The purpose of this section is to strengthen the public planning process, encourage private participation in comprehensive planning, and reduce the economic costs of development by providing an option to both the City and project proponents to enter into a Development Agreement. To accomplish this purpose the procedures, requirements, and other provisions of this article are determined to be necessary to promote orderly growth, development, and economic welfare, and to ensure adequate circulation, utilities, public improvements and public services.

(2) Unless otherwise provided by the Development Agreement, rules, regulations, and official policies governing permitted uses of the land, governing density, and governing design, improvement, and construction standards and specifications, applicable to a development of the property subject to a Development Agreement, shall be those rules, regulations, and official policies in force at the time of execution of the agreement. However, a Development Agreement shall not prevent the City, in subsequent actions applicable to the property, from applying new rules, regulations, and policies which do not conflict with those rules, regulations, and policies applicable to the property as set forth herein, nor shall a Development Agreement prevent the City from denying or conditionally approving any subsequent development project application on the basis of such existing or new rules, regulations, and policies.

(b) **Criteria.** The Planning Commission and City Council shall determine whether the proposed Development Agreement meets the following criteria:

(1) Consistent with the objectives, policies, general land uses, and programs specified in the General Plan and any applicable Specific Plan and with the Coastal Local Coastal Program;

(2) Compatible with the uses authorized in, and the regulations prescribed for, the zone in which the real property is located;

(3) In conformity with the public convenience, general welfare, and good land use practices;

(4) Not detrimental to the health, safety, and general welfare; and

(5) Will not adversely affect the orderly development of property or the preservation of property values.

(c) **Application and contents of Development Agreement.**

(1) The applicant shall file with the Planning Department a completed application in a form provided by the Planning Department. The application shall be made concurrently with or

prior to an application for a Coastal Development Permit.

(2) The owner of record of the lot or parcel of property which is to be affected by the application shall file an affidavit authorizing the application on a form provided by the Planning Department.

(3) Upon the filing of an application, the applicant shall pay a fee as set forth by resolution of the City Council.

(4) The City may require an applicant to submit such information and supporting data as the Planning Director considers necessary to process the application.

(5) Each application shall be accompanied by the Development Agreement proposed by the applicant. The Development Agreement shall contain, at a minimum, the following information:

a. The duration of the agreement;
b. The permitted uses of the property;
c. The density or intensity of the proposed use;
d. The maximum height and size of proposed buildings;
e. The provisions for reservation or dedication of land for public purposes;
f. The provisions for periodic reviews at least every twelve (12) months.

(d) **Setting Planning Commission hearings.** All applications shall be set for at least one public hearing before the Planning Commission in a timely fashion.

(e) **Notice of public hearing before the Planning Commission.** Notice of public hearing before the Planning Commission to consider an application for a Development Agreement shall be given as follows:

(1) By publication at least once in a weekly newspaper of general circulation in the City not less than ten (10) calendar days prior to the date of the public hearing; and

(2) By mailing a written notice thereof, not less than ten (10) days prior to the date of such hearing to the applicant, to the owner of the subject property and to the owners of properties within 300 feet of the exterior boundary of the subject property or properties; such notices shall be sent by first-class mail, with postage prepaid, using the addresses from the last adopted tax roll, if available; and

(3) By posting such notice in at least one prominent place on or about each parcel which is the subject of the proposed action, or upon utility poles or sticks along or about the street line of such parcel. In the event more than one parcel is the subject of such hearing, and such parcels comprise 200 or more feet of street frontage, at least one such notice shall be posted on or about the street line at intervals of not less than 200 feet, starting at either end of the subject properties where the property line intersects the street line.

(4) **Additional notice.** For any Development Agreement in the Harbor-Pier area, the notice shall also be mailed to each master lessee in the Harbor-Pier area, and shall be posted in at least two (2) public places on each master leasehold in the Harbor-Pier area.

(f) **Setting City Council hearings.** The City Council shall hold a public hearing, after which it may accept, modify, or disapprove the recommendation of the Planning Commission and approve, approve with conditions, or disapprove the Development Agreement. The City Council may only approve the Development Agreement if the City Council has determined that the Development Agreement (either as proposed or as conditioned) meets the criteria in subsection (b) of this section. If the City Council finds that the Development Agreement only meets those criteria if conditioned, then it can only be approved subject to those conditions.

(g) **Notice of public hearing before the City Council.** Notice of public hearing before the City Council to consider the recommendation of the Planning Commission and the proposed Development Agreement shall be given as follows:

(1) By publication at least once in a weekly newspaper of general circulation in the City not less than ten (10) calendar days prior to the date of the public hearing; and

(2) By mailing a written notice thereof, not less than ten (10) days prior to the date of such hearing to the applicant, to the owner of the subject property and to the owners of properties within 300 feet of the exterior boundary of the subject property or properties; such notices shall be sent by first-class mail, with postage prepaid, using the addresses from the last adopted tax roll, if available; and

(3) By posting such notice in at least one prominent place on or about each parcel which is the subject of the proposed action, or upon utility poles or sticks along or about the street line of such parcel. In the event more than one parcel is the subject of such hearing, and such parcels comprise 200 or more feet of street frontage, at least one such notice shall be posted on or about the street line at intervals of not less than 200 feet, starting at either end of the subject properties where the property line intersects the street line.

(h) **Approval of Development Agreements.** If the City Council approves the Development Agreement, it shall do so by the adoption of an ordinance. The agreement shall take effect upon the effective date of the ordinance.

(i) **Recordation.** Within ten (10) days after the City enters into a Development Agreement, the City Clerk shall have the agreement recorded with the County Recorder. If the agreement is amended or cancelled as provided in Section 10-5.2518(k), the City Clerk shall have notice of such action recorded with the County Recorder.

(j) **Periodic reviews.**

(1) The Planning Commission shall review the Development Agreement every twelve (12) months after the date the agreement is entered into. It shall be the project proponent's responsibility to apply in a timely fashion for the annual review. The time for the review may be modified either by agreement between the parties, or by decision of the Planning Commission.

(2) Notice shall be given to the property owner that the Planning Commission intends to undertake the review of the Development Agreement. The notice shall be given by first class mail and shall be mailed at least ten (10) days in advance of the time at which the matter will be considered by the Planning Commission.

(3) The Planning Commission shall conduct a hearing at which the property owner shall demonstrate good faith compliance with the terms of the agreement. The burden of proof on such issue shall be upon the property owner.

(4) The Planning Commission shall determine upon the basis of substantial evidence whether or not the property owner, for the period under review, has complied in good faith with the terms and conditions of the agreement.

a. If the Planning Commission finds and determines on the basis of substantial evidence that the property owner has complied in good faith with the terms and conditions of the agreement during the period under review, the review for such period shall be concluded.

b. If the Planning Commission finds and determines on the basis of substantial evidence that the property owner has not complied in good faith with the terms and conditions of the agreement during the period under review, the Planning Commission shall forward its recommendation to the City Council, and the City Council may propose to amend or cancel the agreement. Notice shall be given to the property owner that the City Council intends to undertake the review of the Development Agreement. The notice shall be given by first class mail and shall be mailed at least ten (10) days in advance of the time at which the matter will be considered by the City Council.

(k) **Amendments or cancellation.**

(1) Either party may propose an amendment to or cancellation in whole or in part of the Development Agreement previously entered into.

(2) The procedure for proposing and adopting an amendment to or cancellation in whole or in part of the Development Agreement shall be the same as for entering into an agreement pursuant to Section 10- 2.2518(d), (e), (f), (g), and (h).

(3) The substantive standard by which amendments are judged shall be the standards in subsection (b) of this section, and those standards shall be applied in the same manner as they were applied to initial proposals pursuant to subsection (f).

(4) The decision of the City Council to amend or cancel the agreement shall be final.

10-5.2520 Temporary Use Permits.

(a) **Purpose.** Temporary Use Permits may be issued to authorize the establishment of temporary uses on private property and are not intended to regulate temporary uses in public parks or on public right-of-ways. Temporary uses shall not include live entertainment subject to approval by the City Council pursuant to Chapter 17 of Title 4 of the Municipal Code. Typical temporary uses include pumpkin and Christmas tree lots; carnivals and circuses; special outdoor retail sales promotions; and similar unique and infrequent or irregularly occurring events.

(b) **Criteria.** The following criteria shall be used in determining the suitability and compatibility of a temporary use.

(1) The operation of the requested temporary use shall have no adverse effect on abutting property or jeopardize public health, safety, and general welfare.

(2) The site is adequate to accommodate the proposed use and shall include provision of off- street parking where feasible.

(3) The time period and hours of operation for the temporary use shall be clearly specified and provision shall be made for the removal, clean-up, and restoration of the site.

(4) The temporary use will be located, operated and maintained in a manner consistent with the General Plan and the Local Coastal Program and with the use classification for the zone.

(c) **Application.**

(1) The applicant shall file with the Planning Department a completed application in a form provided by the Planning Department. The application shall be made concurrently with or prior to an application for a Coastal Development Permit if a Coastal Development Permit is required.

(2) The owner of record of the lot or parcel of property which is to be affected by the application shall file an affidavit authorizing the application on a form provided by the Planning Department.

(3) Upon filing of an application, the applicant shall pay a fee, as set forth by resolution of the City Council.

(d) **Contents of application.** In addition to the application and fee, a site plan drawn to scale and dimensioned shall be submitted which includes the following information:

(1) All buildings and structures on the site;

(2) Off-street parking spaces, driving aisles, and driveways;

(3) The location and dimensions of the temporary use;

(4) Such other data as may be required to demonstrate that the project meets the criteria.

(e) **Decision on application.** Within seven (7) days after the submission of an application for a Temporary Use Permit, the Planning Director shall review the application and shall approve, approve with conditions, or deny the application.

(1) If the decision of the Planning Director is to approve the application, an approval stamp shall be affixed to the application and/or site plan.

(2) If the decision of the Planning Director is to deny the application, the decision shall be in writing and shall recite the failure to meet the criteria upon which his decision is based. Where the decision is to deny the application, notice of the decision shall be mailed to the

applicant by first class mail within seven (7) days of the decision.

(f) **Appeal of decision denying the application.** The decision of the Planning Director to deny the application shall be final and conclusive unless, within ten (10) days after the date of such decision, a written appeal is filed with the Planning Department requesting consideration by City Council.

(g) **Consideration by City Council.** The Planning Department shall prepare a report to the City Council on the denial of the request for temporary use, and shall present such report at a regular meeting of the City Council.

(h) **Decision of the City Council.** The decision of the City Council on all applications for temporary uses shall be final and conclusive.

(i) **Expiration.** An approval of a temporary use shall be effective only for the use, time, date and location applied for and shall become null and void upon passage of the time and date contained within the application.

(j) **Extensions.** The Planning Director may grant an extension of the time and date provisions of a Temporary Use Permit upon written request of the applicant. Such extension, if granted, shall be subject to the criteria of this section and shall comply with any conditions of operation previously imposed.

(k) **Revocation.** A Temporary Use Permit may be revoked if the use is operated in violation of the criteria of this section or in violation of conditions of operation contained within the permit. Notice of intent to revoke the permit shall be posted on the property and shall be mailed to the applicant by certified mail. The notice shall state that the temporary use shall become null and void within twenty-four (24) hours of the date and time of the notice unless a written appeal is filed by the applicant with the Planning Department requesting a hearing before the Building Official. Such appeal hearing on the revocation of the permit shall be held in a timely fashion. The decision of the Building Official shall be final and conclusive.

ARTICLE 13 – Zoning Map

Sections:
10-5.2600 Zoning Map

10-5.2600 Official Zoning Map.

The official zoning is set forth below, in the form of three maps, delineating the boundaries of zones as applied to specific properties and showing the land uses for those zones.

Zoning Map Legend:

Residential zones
- **R-1 Single-Family Residential (8.8 du/acre)**
- **R-2 Low Density Multiple-Family Residential (14.6 du/acre)**
- **R-3A Low Density Multiple-Family Residential (17.5 du/acre)**
- **RMD Medium Density Multiple-Family Residential (23.3 du/acre)**
- **RH High Density Multiple-Family Residential: RH-1, RH-2, and RH-3 (28 du/acre)**

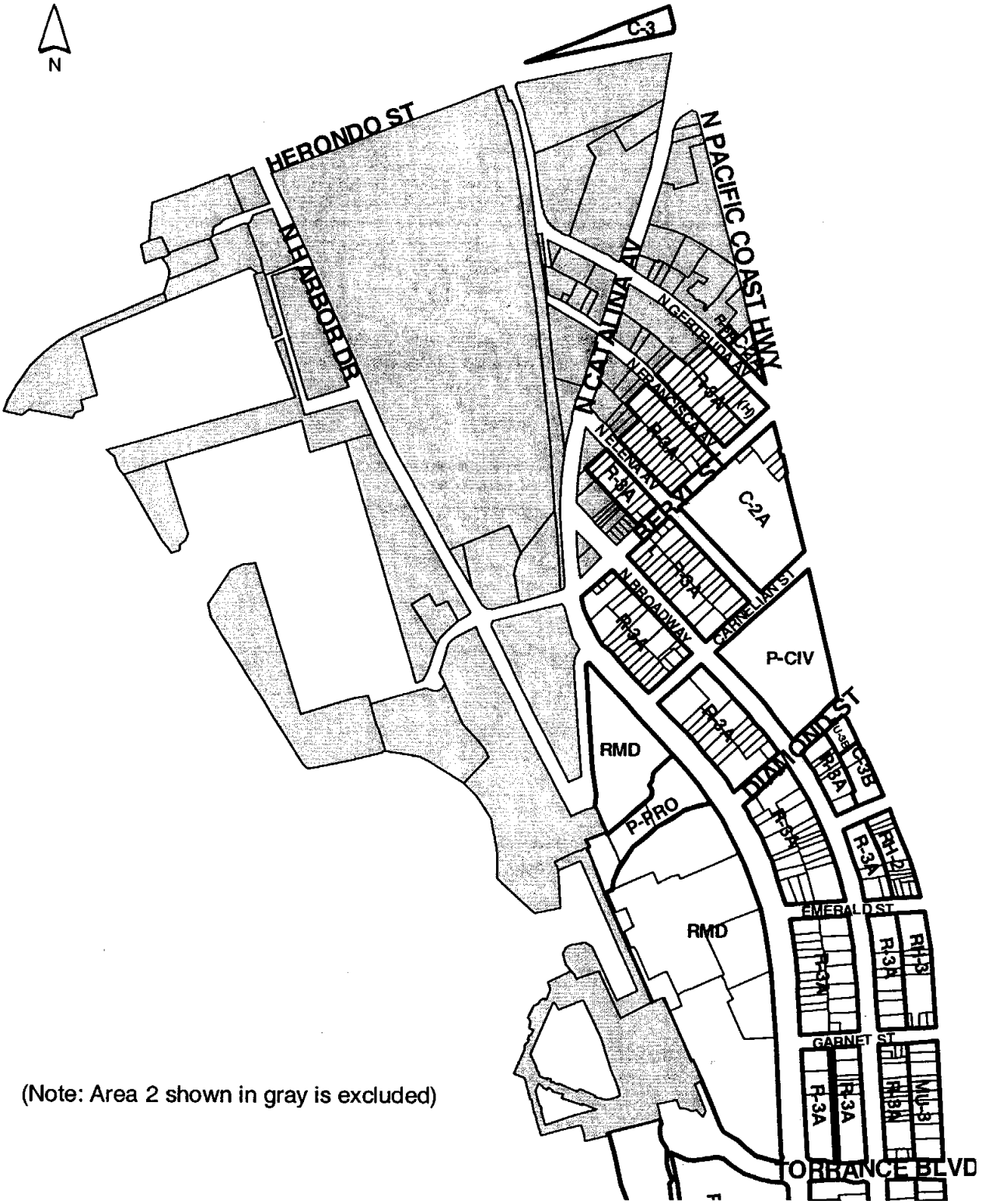
Commercial zones.
- **C-2 Commercial: C-2, C-2A, C-2B, and C-2-PD.**
- **C-3 Commercial: C-3, C-3B and C-3-PD.**
- **C-4 Commercial: C-4 and C-4-PD.**

