

ORDINANCE NO. 1648

AN ORDINANCE AMENDING TITLE 15 OF THE EL SEGUNDO MUNICIPAL CODE TO STREAMLINE THE PERMITTED USES AND DEVELOPMENT STANDARDS IN ALL ZONES AND IMPLEMENT SEVERAL CLEANUP, CLARIFYING, AND CONFORMING PROVISIONS.

(ENVIRONMENTAL ASSESSMENT NO. 1230 AND ZONE TEXT AMENDMENT NO. 18-04)

The City Council of the city of El Segundo does ordain as follows:

SECTION 1: The Council finds and declares as follows:

- A. On August 14, 2018, the City initiated the process to amend various sections of El Segundo Municipal Code (“ESMC”) Title 15, i.e., the City’s Zoning Code.
- B. The City reviewed the project's environmental impacts under the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*, “CEQA”) and the regulations promulgated thereunder (14 Cal. Code of Regulations §§15000, *et seq.*, the “CEQA Guidelines”);
- C. The Community Development Department completed its review and scheduled a public hearing regarding the application before the Planning Commission for February 23, 2023;
- D. On February 23, 2023, the Planning Commission held a public hearing to receive public testimony and other evidence regarding the Ordinance including, without limitation, information provided to the Planning Commission by city staff; and, adopted Resolution No. 2867 recommending that the City Council approve this Ordinance;
- E. On April 18, 2023 and May 16, 2023, the City Council held a public hearing and considered the information provided by City staff and public testimony regarding this Ordinance; and
- F. This Ordinance and its findings are made based upon the entire administrative record including, without limitation, testimony and evidence presented to the City Council at its April 18, 2023 and May 16, 2023 hearing and the staff report submitted by the Community Development Department.

SECTION 2: *Factual Findings and Conclusions.* The City Council finds that adopting the proposed Ordinance would result in the following:

- A. Amend ESMC Chapter 7-2 regarding noise and vibration to designate the Planning Commission as the appeal body regarding decisions of the Noise Control Officer;
- B. Amend ESMC § 13-13-2 regarding numbering entrances to buildings to clarify the Building Official or designee is responsible for assigning addresses for buildings;
- C. Amend ESMC § 15-1-6 to update and add definitions of terms;
- D. Amend ESMC § 15-2-4 to update the fencing regulations for nonresidential properties;
- E. Delete ESMC § 15-2-5 regarding Height restrictions for buildings on through lots;
- F. Amend ESMC § 15-2-7 regarding encroachments;
- G. Amend ESMC § 15-2-8 regarding screening;
- H. Amend ESMC § 15-2-14 regarding landscaping;
- I. Delete ESMC § 15-2-15 regarding video arcades;
- J. Amend ESMC Chapter 15-4 regarding residential zones to update the permitted uses and development standards for residential properties;
- K. Amend ESMC Chapter 15-5 regarding commercial zones to update the permitted uses and development standards for commercial properties;
- L. Amend ESMC Chapter 15-6 regarding industrial zones to update the permitted uses and development standards for industrial properties;
- M. Amend ESMC Chapter 15-7 to update the permitted uses and development standards in the Medium-Density Residential (“MDR”) and Multi-Media Overlay (“MMO”) overlay districts;
- N. Amend ESMC Chapters 15-8 and 15-10 to update the permitted uses in the Open Space (“O-S”) and Public Facilities (“P-F”) zones;
- O. Amend ESMC Chapter 15-15 to update the parking area development standards and the required number of automobile and bicycle spaces for various uses;
- P. Amend ESMC § 15-18-5 to clarify the Master Sign Program approval process;
- Q. Amend ESMC Chapter 15-30 (Enforcement; Penalty) to make formatting changes and minor corrections;

- R. Amend ESMC §§ 15-31-3 through 15-31-6 (Right-of-way Dedications and Improvements) to make formatting changes and minor corrections; and
- S. Amend ESMC § 15-32-9 regarding Development Impact Fee Refunds to clarify the process for issuing refunds.