Mixed Use zones.
- **MU-3 Mixed Use: MU-3, MU-3B, and MU-3C**

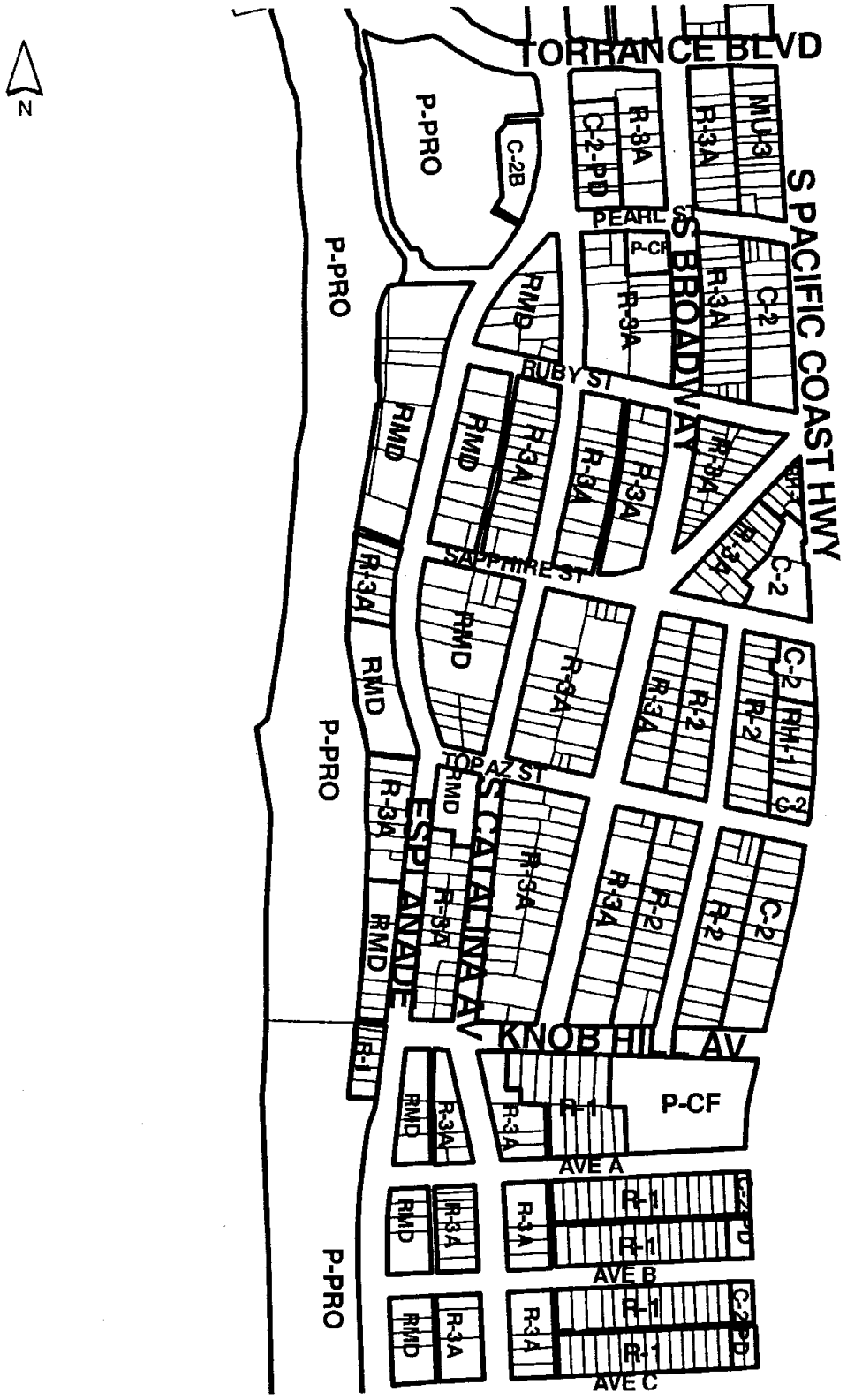
Public and Institutional zones.
- **P-CIV Civic Center**
- **P-RVP Riviera Village Parking**
- **P-CF Community Facility**
- **P-PRO Parks, Recreation, and Open Space**

Overlay Zones.
- **(H) Historic Overlay**
- **(PLD) Planned Development Overlay**
- **(MU) Mixed-use Overlay**
- **(RIV) Riviera Village Overlay**

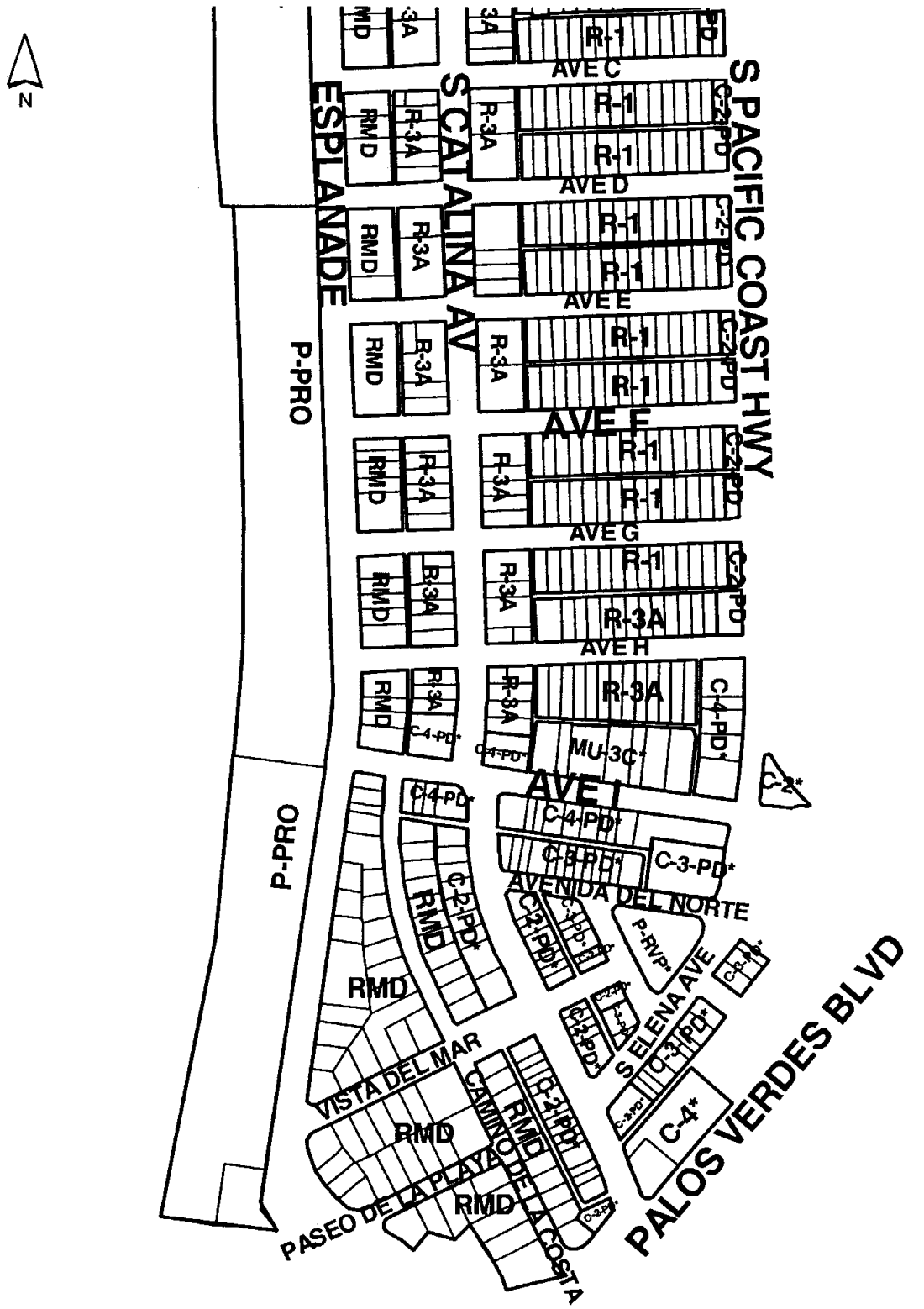
Map 1 of 3
Zoning Map for Area 1 of the Coastal Zone



Map 2 of 3
Zoning Map for Area 1 of the Coastal Zone



Map 3 of 3
Zoning Map for Area 1 of the Coastal Zone



* Indicates (RIV) Overlay Zone

ATTACHMENT A

WATERFRONT DISTRICT LAND USE AND DEVELOPMENT STANDARDS

NOTE: THIS ATTACHMENT APPLIES TO THE AREA OF DEFERRED CERTIFICATION, AREA 2 OF THE COASTAL ZONE AND HAS NOT BEEN REVIEWED OR CERTIFIED BY THE COASTAL COMMISSION AND IS NOT EFFECTIVE IN THE COASTAL ZONE.

This Attachment A applies to the area of deferred certification, Area 2 of the Coastal Zone and has not been reviewed or certified by the Coastal Commission and is not effective in the Coastal Zone.

DEVELOPMENT STANDARDS

I. LAND USE

A. PERMITTED USES

1. Marina-related Commercial Services and Facilities, such as canvas shops, kayak and sailboard retail, fishing supplies, vendors offering charters, lessons and tours, chandleries, yacht and boating clubs, boat storage, boat launch/hoist, and other Marina support facilities, including, but not limited to, restrooms for marina users, laundry facilities, lockers, boater lounges, marina picnic areas, marina offices, and other facilities as deemed by the City to be dedicated to use by patrons of the Marinas.

2. Business, Professional, and Government Offices.

3. Medical and Dental Offices.

4. Lodging

5. Health and Exercise Clubs.

6. Performing Arts and Movie Theaters and Auditoriums.

7. Commercial recreation, e.g. bowling alley, roller-skating rink, indoor golfing, etc.

8. Residential - at a maximum density of fifty-five (55) units per acre; minimum density shall be sixteen (16) units per acre.

   a. Home Occupation (i.e. a space clearly used as a residence that may or may not contain a workspace in the form of an office or workshop) is allowed under this Land Use type as long as there are no employees, walk-in trade, or generation of noise or odors perceivable beyond the individual dwelling unit. Development must adhere to all the standards that apply to the applicable type of residential. Reversion to work only is not permitted.

   b. Family day care homes.

9. Live-Work – a mixed-use occupancy building limited to activities with reduced hazard levels of work type. Work activities may not be open to client visits other than by appointment; maximum number of employees is two. Work activities are limited to office and office-related activity, or other activity compatible with residential use. Manufacturing, fabrication and material handling are not permitted. Also, medical offices, and kennels or

This Attachment A applies to the area of deferred certification, Area 2 of the Coastal Zone and has not been reviewed or certified by the Coastal Commission and is not effective in the Coastal Zone.

other activity related to animals are not permitted. Live-Work may be converted to residential use only, but may not be converted to work only.

10. Park, Recreation and Open Space - Seaside Lagoon remains designated as P-PRO Parks, Recreation, and Open Space, subject to the standards of the City's Zoning Ordinance applicable to this zone.

11. Residential Care Facilities, limited.

12. Civic and Cultural Facilities, e.g. City Hall, libraries, post office, public recreation facilities, museums, fire station, police station, and other facilities in which the use is clearly *civic* in character.

B. **SPECIAL CONDITION: VILLAGE CORE** - In order to ensure the creation of an active downtown style district at the waterfront, the following minimum amounts of ground level commercial shall be required:

Village Core - A minimum of 70,000 square feet of clustered (i.e., contiguous) ground level retail shall be required. Permitted ground level uses in this portion of the Village Core shall be limited to those listed in this Section I.B. below.

Waterfront Edges of Village Core - As the Village Core is redeveloped, a minimum of 5,000 s.f. of ground level retail or restaurant use must be located along the waterfront edge of both the Village Core North and the Village Core South (that is, if the primary retail cluster is developed entirely north or south of Portofino Way, the other half of the Village Core Plan Area must contain a minimum increment of activity-generating retail or restaurant use).

Permitted uses on any floor for all parcels within the Village Core include those listed in I.A. above and the uses listed in this Section I.B. below:

1. Retail - all uses except drive-up or drive-in services.

2. Eating and Drinking Establishments - including those serving alcoholic beverages or providing entertainment, provided this activity is clearly ancillary to food service; drive-up or drive-in restaurants are not permitted.

   Chairs and tables for outdoor dining may be permitted in the public right-of-way (i.e. in sidewalk areas) subject to City review, provided a minimum of four (4) feet is left clear between furnishings and the curb line for pedestrian circulation.

3. Personal Services - hair and nail salons, shoe repair, laundromats, dry cleaners, and similar businesses.

This Attachment A applies to the area of deferred certification, Area 2 of the Coastal Zone and has not been reviewed or certified by the Coastal Commission and is not effective in the Coastal Zone.

4. Business Services - storefront businesses that generate foot traffic, such as photocopy shops, photo finishers, video rental & sales, travel agencies, appliance repair, print shops, insurance agencies, or real estate agencies.

5. Banks and Financial Institutions.

6. Performing Arts and Movie Theaters and Auditoriums.

7. Hotel Lobby.

C. **SPECIAL CONDITION: PIER PLAZA** - Permitted uses shall include any of the uses in I. A. or B., above.

D. **SPECIAL CONDITION: PIER AND INTERNATIONAL BOARDWALK** - Permitted uses shall be limited to those permitted in I. B., above.

E. **SPECIAL CONDITIONS: TIDELANDS** (lands west of the mean high tide line- see Appendix B) – Permitted uses shall be limited to those uses dedicated to a public purpose. Office and residential uses shall not be permitted.

F. **SPECIAL CONDITIONS: MOLE B** - Permitted uses on Mole B shall be limited to boating facilities (such as boat hoist, boat storage, berths and docks, boating clubs, boating instruction, Harbor Patrol, and similar support facilities); parks and recreation, public open space, and other public uses consistent with the Heart of the City Specific Plan.

G. CONDITIONAL USES

1. Limited Project-Serving Convenience Retail – if part of a larger multi-unit development of one hundred fifty (150) or more units; not to exceed 1,500 square feet per development.

2. Indoor Wholesale and Commercial Sales and Services may be allowed if they are determined by the City to be of the same general character as those uses allowed in the Waterfront District, and/or supportive of the permitted uses listed above.

3. Bars and Nightclubs, including establishments providing entertainment or permitting dancing, and establishments serving alcoholic beverages not clearly ancillary to food service, will be allowed in the Village Core, International Boardwalk, and Pier.

4. Clubs and Lodges.

This Attachment A applies to the area of deferred certification, Area 2 of the Coastal Zone and has not been reviewed or certified by the Coastal Commission and is not effective in the Coastal Zone.

5. Schools, Adult Day Care Centers, and Child Day Care Centers (except on the ground floor of the Village Core, International Boardwalk, and Pier).

6. Public Utility Facilities (future power generating facilities shall be limited to the portion of the AES Generating Plant site identified as the "Plant 3" site, containing Units 7 and 8 and Tanks 2-4 or alternatively the "Plant 2" and "Plant 3" sites containing Units 5-8).

7. Antennae for Public Communications.

8. Public transit facilities.

H. MAXIMUM DEVELOPMENT INTENSITY - Permitted non-residential uses shall have a maximum Floor Area Ratio (FAR) of 1.0. FAR does not include parking facilities. New public streets constructed as part of the site's development may be counted in the FAR calculation.

1. Exception: Village Core and International Boardwalk - The Village Core and International Boardwalk shall have no maximum FAR.

2. Exception: Pier - The Pier is limited to the total amount of leasable space provided for under the terms of the pier reconstruction plan, as approved by the City Council on September 3, 1991.

II. BUILDING HEIGHT, SETBACKS & ORIENTATION

A. HEIGHT (see diagram labeled "Height Limits in the Waterfront District" on the following page): East of Harbor Drive, height shall be measured from the existing grade. West of Harbor Drive, height shall be measured from the existing sidewalk grade at Harbor Drive. Height shall be measured to top of cornice, parapet, or eave line of a peaked roof, as follows:

1. Maximum - Buildings may not exceed a maximum height of three (3) stories and forty (40) feet.

a. Special Condition: Village Core South- - Buildings located in the Village Core South, west of Harbor Drive and south of the Seaside Lagoon, shall not exceed a maximum height of one (1) or two (2) stories, as follows:

1) Up to 50% of the built area (defined as the total cumulative building footprint of buildings constructed in this southern portion of Village Core South) may be built to a maximum height of twenty-eight (28) feet and a maximum of two stories. Views from Czuleger Park shall be protected by ensuring that two story buildings are not clustered or

This Attachment A applies to the area of deferred certification, Area 2 of the Coastal Zone and has not been reviewed or certified by the Coastal Commission and is not effective in the Coastal Zone.

lined up in a manner that creates a wall-like impact on views from the park.

2) The remaining 50% or more of the built area may not exceed a maximum height of one (1) story and fifteen (15) feet.

b. Special Condition: Pier, Pier Plaza and International Boardwalk - No building or structure shall exceed a maximum of two stories and height of thirty (30) feet as measured from the top of the pier deck or sidewalk grade, as applicable.

c. Special Condition: Beryl Street frontage between Catalina Avenue and Harbor Drive - Buildings located along the northern frontage of Beryl Street at Harbor Drive shall not exceed a maximum height of four (4) stories and forty-eight (48) feet. Buildings located along the southern frontage of Beryl Street between Catalina Avenue and Harbor Drive shall not exceed a maximum height of five (5) stories and sixty (60) feet.

d. Special Condition: East of Harbor Drive on the southern portion of Crowne Plaza hotel site - In the southern portion of the Crowne Plaza hotel site, (currently occupied by a one-story structure), buildings shall not exceed a height of one story and fifteen (15) feet.

e. Special Condition: Plant 1 site (units 1-4) - The existing building and turbine area on the Plant 1 site may be adapted for reuse provided the exterior of the structure is redesigned in conformity with applicable sections of the Design Guidelines contained in the Heart of the City Specific Plan to the extent feasible.

2. Minimum - Buildings within the Village Core must maintain a minimum height of twenty-five (25) feet; this may be a one-story building with a tall parapet.

   a. Exception: Minimum height does not apply to areas where the maximum permitted height is less than twenty-five (25) feet.

3. Exceptions - subject to City review:

   a. Above Subsurface Parking (except west of Harbor Drive): Buildings may exceed the maximum height by four (4) feet. Developments with a frontage of over two hundred (200) feet may exceed the height limit by an average of four (4) feet with a maximum height of five (5) feet above the height limit.

This Attachment A applies to the area of deferred certification, Area 2 of the Coastal Zone and has not been reviewed or certified by the Coastal Commission and is not effective in the Coastal Zone.

b. Sloping and Pitched Roofs – The maximum height of a building's roof volume measured from eave to the highest portion of the roof volume (the peak or apex), excluding ornament, may not exceed the height of the shortest story within the building, not to exceed nine (9) feet.

c. Special Architectural Features, such as uninhabited towers (clock, bell, observation) or entry volumes, may exceed the maximum height.

d. Rooftop Structures, such as elevator and mechanical equipment enclosures or roof deck trellises and gazebos, may exceed the height limit by ten (10) feet, provided they are set back a minimum of ten (10) feet from building walls and are screened by a parapet or sloping roof. On existing buildings that exceed the height limits of the district, rooftop structures may exceed the height of the existing building by no more than ten (10) feet, provided they are set back a minimum of ten (10) feet from building walls and are screened by a parapet or sloping roof.