SECTION 3: General Plan Findings. As required under Government Code § 65860, the ESMC amendments proposed by the Ordinance are consistent with the El Segundo General Plan as follows:

- A. The proposed Ordinance is consistent with Objective LU3-2 of the General Plan Land Use Element in that it would simplify and standardize the development standards in the city's residential zones
- B. The proposed Ordinance is consistent with Objective LU4-3 in that it reduces setbacks for commercial zones, permits outdoor dining without discretionary permits, and continues to require landscaping in all new office and mixed-use developments.
- D. The proposed Ordinance is consistent with Goal LU5 in that it simplifies and standardizes development standards and continues to require landscaping for commercial and industrial zones
- E. The proposed Ordinance is consistent with Goal ED2-2 of the General Plan Economic Development Element in that would simplify and standardize development standards for businesses and residential uses and thereby helping streamline the development process for the business and the residential community.
- E. The proposed Ordinance is consistent with Program 3 of the General Plan Housing Element in that it would clarify the development standards and permit process for accessory dwelling units and thereby assist in the production of affordable housing.

SECTION 4: Zone Text Amendment Findings. In accordance with ESMC Chapter 15-27 (Amendments), and based on the findings set forth above, the proposed Ordinance is consistent with and necessary to carry out the purpose of the ESMC as follows:

- A. The Ordinance is consistent with the purpose of the ESMC, which is to serve the public health, safety, and general welfare and to provide the economic and social advantages resulting from an orderly planned use of land resources.
- B. The Ordinance is necessary to serve the public health, safety, and general welfare by facilitating the development process and ensure the orderly development of buildings, parking areas, landscaping, and the location of

uses in the City. The intent of the Ordinance is to clarify and simplify definitions of terms, the permitted uses, and the development standards in various zones. It will facilitate and expedite the development process and provide economic and social benefits resulting from the orderly planned use of land resources, all in furtherance of the public health, safety, and general welfare.

SECTION 5: Environmental Assessment. Pursuant to the provisions of CEQA, and the CEQA Guidelines, the proposed Ordinance is exempt from further review. Specifically, it is exempt under CEQA Guidelines § 15060(c)(3) (the activity is not a project as defined in § 15378) because it has no potential for resulting in a physical change to the environment, directly or indirectly and CEQA Guidelines § 15601(b)(3) because the Ordinance includes minor changes to the zoning code; no development is authorized with this action, and it can be seen that there is no possibility of significant environmental impacts. In addition, any environmental impacts associated with this Ordinance are adequately addressed in the General Plan final EIR. Accordingly, this Ordinance is consistent with the General Plan final EIR and is exempt from further CEQA review. Furthermore, this Ordinance constitutes a component of the El Segundo Municipal Code which the Planning Commission determined to be consistent with the final EIR for the City of El Segundo General Plan on December 1, 1992. Accordingly, no further environmental review is required pursuant to CEQA Regulations. § 15168(c)(2).

SECTION 6: ESMC Section 7-2-2 regarding Noise and Vibration Definitions is amended as follows:

7-2-2: DEFINITIONS:

As used in this chapter, unless the context otherwise clearly indicates, the words and phrases used are defined as follows:

* * *

NOISE CONTROL OFFICER: The Director of ~~Community, Economic and Development Services~~Community Development.

* * *

SECTION 7: ESMC § 13-13-2 is amended as follows:

13-13-2: NUMBERING ENTRANCES TO BUILDINGS:

- A. Placement: All entrances from the public streets of the City to buildings or structures within the City shall be numbered as hereinafter provided. The number of each and every such entrance shall be placed in a conspicuous place upon or immediately adjacent to the door or gate closing such entrance. Each figure of the number shall be at least two inches (2") in height and of corresponding width. The appropriate number of any entrance to any building or structure shall be placed

thereon as herein provided within five (5) days after the receipt by the owner, occupant, lessee, tenant or subtenant of such building of a notice from the Building Inspector Official or designee of the number designated for such building or structure, and all numbers, other than the numbers provided for in this Chapter for the respective entrances, shall be removed from every building by the owners, occupants, lessees, tenants or subtenants thereof within five (5) days from the service of the notice designating the appropriate numbers to be placed thereon.

- B. Designation: It shall be the duty of the Building Inspector Official or designee to designate the respective numbers for buildings or structures fronting on streets heretofore laid out, or hereafter to be laid out or extended, and which may at this time, or at any future time, be included within the present or future boundaries of the City.