B. FRONT SETBACKS: Setbacks shall be measured from front property line.

1. Minimum Setback shall be zero (0).

a. **Special Condition: Residential Use** - Minimum setback for residential uses shall be fifteen (15) feet.

b. Exception - Minimum setback for residential development fronting Herondo Street shall be twenty (20) feet.

2. Maximum Setback shall be ten (10) feet.

a. **Special Condition: Village Core** - All buildings within the Village Core shall be built to the property line. Maximum Setback shall be zero (0).

b. Arcades, notches, indentations, and other lower story setbacks that are constructed as part of the building, particularly to create variety and interest along the street wall, are encouraged, either as full-length indentations or partial indentations beneath upper floors, and shall not be considered a violation of the front setback requirement. Such arcades, notches or indentations may not occur at corners of blocks.

c. Buildings facing the marketplace/plaza shall be built to the property line, or, if the site is developed as a single property, buildings facing the plaza shall be built to the back of sidewalk.

3. Exception: Encroachment Zone - Subject to City review, front entrances, entrance porticos, stairs, canopies and special architectural features may

This Attachment A applies to the area of deferred certification, Area 2 of the Coastal Zone and has not been reviewed or certified by the Coastal Commission and is not effective in the Coastal Zone.

extend a maximum of five (5) feet into the front setback area. The total linear frontage encroaching into the front setback area may not exceed one-quarter (1/4) of the total length of the building mass.

4. Surface Parking Lots shall be set back a minimum of five (5) feet from all property lines. See III. E., below, for additional design criteria.

   a. **Special Condition: Village Core** - Surface parking lots are not permitted within the Village Core.

   b. Exception – Surface parking lots that serve boating facilities shall be permitted in the Village Core North, along the water's edge at Basin 2 between Marina Way and Portofino Way.

C. SIDE AND REAR SETBACKS: Setbacks shall be measured from the side and rear property lines.

1. Adjacent to nonresidential uses, the minimum setback is fifteen (15) feet.

2. Adjacent to single-family detached housing, the minimum setback is twenty (20) feet.

3. Special Condition: Village Core - New buildings may be built to both side property lines. Should a side of a building be set back from a side property line, at least five (5) feet should be provided for an access passage. The maximum setback in the Village Core shall be twenty (20) feet

4. Corner Parcels - Setback/build-to requirement applies to both frontages (corner parking lots are generally not permitted).

D. SETBACKS FROM THE WATER'S EDGE

1. Public Esplanade - A minimum twelve (12) foot public right-of way must be provided in the form of a paved esplanade along the water's edge.

   a. **Special Condition: Retail or Lodging** - As retail and lodging uses are more public in nature and will have heavier foot traffic associated with them, the minimum width of the esplanade fronting these areas will be fifteen (15) feet.

2. Minimum Setback shall be twelve (12) feet, measured from the edge of the public right-of-way.

   a. **Special Condition: Retail or Lodging** - Minimum setback for retail and lodging uses shall be zero (0) feet.

This Attachment A applies to the area of deferred certification, Area 2 of the Coastal Zone and has not been reviewed or certified by the Coastal Commission and is not effective in the Coastal Zone.

3. Exception: Encroachment Zone - Subject to City review, building masses containing front entrances, porticos, canopies and special architectural features may extend into a maximum of four (4) feet into the front setback area. The total linear frontage encroaching into the front setback area may not exceed one-quarter (1/4) of the total length of the building mass.

E. BUILDING ORIENTATION

1. Minimum Frontage - In general, all streets must be lined with buildings (and not with parking lots, walled or unwalled landscaped or storage spaces). At a minimum, buildings shall line at least two-thirds (2/3) of the length of the parcel frontage.

2. Relationship to Frontage -Buildings shall be oriented towards major streets. Wherever possible, the longest side of the building must be parallel to a public street.

   a. **Special Priority: Harbor Drive -** Buildings located along Harbor Drive must face Harbor Drive, and shall be oriented with the longest side of the building parallel to Harbor Drive.

3. Relationship to Waterfront - Buildings located at the water's edge should be oriented toward the water.

   a. **Special Condition: Harbor Drive** - Where a building fronts both Harbor Drive and the water's edge, buildings shall maintain a dual orientation. Both elevations should be given special consideration.

   b. **Village Core** - Buildings must face all internal Village Core streets.

4. Main Entrances - Entrances to all buildings shall be located on the building facade of the major street, or on a building corner facing a public street (and not a parking lot). See Heart of City Specific Plan Design Guidelines for additional design criteria.

5. Residential Development

   a. Harbor Drive -Residential buildings located along Harbor Drive must face the street, and units shall be oriented with their primary entrances opening onto Harbor Drive.

   b. Herondo Street - The primary entrance to residential buildings located along Herondo Street may front or side the street, but entrances to units must face public streets.

This Attachment A applies to the area of deferred certification, Area 2 of the Coastal Zone and has not been reviewed or certified by the Coastal Commission and is not effective in the Coastal Zone.

III. SITE DEVELOPMENT & PARKING

A. DEVELOPMENT PATTERN

1. Block Pattern - All development shall relate to the direction and orientation set by Harbor Drive and the realigned Strand. Streets should conform to the existing pattern of generally rectilinear blocks, with new streets and access drives linking orthogonally to surrounding City streets whenever possible.

    a. Closure of Existing Streets to accommodate new development is not permitted. Streets must be accessible to pedestrians, automobiles and service vehicles.

        1) **Special Condition: Village Core South** - The portion of Harbor Drive from Portofino Way to Mole D, and streets within the Village Core South leading to Harbor Drive may be temporarily closed to accommodate special events that are of benefit to the community. Should such street closure be permitted, vehicular access to parking facilities and to the Seaside Lagoon must be maintained.

2. Block Dimension - Site development policies are intended to avoid superblock development patterns. Separating continuous buildings with streets or pedestrian spaces can create a sense of smaller blocks. In general, contiguous development should not exceed six hundred (600) feet in length or three hundred (300) feet in depth.

    a. Midblock pedestrian connections shall be provided for all residential blocks longer than three hundred (300) feet.

3. Open Space

    a. Multi-Unit Residential and Live-Work Buildings - Residential units in all multi-unit buildings shall be organized around a common, usable outdoor space. A minimum of one hundred fifty (150) square feet per unit shall be provided excluding required setback areas; see Heart of City Specific Plan Design Guidelines. Private outdoor deck or patio space shall also be provided with at least sixty (60) square feet for each unit. Private space shall be in the form of a patio or deck attached to the unit, not less than six (6) feet clear in any dimension.

    b. Office development shall provide usable space in the forms of plazas, greens, or widened sidewalks. Open space must include a minimum of one hundred (100) square feet for each on thousand (1000) square feet of office space constructed.

This Attachment A applies to the area of deferred certification, Area 2 of the Coastal Zone and has not been reviewed or certified by the Coastal Commission and is not effective in the Coastal Zone.

c. AES Power Plan Site – A continuous linear green space will be provided within the redesigned AES Power Plant Site to provide uninterrupted views and access to the water. The open space shall be a minimum of fifty (50) feet wide and shall be located perpendicular to Harbor Drive, extending to the water's edge north of Marina Way.

d. The Strand - The Strand must be continued throughout the Waterfront District, connecting to the existing pathway at the north and south ends of the waterfront. Where possible, the Strand shall be aligned to provide a view of the water.

e. Village Core

1) Village Core North Public Open Space - A courtyard, plaza or urban park space shall be sited at some location between Marina Way and Portofino Way. The open space shall be a minimum of 8,000 square feet in size, and must include one side open to the water's edge.

2) Waterfront Plaza - A paved or landscaped waterfront plaza, accessible to the public during all times of the day or night, shall be constructed along the Waterfront within the Village Core Plan Area, preferably in the Village Core South. The open space shall be a minimum of 35,000 square feet, and must include one side open to the water's edge. The plaza shall be defined on three sides by buildings oriented toward the plaza space, and shall include special features, site furniture and seating, landmarks, decorative lighting, an attractive seawall, and associated amenities.

3) Mole D Pier - A paved or landscaped open space accessible to the public during all times of the day or night shall be constructed at Mole D, as an forecourt to the Pier. The open space shall be a minimum of 5,000 square feet in size, and must include one side open to the water's edge, oriented toward the Pier.

B. SITE ACCESS

1. Public Streets shall be required to serve new development. Such new streets shall be dedicated public rights-of-way and shall be designed to the satisfaction of the City Engineer. In general, streets within the district shall reflect the pattern of surrounding streets and district parcelization. The following site planning and design criteria area established for new local streets within the Waterfront District:

a. Village Core North (Portofino Way to Marina Way)

This Attachment A applies to the area of deferred certification, Area 2 of the Coastal Zone and has not been reviewed or certified by the Coastal Commission and is not effective in the Coastal Zone.

1) In order to enhance access and views to the water, at least one new east-west public street or way must be constructed that breaks up the oversized block of Village Core North. That street or way should make the most of opportunities to connect to new or planned new streets or ways running east-west and forming a new intersection with Harbor Drive.

2) As redevelopment occurs, consideration should be given to the provision of an access drive to provide convenient access to boater parking along the western (i.e. waterfront) edge of Village Core North (see diagram - Waterfront Access and Open Space, which illustrates that concept).

b. Village Core South (Portofino Way to Mole D)

1) At least one additional public street must be constructed west of Harbor Drive between Portofino Way and Pacific Avenue. This new street must connect with Portofino Way and/or reconnect with Harbor Drive.

c. Improvements to Harbor Drive - As new development occurs, buildings fronting Harbor Drive must provide (or reimburse the City for) the following improvements to Harbor Drive.

1) Curbside parking and two-way traffic is preferred. Wherever the public right-of-way allows, Harbor Drive should feature two-way traffic with curbside parallel parking. Bike lanes shall be provided where possible.

2) A minimum fourteen (14) feet wide level concrete sidewalk shall be provided.

3) Planting strips or planters may occur between the sidewalk and the curb edge of the street.

4) Palm trees shall be planted at a spacing of approximately forty (40) feet on center along the public right-of-way.

5) Pedestrian scale lighting shall be installed approximately sixty (60) feet on center along the public right-of-way. Luminaries shall be approximately thirteen (13) feet in height and streetlight furniture selections shall conform to those designated by the City.

This Attachment A applies to the area of deferred certification, Area 2 of the Coastal Zone and has not been reviewed or certified by the Coastal Commission and is not effective in the Coastal Zone.

d. AES Power Plant Site - Maximum block sizes (see III. A. 2 above) will require that new streets be constructed in the AES "superblock". In addition to this requirement, the following new streets must be provided as development occurs.

1) North Broadway Avenue must be extended through the AES Power Plant Site, from Catalina Avenue to Herondo Street at its intersection with Monterey Avenue.

2) At least one additional public street must be constructed connecting Herondo Street with Marina Way.

e. General Street Design Standards:

1) Whenever possible, new streets constructed within this District shall be aligned to extend through to streets approaching from adjacent Districts.

2) Curbs - Vertical curbs must be provided in street improvements; rolled curbs will not be permitted.

3) Design Criteria - New streets within the area shall conform to minimum City standard design criteria and construction specifications, with any exceptions to be approved by the City Engineer. In general, streets within the District shall be designed to address the following issues:

(a) Safe distance between intersections.

(b) Safe travel on and turning to/from curved portions of streets.

(c) Safe sight distances at intersections and along horizontal, curved sections of streets.

(d) Safe sight distances at the driveway approaches entering streets, particularly at approaches to depressed driveways leading to underground garages.

4) New Streets in the Village Core - Newly constructed streets may be designed with or without curbside parking (curbside parking will count toward minimum parking requirements), and must generally conform to the following design criteria:

(a) Rights-of-way widths shall be a minimum of fifty (50) feet.

This Attachment A applies to the area of deferred certification, Area 2 of the Coastal Zone and has not been reviewed or certified by the Coastal Commission and is not effective in the Coastal Zone.

(b) Curb-to-curb widths shall be a maximum of twenty-six (26) feet. Where on-street parallel parking is provided, curb-to-curb widths shall be a maximum of forty-two (42) feet.

(c) A minimum ten (10) foot wide level sidewalk separated from the curb shall be provided. Where new streets are located at the water's edge, a twelve (12) foot wide level sidewalk shall be provided along the water.

(d) Pedestrian-scaled lighting shall be installed as a part of all new development.

(e) Corner Curb return radius shall be fifteen (15) feet.

5) New Residential Streets - Except where otherwise specified above, newly constructed residential streets shall generally conform to the following criteria:

(a) Rights-of-way widths shall be a minimum of fifty (50) feet.

(b) Curb-to-curb widths shall be a maximum of thirty (32) feet.

(c) Wherever the public right-of-way allows, streets should feature two-way traffic with curbside parallel parking on both sides of the street.

(d) Walks - A minimum five (5) foot wide level sidewalk separated from the curb shall be provided.

(e) Planting strips at a minimum of five (5) feet in width, measured from the face of the curb, shall be established along all streets and planted with grass and/or a low-growing ground cover.

(f) Corner Curb return radius shall be ten (10) feet.

2. Curb Cuts/Driveways that lead to on-site parking garages or lots shall be constructed to the satisfaction of the City Engineer and shall reflect the following criteria:

a. Location - Unless site access cannot be achieved in any other way, curb cuts and driveways shall be located on streets other than Harbor Drive or Portofino Way. No curb cuts shall be constructed along the Strand.

b. Maximum Number of curb cuts associated with a single building shall be one (1) two-way curb cut or two (2) one-way curb cuts. Otherwise, the

This Attachment A applies to the area of deferred certification, Area 2 of the Coastal Zone and has not been reviewed or certified by the Coastal Commission and is not effective in the Coastal Zone.

maximum number of curb cuts shall be one (1) two-way curb cut or two (2) one-way curb cuts per one hundred forty (140) feet of frontage.

c. Maximum Width of curb cuts shall be twelve (12) feet for a one-way driveway and twenty-four (24) feet for a two-way driveway.

d. Driveway Setbacks shall be a minimum of five (5) feet from adjoining properties, and a minimum of three (3) feet from adjacent buildings.

e. Ramping Driveways shall be located beyond the back of the sidewalk with a maximum grade of fifteen per cent (15%).

f. Service Access shall be from rear parking areas wherever possible. Where only curbside service is possible, such service shall be located along streets other than Harbor Drive.

3. Pedestrian Rights-of-Way

a. The Strand - The Strand shall be established as a dedicated public right-of-way and shall be designed to the satisfaction of the City Engineer. The following site planning and design criteria area established for the Strand:

1) Pedestrian and bike traffic shall be separated into two parallel lanes for the length of the Strand in the Study Area.

2) A minimum twelve (12) feet wide level concrete sidewalk shall be provided for the entire length of the Strand. From Herondo Street to Marina Way, a twelve (12) foot wide bikeway constructed of colored concrete shall be provided. Throughout the Village Core, the bikeway shall be constructed at a width of sixteen (16) feet.

3) Where the Strand parallels a major public street, a five (5) foot protective median shall be installed to buffer pedestrians from vehicular traffic.

4) Palm trees shall be planted at a spacing of approximately forty (40) feet on center along the public right-of-way.

5) Pedestrian-scaled lighting shall be installed approximately sixty (60) feet on center along the public right-of-way. Luminaries shall be approximately thirteen (13) feet in height and streetlight furniture selections shall conform to those designated by the City.

6) Site furniture shall be located at intervals along its length, including trash receptacles, benches and bike racks.

This Attachment A applies to the area of deferred certification, Area 2 of the Coastal Zone and has not been reviewed or certified by the Coastal Commission and is not effective in the Coastal Zone.

b. At the Water's Edge - A minimum twelve (12) foot public right-of-way must be provided in the form of an esplanade or public sidewalk along the water's edge, as specified in II. D., above.

C. BUILDING ACCESS

1. Direct Pedestrian Access shall be provided in the form of a walkway from the public sidewalk to the main building entrance; i.e. pedestrian access to buildings shall not require walking across parking lots.

2. Common entrances should serve no more than twelve (12) units. Common entrances may incorporate access from underground parking garages and/or from common project outdoor open spaces.

D. WATERFRONT ACCESS

1. In general, new development shall not block or restrict access to the waterfront and marina areas of Redondo Beach.

   a. Direct pedestrian access to the waterfront shall be provided at a minimum of every five hundred (500) feet in the form of a walkway from public sidewalks along roadways and in between buildings where possible.

   b. Visual access to the waterfront shall be provided at a minimum of every five hundred (500) feet through building breaks and the provision of view corridors.

E. PARKING

1. Shared Parking is encouraged throughout the Waterfront District and the Village Core to maximize efficiency of land use. In densely developed areas with varying uses having peak hours of demand, shared parking can be used to handle demand. For example, in the Village Core, a shared parking opportunity is possible when viewing the relationship between daytime retailers and entertainment areas. While retail or service customers will require parking during the day on weekdays, entertainment uses will require parking during the evenings and on weekends. A shared parking arrangement between these uses can make it possible to shift peak hour demand, requiring less parking than would otherwise be necessary.

   a. Mixed-Use Developments with shared parking facilities – requirements shall be calculated on a case-by-case basis.

This Attachment A applies to the area of deferred certification, Area 2 of the Coastal Zone and has not been reviewed or certified by the Coastal Commission and is not effective in the Coastal Zone.

b. Lease Arrangements for Sharing Parking in existing parking lots are permitted. Evaluation of the feasibility of such arrangements and the establishment of fees shall be carried out by the City on a case-by-case basis.

c. An In-Lieu Fee may be paid for spaces in existing public parking facilities or toward future development of public parking facilities; evaluation of the feasibility of such arrangements shall be made by the City.

d. Off-site shared parking for employees and long-term (i.e. all-day) visitors is encouraged. This will not only help the Village Core minimize its on-site parking needs, but increase the efficiency of existing garages

2. Minimum Parking Requirements – are listed below. Requirements for renovation, enlargements or use changes apply only to net new floor area and/or the incremental increase in parking demand that accompanies a higher intensity use.

a. Retail: 1 space per 333 square feet (3/1,000 s.f.)

b. Quality Eating and Drinking Establishments (includes bars and sit-down restaurants other than family-oriented "diners"): 1 space per 62.5 square feet (16/1,000)

c. Family Restaurants (family-oriented "diners"): 1 space per 167 square feet (6/1,000)

d. Cafes and Fast Food Restaurants: 1 space per 90 square feet (11/1,000)

e. Take-Out Restaurants: 1 space per 250 square feet (4/1,000)

f. Personal Services: 1 space per 333 square feet (3/1,000 s.f.)

g. Business Services: 1 space per 333 square feet (3/1,000 s.f.)

h. Business and Professional Offices: 1 space per 333 square feet (3/1,000.)

i. Medical Offices: 1 space per 250 square feet (4/1,000 s.f.)

j. Lodging: 1.125 spaces per unit.

k. Clubs and Lodges: 1 space per 50 square feet used for assembly purposes

l. Theaters, auditoriums: 1 space for each 4 fixed seats.

This Attachment A applies to the area of deferred certification, Area 2 of the Coastal Zone and has not been reviewed or certified by the Coastal Commission and is not effective in the Coastal Zone.

m. Multi-unit residential and Condominiums (including Live-Work): two (2) spaces per two-bedroom unit or larger; one (1) space per one-bedroom unit or studio.

n. Visitor Parking – Fifteen per cent (15%) of the required parking spaces shall be freely accessible to visitors without security gates and/or other facilities that would deter their use.

o. Limited Project-Serving Convenience Retail (allowed conditionally within residential project as described under Conditional Uses, above) – no on-site parking may be provided.

p. Other uses: As per the City Zoning Code

3. Location - On-site surface parking lots or garages shall always be to the rear of buildings. Under no circumstances may parking garages or parking lots front upon Harbor Drive or the Strand.

   a. Visitor walking distances from parking to destination should not exceed 1,600 feet.

      1) **Exception:** Marina parking must be provided in the immediate vicinity, as boat owners must be able to load and unload cargo.

      2) **Special Condition: Village Core** - Under no circumstances may private surface parking lots be constructed in the Village Core except where specified.

4. . Marina Parking - Village Core North: Marina tenants currently have 228 parking spaces reserved for their use. These 228 spaces shall be replaced on-site, between Marina Way and Portofino Way. A parking management plan that addresses joint use of these parking facilities shall be prepared in conjunction with applications for new development on this site, subject to approval by the City, or by the Coastal Commission if appealed.

5. Handicapped Accessibility Standards - Refer to *California State Accessibility Standards - Interpretive Manual*, latest edition.

F. LANDSCAPING & SCREENING

1. The Perimeter of Parking Areas and Driveways adjacent to streets and sidewalks shall be screened with an attractive low wall or ornamental metal fence; the perimeter of parking areas adjacent to interior block property lines shall be screened with a low wall or fence. (See Heart of City Specific Plan

This Attachment A applies to the area of deferred certification, Area 2 of the Coastal Zone and has not been reviewed or certified by the Coastal Commission and is not effective in the Coastal Zone.

Design Guidelines, "Site Improvements and Landscaping" section, for design criteria for walls and fences)

2. Surface Parking Areas shall be planted with shade trees at a ratio of at least one (1) tree for every five (5) spaces in an "orchard" planting arrangement. (See Heart of City Specific Plan Design Guidelines, "Site Improvements and Landscaping" section, for a diagram of "orchard" planting)

3. Adjacent to Designated Residential Areas, attractive screen fencing or walls shall be provided along the property line(s) to screen buildings, service areas, and parking areas. A ten (10) foot planting area shall be established adjacent to the fence or wall with trees at a minimum spacing of twenty (20) feet on center.

4. Trash and Service Equipment, including satellite receiving dishes, shall be located away from streets and enclosed or screened by landscaping, fencing or other architectural means. Trash facilities must always be within structural enclosures.

    a. Rooftop equipment shall be screened on all sides and shall be integrated architecturally in the building design.

    b. The location of recycling containers shall be included in design plans.

5. Public Works

    a. Easements - All public service easements shall be provided under or immediately adjacent to new public rights-of-way, or within other public easements areas acceptable to the Public Works Director. Utility lines under buildings will not be allowed.

    b. Infrastructure Modifications - Modification to existing public and quasi-public infrastructure (sanitary sewer, storm sewer, water and power lines) shall be made if necessary to accommodate the proposed use without reducing the quality of services to surrounding properties.

6. Screen Fences and Walls not adjacent to streets and sidewalks shall be a minimum of six (6) feet in height and a maximum of eight (8) feet in height. (See Heart of City Specific Plan Design Guidelines, "Site Improvements and Landscaping" section, for recommendations on type and materials.)

7. Plant Materials - See Heart of City Specific Plan Design Guidelines, "Site Improvements and Landscaping" section.

This Attachment A applies to the area of deferred certification, Area 2 of the Coastal Zone and has not been reviewed or certified by the Coastal Commission and is not effective in the Coastal Zone.

G. NOISE - All exterior spaces and interior unit shall be designed to achieve desired noise levels specified in the City's General Plan to the extent feasible; i.e. 45 Ldn for interiors and 60 Ldn for exteriors.

H. MAINTENANCE OF COMMON AREAS - For all developments, the developer shall prepare binding agreements ("CC&R's") addressing issues of common interest in terms of maintenance of common open space, tree planter areas, planting strips, and walks.

This Attachment A applies to the area of deferred certification, Area 2 of the Coastal Zone and has not been reviewed or certified by the Coastal Commission and is not effective in the Coastal Zone.

ATTACHMENT B

CATALINA CORRIDOR DISTRICT LAND USE AND DEVELOPMENT STANDARDS

NOTE: THIS ATTACHMENT APPLIES TO THE AREA OF DEFERRED CERTIFICATION, AREA 2 OF THE COASTAL ZONE AND HAS NOT BEEN REVIEWED OR CERTIFIED BY THE COASTAL COMMISSION AND IS NOT EFFECTIVE IN THE COASTAL ZONE.

This Attachment B applies to the area of deferred certification, Area 2 of the Coastal Zone and has not been reviewed or certified by the Coastal Commission and is not effective in the Coastal Zone.

DEVELOPMENT STANDARDS

I. LAND USE

A. PERMITTED USES

1. Residential - at a maximum density of fifty-five (55) units per acre; minimum density shall be sixteen (16) units per acre.

   a. Home Occupation (i.e. a space clearly used as a residence that may or may not contain a workspace in the form of an office or workshop) is allowed under this Land Use type as long as there are no employees, walk-in trade, or generation of noise or odors perceivable beyond the individual dwelling unit. Development must adhere to all the standards that apply to the applicable type of residential. Reversion to work only is not permitted.

   b. Family day care homes.

2. Live-Work – a mixed-use occupancy building limited to activities with reduced hazard levels of work type. Work activities may not be open to client visits other than by appointment; maximum number of employees is two. Work activities are limited to office and office-related activity, or other activity compatible with residential use. Manufacturing, fabrication and material handling are not permitted. Also, medical offices, and kennels or other activity related to animals are not permitted. Live-Work may be converted to residential use only, but may not be converted to work only.

3. Business, Professional and Government Offices, limited to the AES site and the area west of Catalina Avenue south of N. Francisca Avenue.

4. Medical and Dental Offices, limited to the AES site and the area west of Catalina Avenue south of N. Francisca Avenue.

5. Special Condition: Neighborhood Retail Cluster - Limited neighborhood-serving retail will be permitted on the ground floor along Catalina Avenue between Gertruda and Francisca Avenues. The following uses are permitted in addition to those listed above:

   a. Retail - all uses except drive-up or drive-in services.

   b. Eating and Drinking Establishments including those serving alcoholic beverages or providing entertainment, provided this activity is clearly ancillary to food service; drive-up or drive-in restaurants are not permitted.

This Attachment B applies to the area of deferred certification, Area 2 of the Coastal Zone and has not been reviewed or certified by the Coastal Commission and is not effective in the Coastal Zone.

1) Chairs and tables for outdoor dining may be permitted in the public right-of-way (i.e. in sidewalk areas) subject to City review, provided a minimum of four (4) feet is left clear between furnishings and the curb line for pedestrian circulation.

c. Personal Services - hair and nail salons, shoe repair, laundromats, dry cleaners, and similar businesses.

d. Business Services - those that are storefront businesses that generate foot traffic, such as photocopy shops, photo finishers, video rental & sales, travel agencies, appliance repair, print shops, insurance agencies, or real estate agencies.

e. Banks and Financial Institutions.

6. Post Offices and Civic Storefront Uses.

7. Health and Exercise Clubs.

8. Residential Care Facilities, limited.

9. **Special Condition: King Harbor Plaza Shopping Center** - Continue to permit commercial uses in the existing shopping center bounded by N. Pacific Coast Highway, N. Gertruda Avenue and N. Catalina Avenue, consistent with the land use regulations applicable to the C-2A zone (Section 10-5.620 of the City's Zoning Ordinance), provided there is no expansion of commercial floor area. This site may also be developed as Mixed Use Commercial/Residential, or as Multi-Unit Residential.

10. **Special Condition: Information Technology Center/Mini-Storage Site** (located at and contiguous with the eastern edge of the AES site) - Permit the development and use of the existing floor area consistent with the land use regulations applicable to the C-5A zone in effect on January 1, 2002 and/or the Conditional Use Permit in effect as of January 1, 2002.

B. CONDITIONAL USES

1. Lodging may be permitted if it can be determined that the proposed development will be of a quality and character consistent with the goals of the Specific Plan.

2. Indoor Wholesale and Commercial Sales and Services may occur if determined by the City to be of the same general character and/or supportive of the permitted uses listed above - including the following:

This Attachment B applies to the area of deferred certification, Area 2 of the Coastal Zone and has not been reviewed or certified by the Coastal Commission and is not effective in the Coastal Zone.

a. Commercial recreation, e.g. bowling alley, roller-skating rink, indoor golfing, etc.

b. Photographic processing and wholesale supply, printing, engraving, lithography and publishing.

c. Tool and equipment sales and showrooms, particularly those that do not feature equipment rental, equipment servicing, nor any outdoor equipment storage areas.

d. Recreational equipment sales and service.

e. Furniture showrooms and sales outlets.

3. Public Halls, Lodges, and Clubs

4. Public and Quasi Public Buildings and Uses - of a recreational, educational, religious, cultural, or public service type.

5. Schools, Adult Day Care Centers, and Child Day Care Centers.

6. Public Utility Facilities (future power generating facilities shall be limited to the portion of the AES Generating Plant site identified as the "Plant 3" site, containing Units 7 and 8 and Tanks 2-4).

7. Antennae for Public Communications.

8. Churches.

9. Convalescent Facilities.

10. Public transit facilities.

C. ACCESSORY USES

1. Customary Home Occupations - subject to City review.

2. Accessory Uses and Buildings- customarily appurtenant to a permitted use.

D. MAXIMUM DEVELOPMENT INTENSITY - Permitted non-residential uses shall have a maximum Floor Area Ratio (FAR) of 1.0. FAR does not include parking facilities. New public streets constructed as part of the site's development may be counted in the FAR calculation.

This Attachment B applies to the area of deferred certification, Area 2 of the Coastal Zone and has not been reviewed or certified by the Coastal Commission and is not effective in the Coastal Zone.

II. BUILDING HEIGHT, SETBACKS & ORIENTATION

A. HEIGHT – Height shall be measured from sidewalk or finished grade to top of cornice, parapet, or eave line of a peaked roof as follows:

1. Maximum – Buildings may not exceed three (3) stories and forty (40) feet.

2. **Special Condition: Catalina Avenue** – Buildings facing Catalina Avenue must maintain a minimum height of twenty-five (25) feet; this may be a one-story building with a tall parapet.

3. Exceptions - subject to City review:

   a. Above Subsurface Parking - Buildings may exceed the maximum height by four (4) feet. Developments with a frontage of over two hundred (200) feet may exceed the height limit by an average of four (4) feet with a maximum height of five (5) feet above the height limit.

   b. Sloping and Pitched Roofs - The maximum height of a building's roof volume measured from eave to the highest portion of the roof volume (the peak or apex), excluding ornament, may not exceed the height of the shortest story within the building, not to exceed nine (9) feet.

      1) Where the height of the shortest story exceeds sixteen (16) feet, the maximum height of the roof volume may not be greater than half that story height.

      2) Where the height of the shortest story exceeds twenty-seven (27) feet, the maximum height of the roof volume may not be greater than one-third that story height.

   c. Special Architectural Features such as uninhabited towers (clock, bell, observation) or entry volumes.

   d. Rooftop Structures such as elevator and mechanical equipment enclosures or roof deck trellises and gazebos. These may exceed the height limit by ten (10) feet, provided they are set back a minimum of ten (10) feet from building walls and are screened by a parapet or sloping roof. On existing buildings that exceed the height limits of the district, rooftop structures may exceed the height of the existing building by no more than ten (10) feet, provided they are set back a minimum of ten (10) feet from building walls and are screened by a parapet or sloping roof.

4. Accessory Buildings may be twelve (12) feet in height.

This Attachment B applies to the area of deferred certification, Area 2 of the Coastal Zone and has not been reviewed or certified by the Coastal Commission and is not effective in the Coastal Zone.

B. FRONT SETBACKS- Setbacks shall be measured from the front property line or the back-of-sidewalk, whichever results in the greater setback.

1. Minimum Setback shall be fifteen (15) feet.

   a. **Special Condition: Catalina Avenue** - Residential development facing Catalina Avenue shall have a minimum setback of twenty (20) feet.

   b. **Special Condition: Catalina Avenue** - New buildings located along Catalina Avenue shall provide a minimum eighteen (18) foot wide public sidewalk area, containing a sidewalk eight (8) feet in width and a curbside planting strip ten (10) feet in width to create a boulevard appearance and to provide additional buffering for pedestrians. In instances where the existing right-of-way is less than 18 feet, new construction shall include the dedication of sufficient land to provide this minimum public right-of-way.

2. Maximum Setback shall be forty (40) feet.

3. Exceptions – subject to City review:

   a. Encroachment Zone – Subject to City review, front entrances, entrance porticos, stairs, canopies and special architectural features may extend a maximum of five (5) feet into the front setback area. The total linear frontage encroaching into the front setback area may not exceed one-quarter (1/4) of the total length of the building mass.

   b. Ground-level Small Business Shopfronts - Minimum setback requirement (and corresponding decorative fencing treatment) may be waived to accommodate small-scale ground-level small business shopfronts with entrances leading directly out on to the sidewalk. For continuous frontage without setback, there must be an entrance a minimum of every thirty-five feet along the ground-level of the building.

4. Surface Parking Lots shall be set back a minimum of five (5) feet from all property lines. See III. D., below, for additional design criteria.

C. SIDE AND REAR SETBACKS: Setbacks shall be measured from the side and rear property lines.

1. Adjacent to nonresidential uses, the minimum setback is fifteen (15) feet to side property lines and twenty-five (25) feet between buildings on the same property.

2. Adjacent to single-family detached housing, the minimum setback is twenty (20) feet.

This Attachment B applies to the area of deferred certification, Area 2 of the Coastal Zone and has not been reviewed or certified by the Coastal Commission and is not effective in the Coastal Zone.

3. The maximum setback shall be twenty-five (25) feet

4. Corner Parcels - Setback/build-to requirement applies to both frontages (corner parking lots are generally not permitted).

5. Exceptions - subject to City review:

   a. Uninhabitable building elements such as chimneys and projecting eaves may extend a maximum of three (3) feet into the setback area.

   b. Accessory buildings shall be subject to applicable standards in the Zoning Ordinance.

6. Parking lots shall be set back a minimum of ten (10) feet from interior property lines (i.e. property lines running parallel to public street frontages, and not running along public rights-of-way). Where sufficient contiguous property exists, combining two 10-foot setbacks to create a mid-block alley is encouraged.

D. BUILDING ORIENTATION

1. Minimum Frontage – In general, all streets shall be lined with buildings (and not with parking lots, walled or unwalled landscaped or storage spaces).

2. Relationship to Frontage - Buildings shall be oriented towards major streets, and face public or publicly-accessible private streets or ways. The longest side of the building must be parallel to a public street.

   a. **Special Condition: Catalina Avenue** - Buildings located along Catalina Avenue shall face the Avenue, and shall be oriented with the longest side of the building parallel to Catalina Avenue.

3. Main Entrances - Entrances to all buildings shall be located on the building facade or on a building corner facing a public street (and not on a parking lot). See Heart of City Specific Plan Design Guidelines for additional design criteria.

III. SITE DEVELOPMENT & PARKING

A. DEVELOPMENT PATTERN

1. Block Pattern - All development shall be configured into a pattern of generally rectilinear blocks, with new streets and access drives linking to surrounding public streets (i.e., the construction of new cul-de-sac streets is prohibited).

This Attachment B applies to the area of deferred certification, Area 2 of the Coastal Zone and has not been reviewed or certified by the Coastal Commission and is not effective in the Coastal Zone.

a. Closure of Existing Streets to accommodate new development is not permitted. Streets must be accessible to pedestrians, automobiles and service vehicles.

2. Block Dimension – Wherever new construction involves sufficient land to require the construction of new streets, the existing large-scale blocks shall be broken into a pattern of smaller blocks. Contiguous development should not exceed three hundred (300) feet in length and six hundred (600) feet in depth. Wherever possible, new block development should be accomplished by connecting new streets with existing "dead-end" or non-public streets.

   a. Midblock pedestrian connections shall be provided for all residential blocks longer than three hundred (300) feet.

   b. Exception: Existing development contiguous with the eastern edge of the AES site, currently occupied by a Mini-Storage facility, is not required to meet the minimum block dimensions until and unless the site is redeveloped with another use or structure.