SECTION 8: ESMC § 15-1-4 is amended as follows:

15-1-4: ENFORCEMENT:

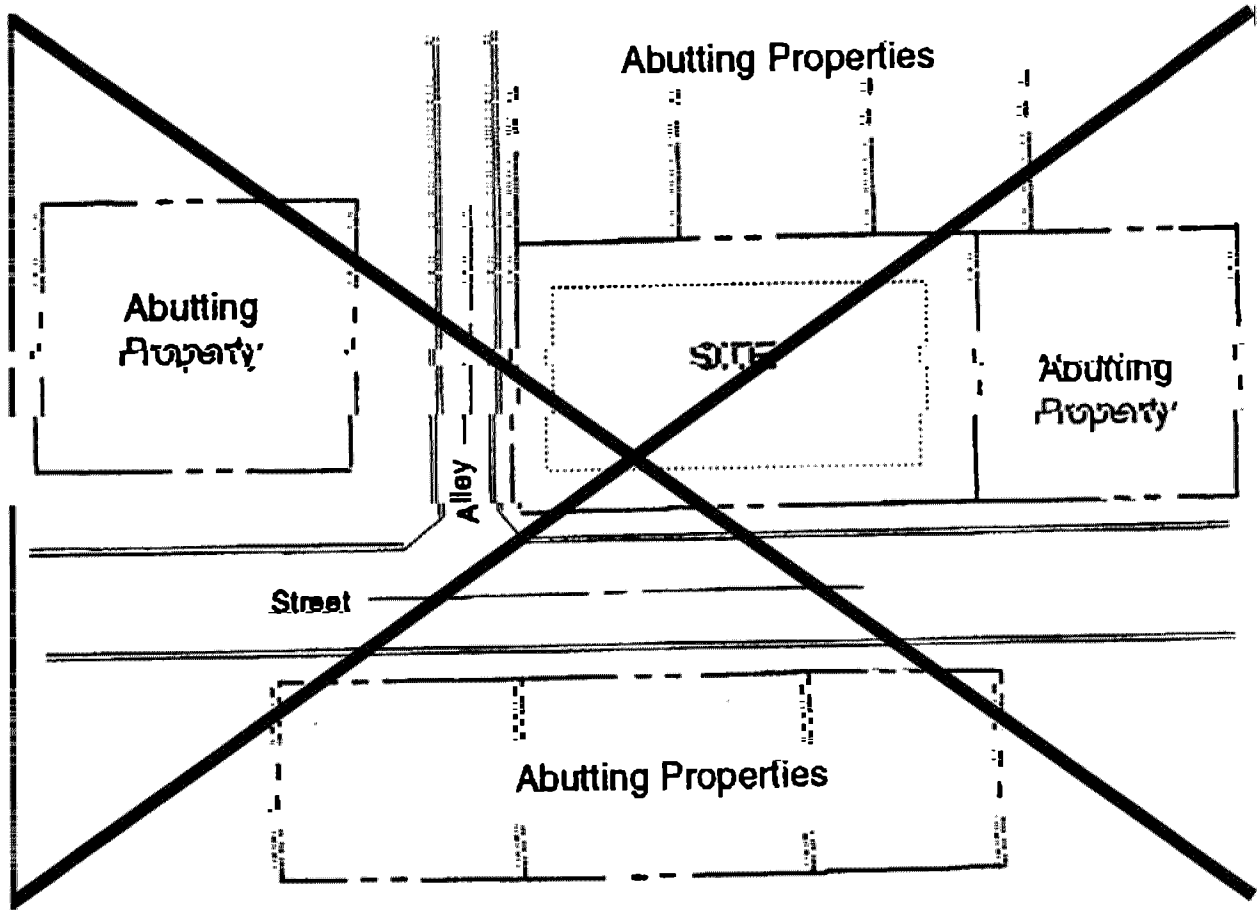
The Director of Community, Economic and Development Services Community Development Director or his/her duly designated representative is hereby designated as the enforcing agent of this title and any amendments thereto. The Director or his/her designated representative has the authority to require recordation of restrictive covenants on a property and/or to deny permits to prevent unpermitted changes of use and to fulfill the purpose of this Title.