3. Open Space

   a. Multi-Unit Buildings and Live-Work Buildings - Residential units in all multi-unit buildings shall be organized around a common, usable outdoor space. A minimum of one hundred fifty (150) square feet shall be provided for each unit excluding required setback areas; see Heart of City Specific Plan Design Guidelines. Private outdoor deck or patio space shall also be provided with at least sixty (60) square feet for each unit. Private space shall be in the form of a patio or deck attached to the unit, not less than six (6) feet clear in any dimension.

   b. Office Development shall provide usable public open space in the form of plazas, greens or widened sidewalks. Open space must include a minimum one hundred (100) square feet of usable open space for every one thousand (1000) square feet of office space constructed.

   c. AES Power Plant Site - A central green space will be provided within the redesigned AES Power Plant Site, to serve the adjacent residential neighborhoods. This space shall be a minimum of 50,000 square feet in size.

B. SITE ACCESS

1. Public Streets shall be required to serve new development. Such new streets shall be dedicated public rights-of-way and shall be designed to the

This Attachment B applies to the area of deferred certification, Area 2 of the Coastal Zone and has not been reviewed or certified by the Coastal Commission and is not effective in the Coastal Zone.

satisfaction of the City Engineer. In general, streets within the district shall reflect the pattern of surrounding streets and district parcelization.

a. AES Power Plant Site – New development should make the most of opportunities to extend new street corridors toward the waterfront. Maximum block sizes (see III. A. 2 above) will require that new streets be constructed in the AES "superblock". In addition to this requirement, the following new streets must be provided as development occurs.

   1) A new public street must be constructed through the AES Power Plant Site, extending Broadway across Catalina Avenue to Herondo Street at its intersection with Monterey Boulevard. An additional street should connect from the Broadway/Catalina Avenue intersection west to Harbor Drive.

   2) At least one additional public street must be constructed connecting Herondo Street with Marina Way.

   3) New east-west streets constructed through the AES Power Plant Site should maintain alignment with new and existing City streets located east of the Mini-Storage facility, to ensure the possibility of future connections from Catalina Avenue to Harbor Drive and the waterfront.

b. Improvement of Existing Public Streets- As new development occurs, improvements must conform to the following design criteria:

   1) Curbside parking and two-way traffic are encouraged on all Public Streets.

   2) Walks - A minimum ten (10) foot wide level sidewalk separated from the curb shall be provided. In instances where the public sidewalk is less than 10 feet wide, new construction shall include an easement for the expansion of the sidewalk width to the 10-foot minimum.

   3) Pedestrian scale lighting shall be installed as part of all new development.

   4) Corner Curb return radius - fifteen (15) feet.

   5) **Special Condition: Catalina Avenue**- See II. B., above, for setback requirements.

      (a) A minimum ten (10) foot wide level concrete sidewalk shall be provided.

This Attachment B applies to the area of deferred certification, Area 2 of the Coastal Zone and has not been reviewed or certified by the Coastal Commission and is not effective in the Coastal Zone.

(b) A curbside planting strip eight (8) feet in width shall be provided occur between the sidewalk and the curb edge of the street to create a boulevard appearance and to provide additional buffering for pedestrians.

(c) Street trees of a consistent type and character shall be planted at a spacing of approximately forty (40) feet on center within required curbside planting strips.

(d) Pedestrian scale lighting shall be installed approximately eighty (80) feet on center within the required planting strip. Luminaries shall be approximately thirteen (13) feet in height and streetlight furniture selections shall conform to those designated by the City.

c. General Street Design Standards:

1) Whenever possible, new streets constructed within this district shall be aligned to extend through to streets approaching from adjacent districts.

2) Curbs - Vertical curbs must be provided in street improvements; rolled curbs will not be permitted.

3) Design criteria - New streets within the area shall conform to minimum City standard design criteria and construction specifications, with any exceptions to be approved by the City Engineer. In general, streets within the District shall be designed to address the following issues:

(a) Safe distance between intersections.

(b) Safe travel on and turning to/from curved portions of streets.

(c) Safe sight distances at intersections and along horizontal, curved sections of streets.

(d) Safe sight distances at the driveway approaches entering streets, particularly at approaches to depressed driveways leading to underground garages.

4) New Connector Streets (i.e. Broadway and between Herondo and Marina Way) - Except where otherwise specified above, newly constructed residential streets shall generally conform to the following criteria:

(a) Rights-of-way widths shall be a minimum of sixty (60) feet.

This Attachment B applies to the area of deferred certification, Area 2 of the Coastal Zone and has not been reviewed or certified by the Coastal Commission and is not effective in the Coastal Zone.

(b) Curb-to-curb widths shall be a maximum of forty (40) feet.

(c) Wherever the public right-of-way allows, streets should feature two-way traffic with curbside parallel parking on both sides of the street.

(d) Walks - A minimum five (5) foot wide level sidewalk separated from the curb shall be provided.

(e) Planting strips at a minimum of five (5) feet in width, measured from the face of the curb, shall be established along all streets and planted with grass and/or a low-growing ground cover.

(f) Street trees of a consistent type and character shall be planted along new streets.

(g) Pedestrian-scaled lighting shall be installed as a part of all new development.

(h) Corner Curb return radius shall be fifteen (15) feet.

5) Internal Neighborhood Streets - Except where otherwise specified above, newly constructed neighborhood streets not functioning as collector streets shall generally conform to the following criteria:

(a) Rights-of-way widths shall be a minimum of fifty (50) feet.

(b) Curb-to-curb widths shall be a maximum of thirty (32) feet.

(c) Wherever the public right-of-way allows, streets should feature two-way traffic with curbside parallel parking on both sides of the street.

(d) Walks - A minimum five (5) foot wide level sidewalk separated from the curb shall be provided.

(e) Planting strips at a minimum of five (5) feet in width, measured from the face of the curb, shall be established along all streets and planted with grass and/or a low-growing ground cover.

(f) Corner Curb return radius shall be ten (10) feet.

This Attachment B applies to the area of deferred certification, Area 2 of the Coastal Zone and has not been reviewed or certified by the Coastal Commission and is not effective in the Coastal Zone.

2. Curb Cuts/Driveways that lead to on-site parking garages or lots shall be constructed to the satisfaction of the City Engineer and shall reflect the following criteria:

   a. Maximum Number of curb cuts associated with a single building shall be one (1) two-way curb cut or two (2) one-way curb cuts. Otherwise, the maximum number of curb cuts shall be one (1) two-way curb cut or two (2) one-way curb cuts per one hundred forty (140) feet of frontage.

   b. Maximum Width of curb cuts shall be twelve (12) feet for a one-way driveway and eighteen (18) feet for a two-way driveway.

   c. Driveway Setbacks shall be a minimum of five (5) feet from adjoining properties, and a minimum of three (3) feet from adjacent buildings.

   d. Ramping Driveways shall be located beyond the back of the sidewalk with a maximum grade of twenty percent (20%).

   e. Drop-Off Areas shall be provided at both the main (street front) building entry and the secondary (parking side) building entry.

   f. Service Access shall be from rear parking areas wherever possible, or, subject to City approval, along Service Street frontages.

C. BUILDING ACCESS

1. Direct pedestrian access shall be provided in the form of a walkway from the public sidewalk to the main building entrance; i.e. Pedestrian access to buildings shall not require walking across parking lots.

2. Common entrances should serve no more than twelve (12) units. Common entrances may incorporate access from underground parking garages and/or from common project outdoor open spaces.

D. PARKING

1. Shared Parking is encouraged throughout the Waterfront District and the Village Core to maximize efficiency of land use. In densely developed areas with varying uses having peak hours of demand, shared parking can be used to handle demand. For example, in the Village Core, a shared parking opportunity is possible when viewing the relationship between daytime retailers and entertainment areas. While retail or service customers will require parking during the day on weekdays, entertainment uses will require parking during the evenings and on weekends. A shared parking arrangement between these uses can make it possible to shift peak hour demand, requiring less parking than would otherwise be necessary.

This Attachment B applies to the area of deferred certification, Area 2 of the Coastal Zone and has not been reviewed or certified by the Coastal Commission and is not effective in the Coastal Zone.

a. Mixed-Use Developments with shared parking facilities – requirements shall be calculated on a case-by-case basis.

b. Lease Arrangements for Sharing Parking in existing parking lots are permitted. Evaluation of the feasibility of such arrangements and the establishment of fees shall be carried out by the City on a case-by-case basis.

c. An In-Lieu Fee may be paid for spaces in existing public parking facilities or toward future development of public parking facilities; evaluation of the feasibility of such arrangements shall be made by the City.

2. Minimum Parking Requirements – are listed below. Requirements for renovation, enlargements or use changes apply only to net new floor area and/or the incremental increase in parking demand that accompanies a higher intensity use.

   a. Retail: 1 space per 333 square feet (3/1,000)

   b. Eating and Drinking Establishments: 1 space per 200 square feet (5/1,000)

   c. Bars with Live Entertainment and Nightclubs: 1 space per 35 square feet used for seating and dancing.

   d. Personal Services: 1 space per 333 square feet (3/1,000)

   e. Business Services: 1 space per 333 square feet (3/1,000)

   f. Business and Professional Offices: 1 space per 300 square feet (3.33/1,000)

   g. Medical Offices: 1 space per 200 square feet (5/1,000)

   h. Lodging: 1.125 spaces per unit.

   i. Clubs and Lodges: 1 space per 50 square feet used for assembly purposes

   j. Theaters, auditoriums: 1 space for each 5 fixed seats plus one space for each 250 s.f. of other area.

   k. Multi-Unit Residential and Condominiums: two (2) spaces per two-bedroom unit or larger; one (1) space per one-bedroom unity or studio.

This Attachment B applies to the area of deferred certification, Area 2 of the Coastal Zone and has not been reviewed or certified by the Coastal Commission and is not effective in the Coastal Zone.

l. Visitor Parking: Fifteen percent (15%) of the required parking spaces shall be freely accessible to visitors without security gates and/or other facilities that would deter their use.

m. Limited Project-Serving Convenience retail (allowed conditionally within residential project as described under Conditional Uses, above) – no on-site parking may be provided.

n. Other uses: As per the City Coastal Zoning Ordinance.

3. Location - Every effort should be made to avoid surface parking lots fronting upon public streets; wherever possible, the location of Surface Parking Lots or Parking Garages shall be to the rear or side of buildings. Under no circumstances may parking garages or parking lots be constructed adjacent to street intersections or special public open spaces.

4. Garage Doors or gates shall be provided for all garages. Maximum width for common garage entrances shall be twenty (20) feet for double doors and ten (10) feet for single doors. Freestanding Garages shall be located to the rear of buildings; see Heart of City Specific Plan Design Guidelines.

5. Handicapped Accessibility Standards - Refer to *California State Accessibility Standards - Interpretive Manual*, latest edition.

E. LANDSCAPING & SCREENING

1. The Perimeter of Parking Areas and Driveways adjacent to streets and sidewalks shall be screened with an attractive low wall or ornamental metal fence; the perimeter of parking areas adjacent to interior block property lines shall be screened with a low wall or fence. See Heart of City Specific Plan Design Guidelines for design criteria for walls and fences.

2. Surface Parking Areas shall be planted with shade trees at a ratio of at least one (1) tree for every five (5) spaces in an "orchard" planting arrangement. (See Site Improvements).

3. Adjacent to Designated Residential Areas, attractive screen fencing or walls shall be provided along the property line(s) to screen buildings, service areas, and parking areas. A ten (10) foot planting area shall be established adjacent to the fence or wall with trees at a minimum spacing of twenty (20) feet on center.

4. Trash and Service Equipment, including satellite receiving dishes, shall be located away from streets and enclosed or screened by landscaping, fencing or other architectural means. Trash facilities must always be within structural enclosures.

This Attachment B applies to the area of deferred certification, Area 2 of the Coastal Zone and has not been reviewed or certified by the Coastal Commission and is not effective in the Coastal Zone.

a. Rooftop equipment shall be screened on all sides and shall be integrated architecturally in the building design.

b. The location of recycling containers shall be included in design plans.

5. Public Works

a. Easements - All public service easements shall be provided under or immediately adjacent to new public rights-of-way, or within other public easements areas acceptable to the Public Works Director. Utility lines under buildings will not be allowed.

b. Infrastructure Modifications - Modification to existing public and quasi-public infrastructure (sanitary sewer, storm sewer, water and power lines) shall be made if necessary to accommodate the proposed use without reducing the quality of services to surrounding properties.

6. Screen Fences and Walls not adjacent to streets and sidewalks shall be a minimum of six (6) feet in height and a maximum of eight (8) feet in height. (See Heart of City Specific Plan Design Guidelines for recommendations on type and materials.

7. Plant Materials - see Site Improvements and Landscaping section.

F. NOISE – All exterior spaces and interior unit shall be designed to achieve desired noise levels specified in the City's General Plan to the extent feasible; i.e. 45 Ldn for interiors and 60 Ldn for exteriors.

G. MAINTENANCE OF COMMON AREAS - For all developments, the developer shall prepare binding agreements ("CC&R's") addressing issues of common interest in terms of maintenance of common open space, tree planter areas, planting strips, and walks.

This Attachment B applies to the area of deferred certification, Area 2 of the Coastal Zone and has not been reviewed or certified by the Coastal Commission and is not effective in the Coastal Zone.

ATTACHMENT C

ADDITIONAL SIGN STANDARDS AND GUIDELINES FOR THE WATERFRONT DISTRICT AND CATALINA CORRIDOR DISTRICT

NOTE: THIS ATTACHMENT APPLIES TO THE AREA OF DEFERRED CERTIFICATION, AREA 2 OF THE COASTAL ZONE AND HAS NOT BEEN REVIEWED OR CERTIFIED BY THE COASTAL COMMISSION AND IS NOT EFFECTIVE IN THE COASTAL ZONE.

This Attachment C applies to the area of deferred certification, Area 2 of the Coastal Zone and has not been reviewed or certified by the Coastal Commission and is not effective in the Coastal Zone.

SIGNS IN THE WATERFRONT DISTRICT AND CATALINA CORRIDOR DISTRICT

More than simply relaying information, signs should actually enhance the visual interest and character of buildings, sites and districts. The objective of the standards and guidelines is not uniformity, but elimination of those elements that result in a cluttered and unattractive physical environment and maintenance of an image of quality. They provide basic parameters for creative signs that may still be as varied and different as the businesses, workplaces and residences they represent.

These guidelines are intended to enhance the identity of the Village Core and Waterfront, and create a unifying element throughout the study area, including those areas where limited neighborhood serving retail is allowed in the Catalina Corridor. These guidelines shall apply to all areas of the study area, except that existing sign design guidelines for the Pier and International Boardwalk shall take precedence when in conflict with these sign guidelines. They provide guidelines which are in addition to any requirements and standards for signs that must be met under the City's Coastal Zoning Ordinance (Article 6, Chapter 5, Title 10 of the Redondo Beach Municipal Code).

I. DEVELOPMENT STANDARDS

A. Permitted Sign Types: Permitted signs include the following sign types, as well as those listed in Section 10-2.1810 of the City's Coastal Zoning Ordinance.

1. Personalized and Handcrafted Signs making use of artists, designers and craftsmen.

2. Wall-Mounted Non-Internally Illuminated Signs.

   a. Wall-Mounted Panel

   b. Incised into wall surface

   c. Individual letters attached to wall

   d. Painted Wall Signs, subject to design review.

3. Wall-Mounted Internally Illuminated Signs.

   a. Individual Letter "Can" Signs, attached to a wall or to a panel.
      1) Opaque backlit letters (flat or three-dimensional)
      2) Opaque sided, translucent front
      3) Translucent front and sides

   b. Exposed neon signs mounted atop individual letter cans or panels.

This Attachment C applies to the area of deferred certification, Area 2 of the Coastal Zone and has not been reviewed or certified by the Coastal Commission and is not effective in the Coastal Zone.

c. Internally illuminated "can" signs are not permitted

4. Roof-mounted Signs are not permitted.

5. Awning and Canopy Signs.

   a. Non-illuminated signs printed on fabric awnings are permitted- see design guidelines.

   b. Internally illuminated fabric awning sings ("balloon" awnings) are not permitted.

   c. Canopy-mounted signs are permitted- see design guidelines.

6. Free Standing Signs.

   a. Pole-mounted and/or other forms of free standing signs shall not be permitted in the Village Core and Waterfront District. Exceptions, subject to review, are:

      1) Directory signs or kiosks. These may be considered for sidewalk locations; those for private arcades or building complexes should be on private property, located in publicly accessible courts, access ways or passages.

      2) Portable Signs. Menu boards for restaurants, etc., provided they are stored indoors after hours of operation.

      3) Signs attached to architectural elements such as archways, trellises, and entry piers are permitted for addresses, project identity signs, or directories. Internal illuminated "can" signs are not permitted, except for individual letter "can" signs.

      4) Incidental traffic control signs may be pole mounted.

7. Window-Mounted Signs.

   a. Temporary signs for sales and/or special events and temporary construction signs. All temporary signs must be approved by City staff.

   b. Permanent signs (attached to glass) shall be limited to:

      1) Painted window signs identifying business/organization and address.

      2) Signs identifying hours of operation.

This Attachment C applies to the area of deferred certification, Area 2 of the Coastal Zone and has not been reviewed or certified by the Coastal Commission and is not effective in the Coastal Zone.

3) Neon signs indicating open/closed or for advertising purposes.

4) Adhesive signs for credit cards, memberships, and other organizational affiliations.

5) Menus, newspaper reviews, and other information for customers.

B. Sign Size & Configuration

1. Wall-Mounted Signs:

a. The square area of a sign panel or enclosure (with painted letters, attached letters, graphic pattern, etc.) shall be based on the edge-to-edge square area of all panels or surfaces containing lettering or graphics.

b. The square area of a sign composed of individual letters or characters shall be based on the sum of square areas of each sign's characters - its letters, symbols and graphics (including logotypes) - and each character's surface area calculated as a product of its height by its width in feet (i.e. no discounting for less than the rectangular area).

c. The maximum area for permitted sign types of any combination thereof shall be one (1) square foot per one (1) linear foot of tenant street frontage.

d. Individual letters, characters, or logotypes may not exceed twelve (12) inches in height.

(1) Exception: Letters may extend up to eighteen (18) inches in height if determined by the City that the sign:

(a) Is located along auto-oriented frontage (i.e. along a major roadway corridor); or

(b) Displays content that is quasi-public in nature (e.g. civic buildings, public places, and buildings with public or civic components such as hotels with convention facilities or movie theaters); or

(c) Is designed to be a "signature" element of the District and its character (i.e. carefully designed and constructed to be a special feature of the Redondo Beach waterfront).

e. The maximum horizontal length of any sign (or sequence of individual letter signs) at any single façade shall not exceed a contiguous length that is two-thirds (2/3) the horizontal width of the building facade at which the sign is mounted.

This Attachment C applies to the area of deferred certification, Area 2 of the Coastal Zone and has not been reviewed or certified by the Coastal Commission and is not effective in the Coastal Zone.

f. Internally illuminated signs shall not be permitted at locations facing directly upon residential properties across a street or property line, unless across a wider street or boulevard with landscaped medians.

g. Projecting Signs:

1) Shall provide a minimum vertical clearance of eight (8) feet clear above the finished grade.

2) Shall extend horizontally no more than eight (8) feet into the public right-of-way (above the sidewalk) or 2/3 the distance from the back of sidewalk to the face of curb, whichever is less.

3) Shall not extend higher than four (4) feet above the top of the highest ground floor storefront cornice or parapet.

2. Awning and Canopy Signs

a. Letters and graphics are limited to two surfaces, including sloping surfaces.

b. The total area of letters and graphics shall not exceed two-thirds (2/3) of the length of the canopy or awning and shall consist of no more than on line of lettering not exceeding twelve (12) inches in height.

3. Window-Mounted Signs:

a. Temporary signs for sales and/or special events shall be limited to a length of ten (10) days, and temporary construction signs shall be limited to a length of time determined by the Planning Director.

b. Permanent signs:

1) Painted window signs identifying business/organization and address, limited to a maximum of thirty-five (35%) percent of the window area.

2) Signs identifying hours of operation shall be limited to three (3) square feet or less.

3) Neon advertising signs (beer, etc.) shall be limited to three square feet each in size, up to a maximum of five signs.

4) Adhesive signs for credit cards, memberships, and other organizational affiliations shall be limited to three (3) square feet or less total.

This Attachment C applies to the area of deferred certification, Area 2 of the Coastal Zone and has not been reviewed or certified by the Coastal Commission and is not effective in the Coastal Zone.

5) Menus, newspaper reviews, and other information for customers shall be limited to five (5) square feet or less total.

4. Free Standing Signs.

a. Directory signs and kiosks shall be a maximum of ten (10) feet in height and six (6) feet in width on any side.

b. Portable signs and menu boards for restaurants

1) Shall be a maximum of five (5) feet in height and thirty (30) inches in width on any side.

2) Shall be permitted subject to design review.

c. Signs attached to architectural elements such as archways, trellises, and entry piers should not add to the height or width of those features. Sign panels shall be less than twenty-five (25) percent of the visible surface area (as determined by overall height times width) of the site architectural element on any side.

C. Location

1. The location of signs, excluding permitted free standing signs, shall be incorporated into the architectural design of the building.

2. The location of signs shall be limited to the sign band of the building and other useable wall area below the sign band. Signs shall generally be centered over the entrance except where infeasible. Signs located on the sign band shall not project below or above the sign band area.

3. The sign shall not interfere with traffic or visibility, or unduly obscure from view or detract from existing signs.

4. Free Standing Signs

a. Proposed right-of-way locations shall be subject to design review for pedestrian and ADA clearance and conformance with street and sidewalk character.

b. Proposed private property locations shall be subject to design review for ADA clearance.

This Attachment C applies to the area of deferred certification, Area 2 of the Coastal Zone and has not been reviewed or certified by the Coastal Commission and is not effective in the Coastal Zone.

II. DESIGN GUIDELINES

A. Architectural Compatibility: Signs should be architecturally coordinated their building architecture and with district urban design character design. Complementary and consistent forms, shapes, materials, and colors should be used. Larger sign structures such as monument signs should be designed to be part of the project and of the architecture, particularly when buildings are set back from the public street.

B. Sign Types

1. Personalized and Handcrafted Signs

   a. Use of traditional materials such as wood, ceramic, copper, gold leaf, etc., are encouraged. Synthetic materials may be utilized if they are designed to resemble natural materials or if of a unique, personalized character.

2. Non-Internally Illuminated Wall-Mounted Panel, Incised, Individual Letter or Painted Wall Signs:

   a. Should align with major architectural elements, such as doors and windows. Ornamental elements, such as moldings, pilasters, arches, clerestory windows, roof eaves, or cornice lines should be used as a frame.

   b. Sign panels should not overlap architectural elements such as pilasters, cornices or other trim.

   c. For painted wall signs, the services of a professional sign painter are strongly recommended for a neat and aligned appearance.

3. Internally Illuminated "Can" Signs:

   a. The typical internally illuminated, rectangular sheet metal sign can with translucent plastic sign panel front (and back) with applied or painted lettering is generally not recommended. Such signs are among the least expensive illuminated signs and generally do not enhance the appearance and quality level of a retail district or cluster. Other types of signs described and recommended in the Standards and Guidelines are preferred.

   b. This type of sign may be acceptable with the following design enhancements, and will be subject to focused design review scrutiny:

      1) Enhanced design and aesthetics of the "can" enclosure. The sheet metal "can" may be enhanced with a non-rectangular shape, architecturally compatible color and finish, and/or ornamental trim.

This Attachment C applies to the area of deferred certification, Area 2 of the Coastal Zone and has not been reviewed or certified by the Coastal Commission and is not effective in the Coastal Zone.

2) Enhanced framing condition of the plastic glazing.
3) Enhanced aesthetics of structural support or attachment. Exposed wires, bolts, and unpainted support angles are not recommended. If exposed structural support is required, it should be aesthetically developed as part of the overall sign.
4) Enhanced graphic design of illuminated panels.

   (i) Letters may be created by letter-shaped cut out openings in sheet metal masks.
   (ii) For plastic panels, graphics should be professionally fabricated, and hand painting or adhesive letters subject to peeling are strongly discouraged. Dark color background with light letters generally provide an improved appearance.

4. Projecting Signs

   a. The architectural enclosure or panel of any projecting sign and its structural supports are strongly recommended to be coordinated with the overall architecture and color scheme of the storefront.

   b. Structural supports for projecting signs should be designed so that their visual appearance is minimized, and/or harmonizes with both the storefront design and the sign design. Supports should be treated as aesthetic features of the sign design. They should not appear to be "tacked on" without regard for the alignments, proportions, colors, and forms of their adjacent buildings and signs.

5. Awning and Canopy-Mounted Signs

   a. Awnings - Lettering and graphics on awnings should be supplementary go information provided on other storefront signs. The graphic design and color of awnings should be coordinated with the overall architecture and color scheme of the storefront.

   b. Canopies - Letters or sign panels may be mounted within the vertical fascia of the canopy. Individual three-dimensional letters are recommended. Freestanding letters may be attached to the canopy above the fascia. The graphic design and color of canopies should be strongly related to the architectural design of the storefront facade.

6. Free Standing Signs

   a. Directory signs or kiosks should be designed to relate to the architecture of the storefront and or the project building. Use of the same or similar materials and colors is recommended. High quality, durable materials

This Attachment C applies to the area of deferred certification, Area 2 of the Coastal Zone and has not been reviewed or certified by the Coastal Commission and is not effective in the Coastal Zone.

should be used as these elements will receive a higher degree of contact with the public than most building components.

7. On-site traffic and parking control signs

   a. At traffic control sign panels (e.g. no parking, speed limit, etc.), ornamental frames, trim, bracketing, materials, colors, and/or custom typeface are recommended to complement residential and retail cluster character. Unpainted or plain galvanized finishes should not be used at sign poles. Paint and finish colors should be coordinated with those used in project architecture.

8. Window Mounted Signs

   a. For temporary signs for sales and/or special events and temporary construction sign, the services of a professional sign painter are strongly recommended for a neat and aligned appearance.

   b. Permanent signs attached to glass:

      1) For painted window signs identifying business organization and address, the services of a professional sign painter are strongly recommended for a neat and aligned appearance.
      2) For signs identifying hours of operation, menus, newspaper reviews and other customer information, it is recommended that these be framed, board-mounted or plastic laminated for a finished appearance.

C. Materials

1. Signboards should be made of wood or metal, with painted, incised, or raised /mounted letters of wood or metal. A high quality residential appearance is recommended for residential projects, such as with dark color painted wood signs with incised letters painted with gold or white paint.

2. Silhouette or figurative signs should be constructed of three-dimensional letters, symbols, and/or ornamental figures made of wood or metal.

3. Plastic should be used primarily for translucent panels or shapes intended to be internally illuminated. Non-yellowing materials are recommended; polycarbonate materials subject to yellowing within 5 years are not recommended. Application of lettering or graphics to plastic panels is strongly recommended to be performed by a professional sign fabricator.

4. Fabric awning signs should be made of lettering applied or silk-screened to canvas or nylon awning materials. Simple color schemes are recommended for legibility, e.g. white letters on dark awning material. Materials should be

This Attachment C applies to the area of deferred certification, Area 2 of the Coastal Zone and has not been reviewed or certified by the Coastal Commission and is not effective in the Coastal Zone.

selected for resistance to fading from sun exposure and washability. A program of regular cleaning of awnings with flat or curved sloping surfaces is recommended.

5. Permanent canopies should be designed as extensions of the primary building's architecture. Materials, finishes, colors, and design themes should be extended from the primary building's architecture.

D. Lighting.

1. Recommended types are:

   a. Backlit with lighting washing onto surfaces behind projecting solid or cut-out lettering, creating a silhouette or "halo" effect.

   b. Front lit from above or below with single or multiple spotlights. Light sources should not block the visibility of spill light by pedestrians and from residential windows.

   c. Edge lit at translucent panels or letters.

   d. Exposed neon.

2. Design Recommendations:

   a. Internally illuminated panel signs should not face directly upon residential properties across a street or property line, unless across a wider street or boulevard with landscaped medians.

   b. Light sources should be shielded to block spill light from visibility by pedestrians, motorists, and from residential windows.

   c. Illuminated signs (except for address and directory signs) are recommended to be shut off after 2AM nightly, either manually or on timers.

   d. Recommended light sources include incandescent, halogen, neon tube, compact fluorescent, and metal halide.

   e. Light sources that are not recommended include high pressure sodium, low pressure sodium, and billboard-style long tube fluorescent uplighting or downlighting of signs.

This Attachment C applies to the area of deferred certification, Area 2 of the Coastal Zone and has not been reviewed or certified by the Coastal Commission and is not effective in the Coastal Zone.

EXHIBIT 2
Ordinance No. 2905-03

Title 5, Chapter 7

Stormwater and Urban Runoff Pollution Control Regulations

CITY OF REDONDO BEACH

Title 5 Sanitation and Health

Chapter 7 Stormwater and Urban Runoff Pollution Control Regulations*

*Note to Chapter 7

* Former Article 4 of Chapter 4, Title 5, entitled "Stormwater Pollution Prevention Requirements," consisting of Sections 5-4.401 through 5-4.409, codified from Ordinance No. 2725 c.s., effective April 14, 1994 and amended in its entirety by Ordinance No. 2788 c.s., effective January 16, 1997 was renumbered to be Chapter 7 of Title 5, entitled "Stormwater and Urban Runoff Pollution Control Regulations" by Ordinance No. 2851 c.s., effective October 5, 2000.

Article 1. General

5-7.101 Authorization.

The City is authorized by Article XI, Section 5 and Section 7 of the State Constitution to exercise the police power of the State by adopting regulations promoting the public health, safety and general prosperity. This chapter is enacted pursuant to authority conferred by law including but not limited to the California Health and Safety Code, Sections 5400 through 5474, the California Government Code, Sections 54725 through 54740, and 66000 through 66003, the California Code of Regulations, Title 22, the Clean Water Act, 33 U.S.C. 1251, et seq., and the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. Section 6901, et seq.

5-7.102 Purpose and intent.

(a) The purpose of this chapter is to ensure the future health, safety and general welfare of the citizens of the City and to improve and protect the water quality and beneficial uses of the receiving waters of the County of Los Angeles and surrounding coastal areas by:

(1) Reducing pollutants in stormwater discharges to the maximum extent practicable;

(2) Regulating illicit connections and illicit discharges and thereby reducing the level of contamination of stormwater and urban runoff into the municipal stormwater system;

(3) Regulating nonstormwater discharges to the municipal stormwater system;

(4) Incorporating into the design of new development and redevelopment projects BMPs that will reduce to the maximum extent practicable the amount of pollutants that are generated and/or discharged into the City's storm drain system and surrounding coastal waters; and

(5) Incorporating BMPs into construction activities in a manner that will reduce the level of pollutant discharged into the storm drain system to the maximum extent practicable.

(b) The intent of this chapter is to protect and enhance the quality of watercourses, water bodies and wetlands within the City in a manner consistent with the Federal Clean Water Act, the California Porter-Cologne Water Quality Control Act and the municipal NPDES permit.

(c) This chapter is also intended to provide the City with the legal authority necessary to control discharges to and from those portions of the storm drain system over which it has jurisdiction as required by the municipal NPDES permit. The municipal NPDES permit requires the City to institute a stormwater management program. The City's program parallels the Countywide Stormwater Management Plan (CSWMP) as approved by the California Regional Water Quality Control Board (CRWQCB) and as modified by the Municipal NPDES Permit. The CSWMP is also known as the Storm Water Quality Management Plan (SQMP). The SQMP includes five major elements titled: Illicit Discharge/Illicit Connection Elimination, Development Planning, Development Construction, Public Agency Activities, and Public Information and Participation. This chapter includes implementation strategies and requirements for each of these elements.

(d) This chapter also shall regulate development within the Coastal Zone in accordance with the polices of the City's Local Coastal Plan and Sections 30230, 30231, 30232, and 30240 of the California Coastal Act.

5-7.103 Definitions.

Whenever in this chapter, the following terms are used, they shall have the meaning respectively ascribed to them in this chapter unless another meaning for the word is apparent from the context. The definitions in this chapter are included for reference purposes and are not intended to narrow the scope of the definitions set forth in Federal or State law or regulations and any term used in this chapter shall have the same meaning as that term is defined in the municipal NPDES permit, or if it is not specifically defined in the municipal NPDES permit, than as such term is defined in the Federal Clean Water Act, as amended, and/or the regulations promulgated thereunder. Words used in this chapter in the singular may include the plural and the plural may include the singular. Use of masculine shall also mean feminine and neuter.

"Act" refers to the Federal Water Pollution Control Act also known as the Clean Water Act as amended, 33 U.S.C. 1251, et seq.

"Area susceptible to runoff" means any surface directly exposed to precipitation or in the path of runoff caused by precipitation which path leads off the parcel on which the surface is located.

"Authorized enforcement officer" means the City Engineer or his/her designee.

"Automotive repair shop" means a facility that is categorized in any one of the following standard industrial classifications (SIC) codes: 5013, 5014, 5541, 7532-7534, or 7536-7539.

"Best management practices (BMPs)" means any programs, activities, technology, process, siting criteria, operational methods, practices, facilities, and/or procedures that when implemented to their maximum efficiency will prevent or reduce pollutants in discharges. Examples of BMPs may include installed discharge treatment systems, education and outreach, proper planning of development projects, proper cleaning of catch basin inlets, and proper sludge- or waste-handling and disposal, among others.

"Bypass" means the diversion of stormwater or urban runoff streams from any portion of a stormwater treatment facility.

"CFR" means the Code of Federal Regulations.

"City" means the City of Redondo Beach, Los Angeles County, California.

"Commercial development" means any development on private land that is not heavy industrial or single-family residential. The category includes, but is not limited to: hospitals, laboratories and other medical facilities, educational institutions, recreational facilities, plant nurseries, multi-family residential buildings, apartments, car wash facilities, mini-malls and other business complexes, shopping malls, hotels, office buildings, public warehouses and other light industrial complexes.

"Directly connected impervious area (DCIA)" means the area covered by a building, impermeable pavement, and/or other impervious surfaces, which drains into the storm drain system without first flowing across permeable land area (e.g. lawns).

"Discharge" means when used without qualification the "Discharge of a pollutant."

"Discharge exception" means discharges authorized by the NPDES permit, which are exceptions to this chapter and excluded from the definitions of "illicit connections" and "illicit/prohibited discharges," as defined herein, including only:

Discharges composed entirely of stormwater, discharges covered under current EPA or Regional Water Quality Control Board issued NPDES permits, or other waivers, permits or approvals granted by an appropriate government agency (provided that the discharger is in full compliance with all requirements of the permit and other applicable laws or regulations), discharges to the stormwater drainage system from potable water drinking supply and distribution system releases (consistent with American Water Works Association guidelines for dechlorination and suspended solids reduction practices), emergency firefighting activities, reclaimed and potable landscape irrigation systems, diverted stream flows permitted by the State Water Resources Board, natural

springs, rising groundwater (excluding active dewatering), uncontaminated groundwater infiltration systems (as defined by 40 CFR 35.2005(20)), discharges from potable water sources such as passive foundation drains, and air conditioning condensation, water from crawl space pumps, passive footing drains, vehicle washing at residences or by non-profit organizations, flows from riparian habitats and wetlands, dechlorinated or debrominated swimming pool discharges, dewatering of lakes and decorative fountains and sidewalk rinsing.