SECTION 9: ESMC § 15-1-6 is amended as follows:

ESMC 15-1-6: DEFINITIONS:

The following words and phrases, when used in this title, shall have the meanings respectively ascribed to them in this chapter:

ABUTTING/ABUTTING PROPERTY: Two (2) or more parcels sharing a common boundary of at least one (1) point. ~~However, as used in chapter 24 of this title, this definition shall also include property that is separated only by a street or alley.~~



* * *

FENCE, TEMPORARY CONSTRUCTION: "Temporary construction fence" means a fence not exceeding six feet in height, as measured from the adjacent existing grade, which is erected around a portion of a lot or parcel, or around the perimeter of a lot or parcel, to secure said lot or parcel during construction activity.

* * *

FLOOR AREA (NET): The area of all floors or levels included within the exterior surrounding walls of a building or structure. The total space devoted to high or medium bay labs, in the M-1 zone only, may be multiplied by a factor of 0.5 to determine the net floor area. Space devoted to the following shall not be included when determining the total net floor area within a building or structure:

- A. Elevator shafts.
- B. Stairwells and stairway enclosures.
- C. Courts or atriums.

- D. Rooms exclusively holding building operating equipment.
- E. Parking spaces and parking structures.
- F. That portion of any structure that is devoted exclusively to parking.
- G. Restrooms and hallways in common areas of nonresidential buildings.

In the M-1 Zone only, the total space devoted to high or medium bay labs may be multiplied by a factor of 0.5 to determine the net floor area

* * *

GOVERNMENT BUILDINGS/PUBLIC USES: Government buildings/public uses include, but are not limited to, City offices, police and fire stations, parking, post offices, libraries, and related buildings.

* * *

LIVE/WORK: The partial use of a dwelling unit for the following commercial uses: artists' studios and workspace for artists and artisans, illustrators, painters, sculptors, photographers, or other activities related to fine arts (except musicians); and architectural, engineering, industrial design and drafting and other construction design activities. ~~Live/work uses are in addition to residential purposes and must comply with all the following:~~

- ~~A. Live/work uses may only be located in the medium density residential (MDR) zone of the Smoky Hollow specific plan area;~~
- ~~B. Live/work uses cannot be open to walk-in trade or client visits other than by appointment;~~
- ~~C. Only one employee, other than the resident, may be employed on-site;~~
- ~~D. Work activity must be conducted entirely within the individual unit;~~
- ~~E. Outdoor storage is not permitted;~~
- ~~F. Live/work uses cannot generate hazardous materials or employ hazardous processes;~~
- ~~G. The live/work use cannot be publicly observed;~~
- ~~H. Live/work activities, such as noise, vibration, dust, odors, fumes, smoke, heat, electrical interference or other similar nuisances, cannot be perceptible beyond the individual unit;~~

- I. ~~Live/work activities cannot increase pedestrian or vehicle traffic beyond that ordinarily associated with residential occupancy nor can it reduce the number of required off street parking spaces available for residential use;~~
- J. ~~One wall sign is permitted at the entrance of each individual unit. The wall sign cannot exceed six (6) square feet and cannot extend above or out from the wall. Signs cannot emit sounds, odor, or visible matter, such as smoke or steam. Signage may be lighted from another source such as gooseneck lamps. Internally illuminated and neon signs are not allowed. Rooftop signage is not allowed within the zone. Signs cannot contain any revolving, fluttering, flashing or spinning elements. All signage is subject to city requirements for sign permits.~~

* * *

SHARED MOBILITY DEVICE (SMD): Any transportation device by which a person can be propelled, moved or drawn, that is displayed, offered or placed for rent in any Public Area, Public Right-of-Way, or Private Property. This includes Shared Bicycles, Shared Electric Assist Bicycles (Shared E-Assist Bikes), Shared Electric Scooters, and similar devices as determined by the City. This definition excludes car share vehicles, taxicabs, and similar motor vehicles.

* * *

SOLAR ACCESS: The access of a solar energy system to direct sunlight.

SOLAR COLLECTOR: A device, structure or a part of a device or structure for which the primary purpose is to transform solar radiant energy into thermal, mechanical, chemical, or electrical energy.

SOLAR ENERGY: Radiant energy received from the sun that can be collected in the form of heat or light by a solar collector.

SOLAR ENERGY SYSTEM: A device or structural design feature, a substantial purpose of which is to provide daylight for interior lighting or provide for the collection, storage and distribution of solar energy for space heating or cooling, electricity generation, or water heating.