Notwithstanding the above, where the City Engineer or his/her authorized representative determines that a discharge in accordance with the preceding paragraph may cause a pollutant or pollutants to be discharged to the stormwater drainage system, or may otherwise contribute to a violation of water quality standards protected by the NPDES permit, then upon the giving of thirty (30) days written notice by the City Engineer to the owner or operator of the property or facility, the discharge exception shall not apply to the subject discharge.

"Discharge of a pollutant" means: any addition of any "pollutant" or combination of pollutants to "waters of the United States" from any "point source" or, any addition of any pollutant or combination of pollutants to the waters of the "contiguous zone" or the ocean from any point source other than a vessel or other floating craft which is being used as a means of transportation. The term discharge includes additions of pollutants into waters of the United States from: surface runoff which is collected or channeled by man; discharges through pipes, sewers, or other conveyances owned by a State, municipality, or other person which do not lead to a treatment works; and discharges through pipes, sewers, or other conveyances, leading into privately owned treatment works.

"Discretionary project" means a project which requires the exercise of judgement or deliberation when the public agency or public body decides to approve or disapprove a particular activity, as distinguished from situations where the public agency or body merely has to determine whether there has been conformity with applicable statutes, ordinances or regulations.

"Enforcing attorney" means the City Attorney or District Attorney acting as counsel to the City or his/her appointee. For purposes of criminal prosecution, only the District Attorney and/or City Attorney shall act as the enforcing attorney.

"Engineer" means the City Engineer and persons directed by them and under their instruction and supervision who are assigned to investigate compliance and detect violations of this chapter.

"Environmentally sensitive area" means an area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which would be easily disturbed or degraded by human activities and developments (California Public Resources Code § 30107.5). Areas subject to storm water mitigation requirements are: areas designated as significant ecological areas by the County of Los Angeles (Los Angeles County Significant Areas Study, Los Angeles County Department of Regional Planning (1976) and amendments); an area designated as a significant natural area by the California Department of Fish and Game's Significant Natural Areas Program, provided that area has been filed verified by the Department of Fish and Game; an area listed in the Basin Plan as supporting the "Rare, Threatened, or Endangered Species (RARE)" beneficial use; and an area identified by a permittee as environmentally sensitive.

"EPA" means the Environmental Protection Agency of the United States.

"Good housekeeping practices" means common practices related to the storage, use or cleanup of materials, performed in a manner that minimizes the discharge of pollutants. Examples include, but are not limited to, purchasing only the quantity of materials to be used at a given time, use of alternative and less environmentally harmful products, cleaning up spills and leaks, and storing materials in a manner that will contain any leaks or spills.

"Grease" means and includes waxes, fats, oils and other nonvolatile materials as determined by appropriate procedures set forth in 40 CFR Part 136.

"Greater than nine (9) unit home subdivision" means any subdivision being developed for ten (10) or more single- or multiple-family dwelling units.

"Hearing officer" means the City Engineer or his/her designee, who shall preside at the administrative hearings authorized by this chapter and issue final decisions on the matters raised therein.

"Hillside" means property located in an area with known erosive soil conditions, where the development contemplates grading on any natural slope that is twenty-five percent or greater and where grading contemplates cut or fill slopes.

"Illicit connection" means any man-made conveyance that is connected to the storm drain system without a permit, excluding roof drains and other similar type connections. Examples include channels, pipelines, conduits, inlets, or outlets that are connected directly to the storm drain system.

"Illicit discharge" means any discharge to the storm drain system that is prohibited under local, state or federal statutes, ordinances, codes or regulations. The term illicit discharge includes all non storm-water discharges except discharges pursuant to an NPDES permit, discharges that are identified in Part 1, "Discharge Prohibitions" of the Municipal NPDES permit, and discharges authorized by the Regional Board Executive Officer.

"Industrial user," means any source of industrial wastewater as defined in this section, or wastewater, which is subject to regulations under Section 307(b) and (c) of the Act. The term includes but is not limited to users who are identified under the Divisions A, B, C, D, E and I, in the Standard Industrial Classification Manual, 1987, Office of Management and Budget, as amended and/or by the County Sanitation Districts of Los Angeles.

"Infiltration" means the downward entry of water into the surface of the soil.

"Material" means any substance including, but not limited to: garbage and debris; lawn clippings, leaves, and other vegetation; biological and fecal waste; sediment and sludge; oil and grease; gasoline; paints, solvents, cleaners, and other fluid or solid containing chemicals.

"Municipal NPDES permit" means the "waste discharge requirements for municipal stormwater and urban runoff discharges within the County of Los Angeles" (Order No. 01-182), dated December 13, 2001, issued by the California Regional Water Quality Control Board-Los Angeles Region, and any successor permit to that permit.

"Municipal separate stormwater system (MS4)" means a conveyance or system of conveyances used for the purpose of collecting, storing, transporting, or disposal of storm water (including roads with drainage systems, municipal streets, alleys, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) owned by a State, city, county, town or other public body, that is designed or used for collecting or conveying storm water, which is not a combined sewer, and which is not part of a publicly owned treatment works, and which discharges to waters of the United States.

"National Pollutant Discharge Elimination System (NPDES)" means the national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing pretreatment requirements, under CWA §§ 307, 402, 318, and 405. The term includes an "approved program."

"New development" means all public and private residential (whether single-family, multi-unit or PUD), industrial, commercial, retail or other nonresidential construction projects, where the project requires any one or more of the following activities: grading, filling, trenching or disturbance of earth; paving or resurfacing with any medium; landscaping; construction of foundations; erection of steel, wood or other framing; installation of siding or masonry of any type; stripping, sanding, stuccoing or exterior preparation, repair and painting; interior drywall installation, plastering, installation of plumbing, electrical, finished carpentry, complete flooring or interior wall covering, whether paint or otherwise.

"Nonstormwater discharge" means any discharge to a stormwater system that is not composed entirely of stormwater.

"NPDES permit" means any waste discharge requirements issued by the Regional Board or the State Water Resources Control Board as an NPDES permit pursuant to Water Code Section 13370 (other than the municipal NPDES permit).

"100,000 square foot commercial development" means any commercial development that creates at least 100,000 square feet of impermeable area, including parking areas.

"Parking lot" means land area or facility for the temporary parking or storage of motor vehicles used personally, for business or for commerce with an improved lot size of 5,000 square feet or more, or with twenty-five (25) or more parking spaces potentially exposed to rainwater.

"Planning priority projects" means any: (1) 43,560 or more square feet or greater of impervious area commercial/industrial developments, (2) automotive repair facilities (SIC 5013, 5014, 5541, 7532-7534,and 7536-7539), (3) retail gasoline outlets, (4) restaurants (SIC 5812), (5) 10 or more unit homes (including single family homes, multifamily homes, condominiums, and apartments, (6) locations within or adjacent to or directly discharging to an environmentally sensitive area where the development will: (a) discharge stormwater and urban runoff that is likely to impact a sensitive biological species or habitat; and (b) create 2,500 square feet or more of impervious surface area, (7) Parking Lots, (8) redevelopment projects in subject categories that meet redevelopment thresholds, (9) single-family hillside home.

"Planning priority project characteristics" means any project that has the following as any part of the project: (1) vehicle or equipment fueling areas; (2) vehicle or equipment maintenance areas, including washing and repairs; (3) commercial or industrial waste handling or storage, excluding typical office or household wastes; (4) outdoor handling or storage of hazardous materials or waste; (5) outdoor work areas for activities such as, but not limited to, welding, cutting, metal fabrication, assembly, application of paints, coating or finishing; pre-cast concrete fabrication, etc.; (6) outdoor animal care confinement (kennels, stables, etc.) or slaughter; (7) outdoor food handling or processing; (8) outdoor horticulture activities (9) located in the Coastal Zone and not exempt from the requirement to obtain a Coastal Development Permit pursuant to Section 10-5.2208 (a) of the Redondo Beach Municipal Code.

"Pollutants" means those "pollutants" defined in CWA §502(6) (33 U.S.C. §1362(6)), and incorporated by reference into California Water Code §13373.

"Potable Water Distribution Systems Releases" means sources of flows from drinking water storage, supply and distribution systems including flows from system failures, pressure releases, system maintenance, distribution line testing, fire hydrant flow testing; and flushing and dewatering of pipes, reservoirs, vaults, and minor non-invasive well maintenance activities not involving chemical addition(s). It does not include wastewater discharges from activities that occur at wellheads, such as well construction, well maintenance.

"Pretreatment facility" means any works or devices that are used for the treatment of wastewater, prior to discharge into a public sewer.

"Private property" means any real property location, irrespective of ownership, which is not open to the general public.

"Prohibited discharge" means any discharge from public or private property to the stormwater drainage system that is not composed entirely of stormwater, or which otherwise contains any pollutant, with the exception of discharges permitted from point or nonpoint sources by (i) the NPDES permit, (ii) a State general permit or other Regional Water Quality Control Board or State Water Resources Control Board issued NPDES permit, (iii) a permit issued pursuant to the provisions of this chapter, and/or (iv) the discharge exception. Prohibited discharge shall also include any discharge, whether direct or indirect, to groundwater or any river, stream, creek, wash, harbor, bay or the Pacific Ocean.

"Project" means anything that constitutes "development," as defined in Article 10 of Chapter 5 of Title 10 of the Redondo Beach Municipal Code.

"Rainy Season" means the calendar period beginning October 15 through April 15.

"Redevelopment" means, on an already existing developed site, the creation or addition of at least 5,000 square feet of impervious surfaces. Redevelopment includes, but is not limited to: the expansion of a building footprint or addition or replacement of a structure; structural development including an increase in gross floor area and/or exterior construction or remodeling; replacement of impervious surface that is not part of a routine maintenance activity; and disturbing activities related with structural or impervious surfaces. It does not include routine maintenance to maintain original line and grade, hydraulic capacity, or original purpose of facility, nor does it include emergency construction activities required to immediately protect public health and safety.

"Regional Board" means the California Regional Water Quality Control Board--Los Angeles Region.

"Restaurant" means a facility that sells prepared foods and drinks for consumption, including stationary lunch counters and refreshment stands selling prepared foods and drinks for immediate consumption. (SIC code 5812).

"Retail gasoline outlet" means any facility engaged in selling gasoline and lubricating oil.

"Sidewalk Rinsing" means pressure washing of paved pedestrian walkways with average water usage of 0.006 gallons per square foot, with no cleaning agents, and properly disposing of all debris collected, as authorized under Regional Board Resolution No. 98-08.

"Site Design BMP" means any project design feature that reduces the creation or severity of potential pollutant sources or reduces the alteration of the project site's natural flow regime.

"Source control BMP" means any schedules of activities, prohibitions of practices, maintenance procedures, managerial practices or operational practices that aim to prevent stormwater pollution by reducing the potential for contamination at the source of pollution.

"Standard industrial classification (SIC)" means a system of classifying a business based on the type of its activity as identified in the Standard Industrial Classification Manual, 1987, Office of Management and Budget, as amended.

"Storm event" means a rainfall event that produces more than 0.1 inch of precipitation, which is separated from the previous storm event by at least seventy-two (72) hours of dry weather.

"Stormwater drainage system" means any local or regional street gutter, channel, conduits, storm drain, constructed drain, natural or artificial drains and watercourses, lined diversion structure, wash area, inlet, outlet or other facility together with appurtenances, pumping stations and equipment, which is part of or tributary to the City's stormwater runoff system in the County-wide stormwater runoff system owned or operated by the County of Los Angeles.

"Stormwater runoff" means that part of precipitation (rainfall) which travels via flow across a surface to the MS4 or receiving waters from impervious, semipervious or pervious surfaces. When all other factors are equal, runoff increases as the perviousness of a surface decreases.

"Structural BMP" means any structural facility designed and constructed to mitigate the adverse impacts of stormwater and urban runoff pollution (e.g. canopy, structural enclosure). The category may include both treatment control BMPs and source control BMPs.

"Treatment" means the application of engineered systems that use physical, chemical or biological processes to remove pollutants. Such processes include, but are not limited to, filtration, gravity settling, media adsorption, biodegradation, biological uptake, chemical oxidation and UV radiation.

"Treatment control BMP" means any engineered system designed to remove pollutants by simple gravity settling of particulate pollutants, filtration, biological uptake, media adsorption or any other physical, biological or chemical process.

"Unpolluted water" means water to which no pollutant has been added either intentionally or accidentally.

"Urban runoff" means surface water flow produced by non-stormwater resulting from residential, commercial, and industrial activities involving the use of potable and nonpotable water.

"Urban Stormwater Mitigation Plan (USMP)" means a plan which shall identify BMPs that shall be incorporated into the project design to mitigate/reduce pollution impacts to receiving water caused by stormwater/urban runoff. This plan shall detail appropriate/necessary Site Design, Source Control, and Treatment BMPs for the project.

5-7.104 Inspection.

The Engineer, or his representative, shall be authorized at any reasonable time to enter the premises of any property discharging to the MS4 to determine compliance with the provisions of this chapter; such inspection may include but not be limited to: sampling, monitoring, reviewing, photographing, videotaping and inspecting treatment facilities and discharge location.

5-7.105 Storm drain impact fees.

(a) Every applicant for a permit pursuant to Section 9-1.02 of this Code for development construction shall pay a storm drain impact fee.

(b) The proceeds of the storm drain impact fee shall be applied to offset the City's costs of enforcing the order as a result of development construction, and the amount of the storm drain impact fee shall not exceed the City's reasonable costs therefore.

(c) The amount of the storm drain impact fee shall be established by resolution of the City Council, as amended from time to time, in accordance with the provisions of this section, as amended from time to time.

(d) The City Engineer shall administer and collect the storm drain impact fee.

(e) Permits issued pursuant to Section 9-1.02 for development construction shall not be issued until payment of the storm drain impact fee.

Article 2. Stormwater Management Program

5-7.201 Illicit discharge/illicit connection element.

The illicit discharge/illicit connection element addresses stormwater quality impacts of the inadvertent or deliberate disposal of pollutants in a manner that results in contamination of stormwater runoff. This element's implementation includes the following components:

(a) Identification of prohibited and exempt activities;

(b) Elimination of illicit discharges to the MS4;

(c) Elimination of illicit connections to the MS4;

(d) Development of a public reporting system;

(e) Specification of special permitted activities;

(f) Identification of good housekeeping BMPs.

5-7.202 Prohibited activities.

(a) Illicit Discharges and Connections. It is prohibited to commence, establish, use, maintain or continue any illicit connections to the municipal separate stormwater system or any illicit discharges to the municipal separate stormwater system. This prohibition against illicit connections is expressly retroactive and applies to connections made in the past.

(b) Littering. It is prohibited to throw, deposit, place, leave, maintain, keep or permit to be thrown, deposited, placed, left, or maintained or kept, any refuse, rubbish, garbage, or any other discarded or abandoned objects, articles or accumulations, in or upon any street, alley, sidewalk, storm drain, inlet, catch basin, conduit or drainage structure, business place, or upon any public or private plot of land in the City, so that the same might be or become a pollutant. No person shall throw or deposit litter in any fountain, pond, lake, stream or other body of water within the City. This subsection shall not apply to refuse, rubbish or garbage deposited in containers, bags or other appropriate receptacles which are placed in designated locations for regular solid waste pick up and disposal.

(c) Disposal of Landscape Debris. It is prohibited to intentionally dispose of leaves, dirt or other landscape debris into the municipal separate stormwater system.

(d) Non-stormwater Discharges. The following nonstormwater discharges into the municipal stormwater system are prohibited unless in compliance with a separate NPDES permit or pursuant to a discharge exemption by the Regional Board, the Regional Board's Executive Officer, or the State Water Resources Control Board:

(1) The discharge of untreated wash waters to the MS4 when gas stations, auto repair garages, or other type of automotive service facilities are cleaned;

(2) The discharge of untreated wastewater to the MS4 from mobile auto washing, steam cleaning, mobile carpet cleaning, and other such mobile commercial and industrial operations;

(3) To the maximum extent practicable, discharges to the MS4 from areas where repair of machinery and equipment, including motor vehicles, which are visibly leaking oil, fluid or antifreeze, is undertaken;

(4) Discharges of untreated runoff to the MS4 from storage areas of materials containing grease, oil or other hazardous substances, and uncovered receptacles containing hazardous materials;

(5) Discharges of chlorinated/brominated swimming pool water and filter backwash to the MS4;

(6) Discharges of untreated runoff from the washing of toxic materials from paved or unpaved areas to the MS4; provided, however, that nonindustrial and noncommercial activities which incidentally generate urban runoff, such as the hosing of sidewalks, and the noncommercial hand-washing of cars, shall be excluded from this prohibition;

(7) To the maximum extent practicable, discharges to the MS4 from washing impervious surfaces in industrial/commercial areas which results in a discharge of untreated runoff to the MS4, unless specifically required by State, City or Los Angeles County health and safety codes, or permitted under a separate NPDES permit;

(8) Discharges from the concrete or cement laden wash water from concrete trucks, pumps, tools, and equipment into the MS4;

(9) Discharges to the municipal stormwater system of any pesticide, fungicide or herbicide banned by the USEPA or the California Department of Pesticide Regulation; and

(10) The disposal of hazardous wastes into trash containers used for municipal trash disposal where such disposal causes or threatens to cause a direct or indirect discharge to the municipal separate stormwater system.

(e) Discharges in Violation of the Municipal NPDES Permit. Any discharge that would result in or contribute to a violation of the municipal NPDES permit, either separately or in combination with other discharges, is prohibited. Liability for any such discharge shall be the responsibility of the person(s) causing or responsible for the discharge, and such person(s) shall defend, indemnify and hold harmless the City from all losses, liabilities, claims or causes of actions in any administrative or judicial action relating to such discharge.

5-7.203 Exempted discharges, conditionally exempted discharges, or designated discharges.