SOLAR ENERGY SYSTEM, ACTIVE: A solar energy system whose primary purpose is to harvest energy by transforming solar energy into another form of energy or transferring heat from a collector to another medium using mechanical, electrical, or chemical means.

SOLAR ENERGY SYSTEM, GRID-INTERTIE: A photovoltaic system that is connected to an electric circuit served by an electric utility.

SOLAR ENERGY SYSTEM, GROUND-MOUNTED: An Active Solar Energy System that is structurally mounted to the ground and is not roof-mounted; may be of any size (small-, medium- or large-scale).

SOLAR ENERGY SYSTEM, LARGE-SCALE: An Active Solar Energy System that occupies more than 40,000 square feet of surface area (equivalent to a rated nameplate capacity of about 250kW DC or greater).

SOLAR ENERGY SYSTEM, MEDIUM-SCALE: An Active Solar Energy System that occupies more than 1,750 but less than 40,000 square feet of surface area (equivalent to a rated nameplate capacity of about 10 - 250 kW DC).

SOLAR ENERGY SYSTEM, OFF-GRID: A photovoltaic solar energy system in which the circuits energized by the solar energy system are not electrically connected in any way to electric circuits that are served by an electric utility.

SOLAR ENERGY SYSTEM, PASSIVE: A solar energy system that captures solar light or heat without transforming it to another form of energy or transferring the energy via a heat exchanger.

SOLAR ENERGY SYSTEM, ROOF-MOUNTED: An Active Solar Energy System that is structurally mounted to the roof of a building or structure; may be of any size (small-, medium- or large-scale).

SOLAR ENERGY SYSTEM, SMALL-SCALE: An Active Solar Energy System that occupies 1,750 square feet of surface area or less (equivalent to a rated nameplate capacity of about 10 kW DC or less).

SOLAR THERMAL SYSTEM: An Active Solar Energy System that uses collectors to convert the sun's rays into useful forms of energy for water heating, space heating, or space cooling.

* * *

~~VIDEO ARCADE: An establishment having coin operated, slug operated, or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, or other image producing devices that show images to one or more persons per machine at any one time.~~

SECTION 10: ESMC § 15-2-4 (Height restrictions for walls and fences) is amended as follows:

15-2-4: HEIGHT RESTRICTIONS FOR WALLS AND FENCES

A. Generally: **Residential zones.** In any R-Zone, ~~a~~ **A** wall or fence ~~forty two~~ **42** inches (42") in height may be located and maintained on any part of a lot. On an interior or corner lot, a wall or fence ~~not more than~~ **up to** six feet (6') in height may be located anywhere on the lot ~~to the rear of the rear line of~~ **behind** the required front yard. On a reversed corner lot, a wall or fence ~~not more than~~ **up to** six feet (6') in height may be maintained anywhere on the lot ~~to the rear of the rear line of~~ **behind** the required front yard except within the required triangular open area at the rear constituting a part of the required side yard of

the street side. The provisions of sections 15-2-6 and 15-2-11 of this chapter shall apply to walls and fences adjacent to corners and driveways. ~~Wall and fence heights in nonresidential zones shall be subject to the approval of the Director.~~

~~B. Retaining Walls:~~

~~1. Where a retaining wall protects a cut slope below the natural grade, as depicted in subsection E, figure 1 of this section, the retaining wall may be topped by a fence or wall of a height equal to that which would otherwise be permitted at that location. This does not apply to retaining walls which protect a fill slope.~~

~~2. Where a retaining wall contains a fill and is not located in any required setback, as depicted in subsection E, figure 2 of this section, the height of the retaining wall built to retain the fill is considered as contributing to the permissible height of a fence or wall. If required by the California Residential Code, an open work fence or guardrail, not more than forty two inches (42") in height, may be erected on top of a retaining wall. An "open work fence" means a fence in which the component solid portions are evenly distributed, vertically oriented, and constitute not more than twenty five percent (25%) of the total surface area of the fence.~~

~~3. A retaining wall located in any required setback, as depicted in subsection E, figures 3A and 3B of this section, may retain a maximum of three feet (3') of fill. The height of the retaining wall built to retain the fill is considered as contributing to the permissible height of _____ a _____ fence _____ or _____ wall.~~

~~In a required side or rear setback, if required by the California Residential Code, an open work fence or guardrail, not more than forty two inches (42") in height, may be erected on top of a retaining wall. However, the maximum height of the fence and/or wall including a required openwork fence or guardrail is limited to six feet six inches (6'6").~~

~~In a required front setback, a six inch (6") wall or fence may be erected on top of a wall which retains a maximum of three feet (3'). No open work fence, above the maximum forty two inch (42") total height, is allowed in the front setback.~~

~~C. Exceptions: The provisions of this section shall not apply to fences required by State law to surround and enclose public utility installations or to chainlink fences enclosing school grounds and public playgrounds.~~

~~D. Adjustments: A wall or fence up to eight feet (8') in height may be allowed in residential zones subject to the approval of an adjustment, pursuant to chapter 24 of this title. A variance is required for a wall or fence in a residential zone which exceeds eight feet (8') in height.~~

~~E. _____ Figures _____ And _____ Diagrams:~~

1. Retaining Walls:

- a. Where a retaining wall protects a cut slope below the natural grade, as depicted in subsection 15-2-4A-4, the retaining wall may be topped by a fence or wall of a height equal to that which would otherwise be permitted at that location This does not apply to retaining walls which protect a fill slope.
- b. A retaining wall that protects a cut slope located in a required front or streetside setback is limited to three feet in height.
- c. Where a retaining wall contains a fill and is not located in any required setback, as depicted in subsection 15-2-4A-4, the height of the wall retaining the fill is considered as contributing to the permissible height of a fence or wall. If required by the California Residential Code, an open work fence or guardrail, not more than 42 inches in height, may be erected on top of a retaining wall. An "open work fence" means a fence in which the component solid portions are evenly distributed, vertically oriented, and constitute not more than 25 percent of the total surface area of the fence.
- d. A retaining wall located in any required setback, as depicted in subsection 15-2-4A-4, may retain a maximum of three feet of fill. The height of the retaining wall built to retain the fill is considered as contributing to the permissible height of a fence or wall.

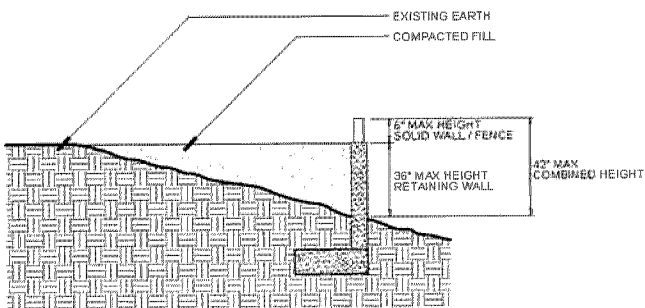
In a required side or rear setback, if required by the California Residential Code, an open work fence or guardrail, not more than 42 inches in height, may be erected on top of a retaining wall. However, the maximum height of the fence and/or wall including a required openwork fence or guardrail is limited to six feet six inches.

In a required front setback, a six-inch wall or fence may be erected on top of a wall which retains a maximum of three feet. No open work fence, above the maximum 42-inch total height, is allowed in the front setback.

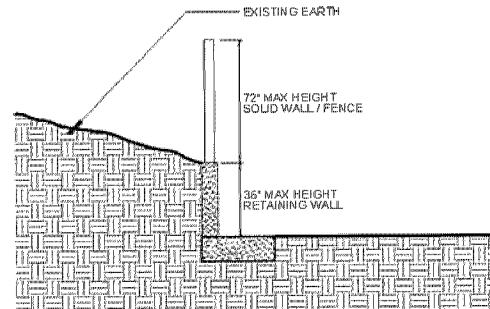
2. Exceptions: The provisions of this section shall not apply to fences required by State law to surround and enclose public utility installations or to chainlink fences enclosing school grounds and public playgrounds.
3. Adjustments: A wall or fence up to eight feet in height may be allowed in residential zones subject to the approval of an adjustment, pursuant to chapters 22 and 23 of this title. A variance is required for a wall or fence in a residential zone which exceeds eight feet in height.