Discharges from those activities specifically identified in, or pursuant to the Municipal NPDES permit as being exempted discharge shall not be considered a violation of this chapter, provided that any applicable BMPs developed pursuant to the Municipal NPDES permit are implemented to minimize any adverse impacts from such identified sources.

5-7.204 Illicit discharge elimination.

The City Engineer will establish procedures to be implemented by City field staff to identify, report, contain, investigate and eliminate illicit discharges to the MS4.

5-7.205 Illicit connection elimination.

The City Engineer will conduct inspections and investigation to identify and eliminate illicit connections to the MS4.

5-7.206 Public reporting.

The City Engineer will establish a system to assist the general public in reporting illicit discharges and illicit connections to the MS4. The system will also include a process for investigating and eliminating all reported incidents.

5-7.207 Requirements for industrial/commercial activities.

Each industrial discharger, discharger associated with construction activity, or other discharger described in any general stormwater permit addressing such discharges, as may be granted by the U.S. Environmental Protection Agency, the State Water Resources Control Board, or the Regional Board shall comply with all requirements of such permit. Each discharger identified in an individual NPDES permit shall comply with and undertake all activities required by such permit. Proof of compliance with any such permit may be required in a form acceptable to the authorized enforcement officer prior to the issuance of any grading, building or occupancy permits, or any other type of permit or license issued by the City.

5-7.208 Requirements for existing properties--Good housekeeping provisions.

Owners and occupants of property within the City shall comply with the following requirements:

(a) Septic Waste. No person shall leave, deposit, discharge, dump or otherwise expose any chemical or septic waste to precipitation in an area where discharge to City streets or storm drain system may or does occur.

(b) Use of Water. Runoff of water used for irrigation purposes shall be minimized to the maximum extent practicable. Runoff of water from the permitted washing down of paved areas shall be minimized to the maximum extent practicable. Sweeping and collection of debris is encouraged for trash disposal.

(c) Storage of Materials, Machinery and Equipment. Machinery or equipment that is to be repaired or maintained in areas susceptible to or exposed to stormwater, shall be placed in a manner so that leaks, spills and other maintenance-related pollutants are not discharged to the municipal separate stormwater system.

(d) Removal and Disposal of Debris from Industrial/Commercial Motor Vehicle Parking Lots. Industrial/commercial motor vehicle parking lots with more than twenty-five (25) parking spaces that are located in areas potentially exposed to stormwater shall be swept regularly or other equally effective measures shall be utilized to remove debris from such parking lots.

(e) Food Wastes. Food wastes generated by nonresidential food service and food distribution sources shall be properly disposed of and in a manner so such wastes are not discharged to the municipal separate stormwater system.

(f) Best Management Practices. Best management practices shall be used in areas exposed to stormwater for the removal and lawful disposal of all fuels, chemicals, fuel and chemical wastes, animal wastes, garbage, batteries or other materials that have potential adverse impacts on water quality.

5-7.209 Development planning element.

The development planning element addresses stormwater quality impacts during the planning of projects that are subject to a planning and permitting review/process by the City. Affected projects include new development as well as redevelopment undertaken by both public and private enterprises.

5-7.210 Priority and exempt projects.

A project is subject to the development planning element if it is a planning priority project or project with planning priority project characteristics. If a project does not meet the above criteria it is deemed to be exempt and is not subject to this element's requirements.

Applicability of this element is based on the ultimate scope of a project. Phases within a project shall be planned and designed in accordance with this element as if the entire project was constructed at the same time.

5-7.211 Urban stormwater mitigation plans.

An urban stormwater mitigation plan (USMP) shall be prepared for all projects subject to the requirements of this element. The USMP shall be submitted along with the project permit application, including application for a land use, building or coastal development permit, to the City Planning Department. The USMP shall be prepared by a Civil Engineer or Architect licensed by the State of California. The USMP shall be reviewed and approved by the City Engineer or designated representative during the planning approval process and all requirements of the USMP shall be incorporated into the final design of the project.

Planning priority projects shall incorporate all provisions of the appropriate standard urban stormwater mitigation plan (SUSMP) as approved by the California Regional Water Quality Control Board by Board Resolution No. R-00-02 on January 26, 2000 and as modified by State Resources Control Board, Order WQ 2000-11 and the Municipal NPDES Permit unless it is determined that the standard plan is either inappropriate or inadequate.

Projects with planning priority project characteristics and projects where it is determined that the SUSMP is either inappropriate or inadequate shall prepare a site specific urban stormwater mitigation plan (SSUSMP). The SSUSMP shall be prepared to incorporate BMPs that are appropriate and will reduce the impacts of the project on stormwater and urban runoff quality to the maximum extent practicable. Site Design and Source Control BMPs shall be incorporated into all plans. Where the threat to water quality by the project, due to it size, purpose or proximity to coastal waters (or proximity to a channel, stormdrain, creek, or other receiving water), is such that the combination of site design and source control BMPs are not sufficient to protect water quality as required by the Coastal Land Use Plan (Policy D 11), treatment control BMPs shall be implemented along with site design and source control measures.

Both the SUSMP and SSUSMP shall be prepared in accordance with the standards and requirements of the City's Stormwater Pollution Mitigation Guidelines for Development Projects approved by City Council resolution.

Single family hillside homes shall incorporate BMP's as specified in the Municipal NPDES permit.

A variance under Section 10-5.2510 of the Coastal Zoning Ordinance shall not be granted from the requirements of the USMP.

5-7.212 Post-construction (permanent) best management practices (BMPs).

BMPs selected and incorporated in the SSUSMP or SUSMP are permanent and will remain in effect after the project is constructed and is placed into use. Guidelines for selecting BMPs for incorporation into a project shall be developed by the City and provided to the developer at the public counter.

5-7.213 BMPs maintenance.

The responsibility of maintaining BMPs incorporated into the project shall be borne by the property owner. The SSUSMP or SUSMP shall include guidance on the proper maintenance of each BMP. Constructive and timely notice shall be provided to all future owners of this maintenance responsibility. Owner/developer shall provide written verification to City of BMP maintenance. Verification shall include:

- The owners/developers signed statement accepting responsibility for maintenance until the responsibility is legally transferred; and either
- If the land has been legally transferred to a public entity, a signed statement from the public entity assuming responsibility for the BMP maintenance and that it meets all local agency design standards; or
- Written conditions in the sales or lease agreement, which require the recipient to assume responsibility for maintenance and conduct a maintenance inspection at least once a year; or
- Written text in project conditions, covenants, and restrictions (CCRs_ for residential properties assigning maintenance responsibility to the Home Owner Association for maintenance of the BMPs; or
- Any other legally enforceable agreement that assigns responsibility for the maintenance of the BMPs.

5-7.214 Waiver.

A waiver of impracticability may be granted in the event the City Engineer determines that a BMP is not feasible. Recognized situations of impracticability include: extreme limitations of space for treatment on a redevelopment project; unfavorable or unstable soil conditions at a site to attempt infiltration; and risk of groundwater contamination because a known unconfined aquifer lies beneath the land surface or an existing or potential underground source of drinking water is less than ten (10) feet from the soil surface. All other justification for impracticability must be separately petitioned to the Regional Board for consideration. Any waiver granted by the City may be revoked by the Regional Board for cause and with proper notice. If a waiver is granted the developer shall pay to the City's stormwater mitigation fund the savings in costs.

5-7.215 Development construction element.

The development construction element addresses stormwater quality impact of projects during construction. This includes all projects undertaken by both public and private enterprises.

5-7.216 General permit, priority, nonpriority, and exempt projects.

Construction projects are divided into four categories. The basic criteria that define each category are: potential for stormwater impact; area of soil disturbed; proximity to environmentally sensitive area; and topographic conditions.

A general permit project is construction activity that will disturb one (1) acre or more of soil. This type of project is subject to the General Construction Activities Stormwater Permit (GCASP) approved by the State Water Resources Control Board by Water Quality Order 99-08-DWQ. The property owner or authorized representative shall provide proof to the City that they will file a Notice of Intent with the Regional Board prior to issuance of any construction relate permit. The

owner shall submit a Waste Discharge Identification (WDID) Number for proof of filing and a certification that a SWPPP has been prepared.

A priority project is construction activity that: is located in or adjacent to an environmentally sensitive area; disturbs one or more acres of soil; is located in a hillside area where soil disturbance will occur during the rainy season or is located in the Coastal Zone and is not exempt from the requirement to obtain a Coastal Development Permit pursuant to Section 10-5.2208 (a) of the Redondo Beach Municipal Code.

An exempt project is construction activity that poses minimum risk to stormwater quality. Specific types of construction activities that are deemed to be in this category are:

Routine maintenance to maintain original line and grade, hydraulic capacity, or original purpose of facility;

Emergency construction activities required to immediately protect public health and safety;

Interior remodeling with no outside exposure of construction materials or construction waste to stormwater;

Mechanical and plumbing permit work;

Electrical permit work; and

Sign permit work.

A nonpriority project is construction activity that is neither a general permit project, a priority project, nor an exempt project.

5-7.217 Minimum stormwater quality protection.

All construction projects except exempt projects are required to implement BMPs necessary to retain sediments, construction-related materials, wastes, spills or residuals onsite to the maximum extent practicable.

5-7.218 Local stormwater pollution prevention plan (LSWPPP).

All priority projects shall prepare a LSWPPP. The LSWPPP shall be prepared to meet all requirements of the SWPPP as required by the GCASP. This plan shall identify BMPs that will be used during the construction of the project to reduce the impacts to stormwater quality relating to material and waste management. A copy of this plan shall be submitted to the City prior to issuance of any construction-related permit and kept on the project site at all times after start of construction.

5-7.219 Wet weather erosion control plan (WWECP).

The owner of a priority project, that will have disturbed soil during the rainy season (October 15th through April 15th), shall prepare a WWECP. This plan shall identify BMPs that are to be installed to mitigate the impacts to stormwater quality from erosion and sediments. A copy of this plan shall be submitted to the City prior to issuance of any construction-related permit and be kept on the project site at all times starting on October 1st.

5-7.220 Certificate of compliance.

The owner or authorized representative shall certify in writing that all stormwater pollution protective measures required by this element shall be implemented and properly maintained during the entire construction period prior to issuance of any engineering or building permit.

5-7.221 BMP selection.

The City Engineer shall maintain a list of specific BMPs appropriate for construction activities. The owner shall select from this list BMPs that will effectively reduce stormwater impacts causes by sediments, erosion control, general site management, and materials and waste management.

The City Engineer shall have full power and authority to decide if a BMP is appropriate in mitigating a specific stormwater impact.

5-7.222 Inspection.

The owner shall conduct self-inspection of the BMPs to insure that they are maintained in a manner that insures maximum effective operation. During the rainy season the owner shall maintain written documentation of these BMPs inspections. This documentation shall show that inspections occurred before every predicted rainfall event, after every rainfall event that produced runoff and at twenty-four (24) hour intervals during extended rainfall events (excepting weekends or holidays when there is no ongoing site activity on those days).

5-7.223 City maintenance and construction activities element.

This element addresses stormwater quality impact of the City's facilities management, operations and emergency response activities. This element includes procedures for the following City functions:

(a) Sanitary sewer system operations;

(b) Public construction activities management;

(c) Vehicle maintenance/material storage facilities;

(d) Landscape and recreation facilities management;

(e) Storm drain operation and management;

(f) Street, roads and alleys management;

(g) Parking facilities management;

(h) Emergency response.

Note that new projects whose ongoing management or operation will be subject to this element must also undergo review and approval under Sections 5-7.209 through 5-7.215 of the Design Planning Element.

5-7.224 Sanitary sewer system operations.

Procedures shall be developed such that, to the maximum extent practicable, sewage system overflow and leaks are prevented from entering the MS4; blockages, exfiltration and overflows are identified, repaired and remediated; and public health authorities are notified of threats to public health.

5-7.225 Public construction activities management.

Procedures shall be developed such that, to the maximum extent practicable, City construction activities are managed in full compliance with all elements of the planning and construction programs of this chapter.

5-7.226 Vehicle maintenance/material storage facilities management.

Procedures shall be developed such that, to the maximum extent practicable, sources of pollutants from vehicle maintenance/material storage facilities that may affect the quality of stormwater discharges from these facilities are identified and evaluated and BMPs which will reduce or prevent pollutants from entering stormwater discharges are identified and implemented.

5-7.227 Landscape and recreation facilities management.

Procedures shall be developed such that, to the maximum extent practicable, the discharge of pesticides, herbicides and fertilizers to the MS4 is minimized, disposal of landscape waste to the MS4 is prevented, and trash, debris and other pollutants do not enter city recreational water bodies.

5-7.228 Storm drain operation and management.

Procedures shall be developed such that, to the maximum extent practicable, City-owned catch basins are inspected and/or cleaned as specified in Part 4, Section F.5 of the Municipal NPDES Permit, trash and debris is removed from open channels at a minimum annually, prohibited nonstormwater discharges observed during the course of normal daily activities are reported, investigated and cleaned up or eliminated, and maintenance activities are performed to minimize the amount of pollutants discharged to receiving waters.

5-7.229 Streets, roads and alleys maintenance.

Procedures shall be developed such that, to the maximum extent practicable, curbed streets are swept to reduce the discharge of pollutants associated with activities occurring in street and road rights-of-way, and maintenance activities are performed to minimize the amount of pollutants discharged into the receiving waters. Frequency of street sweeping shall comply with the requirements of Part 4 Section F.6 of the Municipal NPDES Permit.

5-7.230 Parking facilities management.

Procedures shall be developed such that, to the maximum extent practicable, all City-owned parking lots are maintained to reduce the amount of debris and other pollutants that come in contact with stormwater. Parking lots shall be cleaned as specified in Part 4 Section F.7 of the Municipal NPDES Permit.

5-7.231 Emergency response.

Procedures shall be developed such that, to the maximum extent practicable, emergency responses are performed recognizing that public health and safety are the highest priority and appropriate BMPs are incorporated to the extent possible.

5-7.232 Public information and participation element.

This element addresses stormwater quality impact of the general public, schools and business communities.

5-7.233 Educational strategy.

The City will develop and implement a comprehensive educational strategy that will target the general public, schools and business communities that will increase the knowledge of the target audiences regarding the impacts of stormwater pollution on receiving water and provide potential solutions that reduce the impacts.

5-7.234 Interagency cooperation.

The City will work cooperatively and in concert with the County of Los Angeles and other cities in the education of the target audiences.

Article 3. Enforcement

5-7.301 Enforcement.

(a) Violations Deemed a Public Nuisance.

(1) Any condition caused or permitted to exist in violation of any of the provisions of this chapter is hereby determined to be a threat to the public health, safety and welfare, is declared and deemed a public nuisance, may be summarily abated or restored by any authorized enforcement officer, and/or civil or criminal action to abate, enjoin or otherwise compel the cessation of such nuisance may be taken by the City Attorney.

(2) The cost of such abatement and restoration shall be borne by the owner of the property and the cost thereof shall be invoiced to the owner of the property, as provided by law or ordinance for the recovery of nuisance abatement costs,

(3) If any violation of this chapter constitutes a seasonal and recurrent nuisance, the City Engineer shall so declare. The failure of any person to take appropriate annual precautions to prevent stormwater pollution after written notice of a determination under this subsection shall constitute a public nuisance and a violation of this chapter.

(b) Concealment. Causing, permitting, aiding, abetting or concealing a violation of any provisions of this chapter shall constitute a violation of such provision.

(c) Civil Actions. In addition to any other remedies provided in this section, any violation of this chapter may be enforced by civil action brought by the City. In any such action, the City may seek, and the court shall grant, as appropriate, any or all of the following remedies:

(1) A temporary and/or permanent injunction;

(2) Assessment of the violator for the costs of any investigation, inspection or monitoring survey which led to the establishment of the violation, and for the reasonable costs of preparing and bringing legal action under this subsection;

(3) Costs incurred in removing, correcting or terminating the adverse effects resulting from violation;

(4) Compensatory damages for loss or destruction to water quality, wildlife, fish and aquatic life.

(d) Administrative Enforcement Powers. In addition to the other enforcement powers and remedies established by this chapter, the authorized enforcement officer has the authority to utilize the following administrative remedies:

Notice to Clean. Whenever an authorized enforcement officer finds any oil, earth, debris, grass, weeds, dead trees, tin cans, rubbish, refuse, waste or any other material of any kind, in or upon the sidewalk abutting or adjoining any parcel of land, or upon any parcel of land or grounds, which may result in pollutants entering the municipal storm drain system or a nonstormwater discharge to the storm drain system, he/she may give notice, either verbal or written to the owner or occupant of the adjacent property to remove such oil, earth, debris, grass, weeds, dead trees, tin cans, rubbish, refuse, waste or other material, in any manner that he or she may reasonably provide. The recipient of such notice shall undertake the activities as described in the notice.

Cease and Desist Orders. When an authorized enforcement officer finds that a discharge has taken place or is likely to take place in violation of this chapter, the officer may issue an order to cease and desist such discharge, or practice, or operation likely to cause such discharge and direct that those persons not complying shall: (1) comply with the requirement, (2) comply with a time schedule for compliance, and (3) take appropriate remedial or preventive action to prevent the violation from recurring.

(e) Penalties. Violation of this chapter shall be punishable as a misdemeanor, punishable as set forth in Section 1-2.01 of this Code. Each day that a violation continues shall constitute a separate offense.

(f) Permit Revocation. To the extent the City makes a provision of this chapter or any identified BMP a condition of approval to the issuance of a permit or license, any person in violation of such condition is subject to the permit revocation procedures set forth in this Code.

Remedies. Remedies specified in this chapter are in addition to and do not supersede or limit any and all other remedies, civil or criminal. The remedies provided for herein shall be cumulative and not exclusive.

5-7.302 No taking.

The provisions of this chapter shall not be construed or operate to deprive any property owner of substantially all of the market value of such owner's property or otherwise constitute an unconstitutional taking without compensation.