4. Figures And Diagrams:

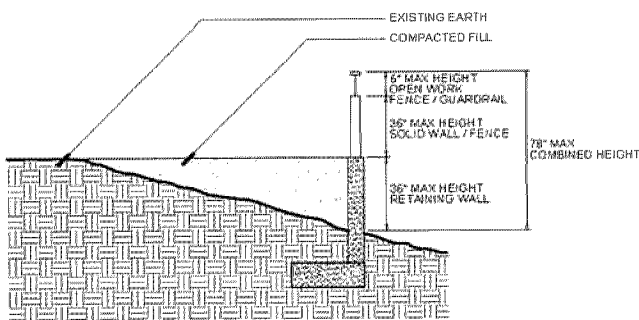
RETAINING WALLS FOR RESIDENTIAL ZONES



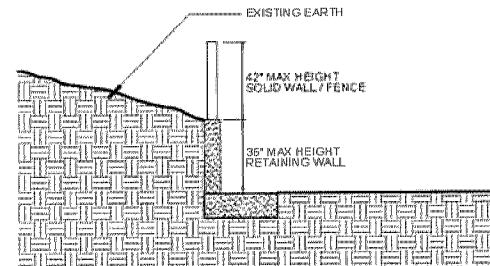
RETAINING WALL CONTAINING FILL IN FRONT SETBACKS



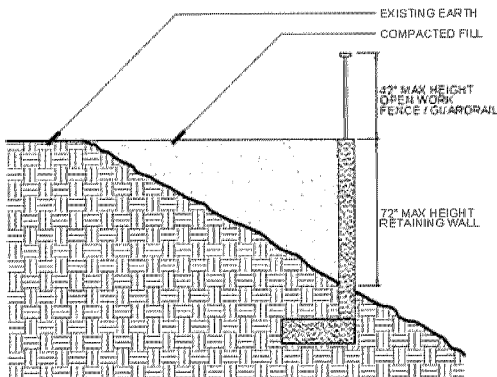
RETAINING WALL HOLDING CUT IN STREETSIDE SETBACKS



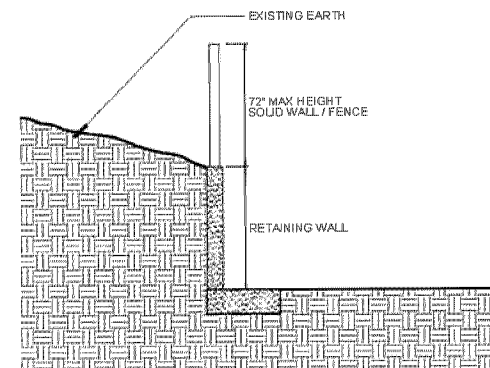
RETAINING WALL CONTAINING FILL IN SIDE OR REAR SETBACKS



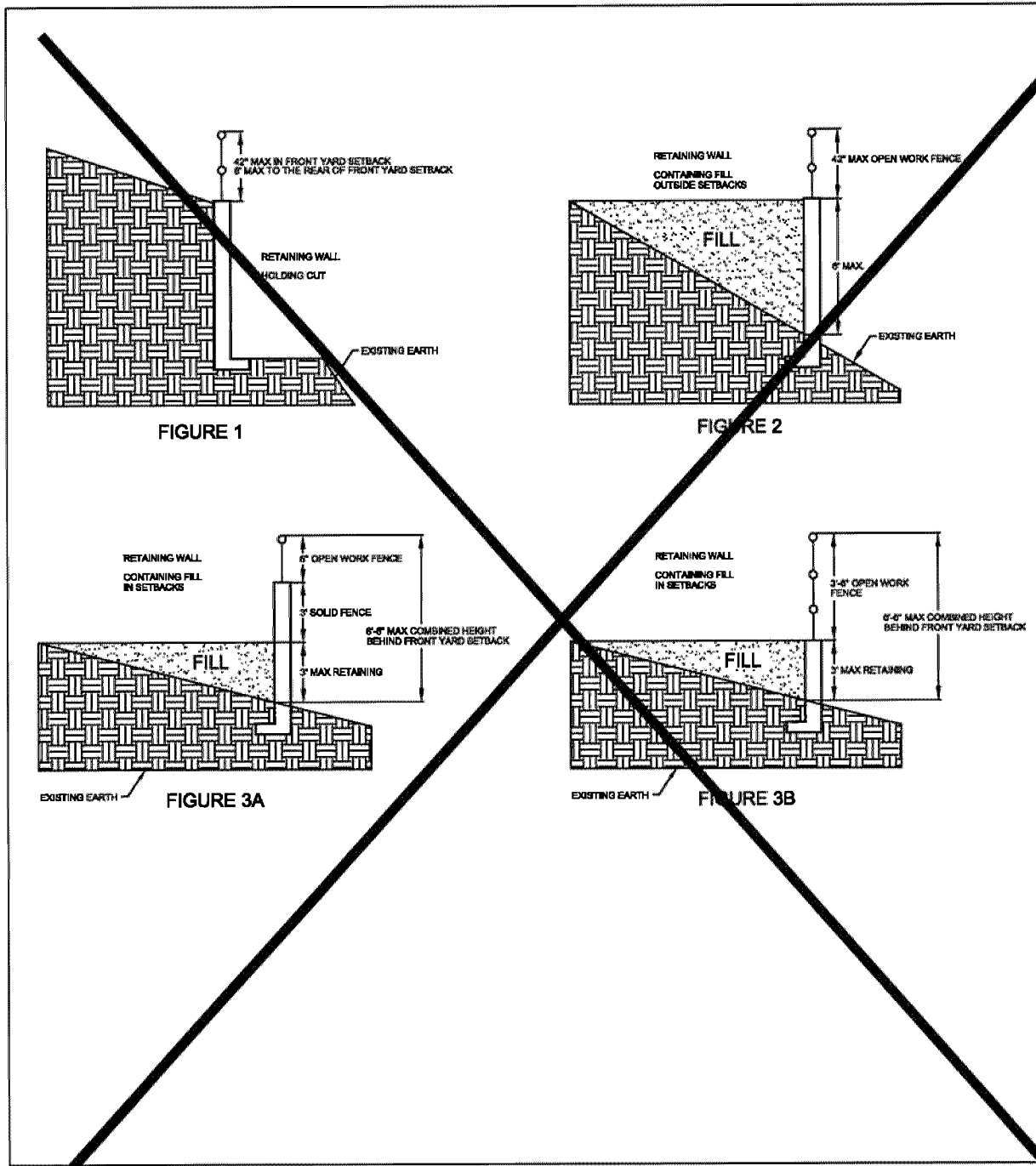
RETAINING WALL HOLDING CUT IN FRONT SETBACKS



RETAINING WALL CONTAINING FILL NOT IN SETBACKS



RETAINING WALL HOLDING CUT NOT IN FRONT OR STREETSIDE SETBACKS



B. Non-residential zones. Open work fences up to eight feet in height may be located on any part of a lot. Solid fences or walls up to six feet in height may be located and maintained on any part of a lot behind the required front and street side setbacks. Solid fences or walls up to 42 inches in height may be located in a required front or street side setback.

Required walls. When abutting properties with a different zoning designation, a six-foot high masonry wall shall be provided along the common property lines.

1. Retaining walls

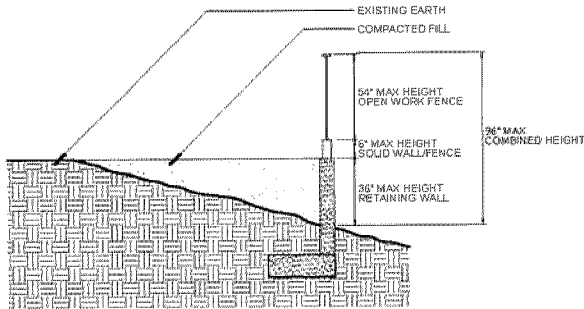
- a. Where a retaining wall protects a cut slope below the natural grade, as depicted in subsection 15-2-4B-4, the retaining wall may be topped by a fence or wall of a height equal to that which would otherwise be permitted at that location. This does not apply to retaining walls which protect a fill slope.
- b. A retaining wall that protects a cut slope located in a required front or streetside setback is limited to three feet in height.
- c. Where a retaining wall contains a fill and is not located in any required setback, as depicted in subsection 15-2-4B-4, the height of the wall retaining the fill is considered as contributing to the permissible height of a fence or wall. If required by the California Building Code, an open work fence or guardrail, not more than 42 inches in height, may be erected on top of a retaining wall. An "open work fence" means a fence in which the component solid portions are evenly distributed, vertically oriented, and constitute not more than 25 percent of the total surface area of the fence.
- d. A retaining wall located in any required setback, as depicted in subsection 15-2-4B-4, may retain a maximum of three feet of fill. The height of the retaining wall built to retain the fill is considered as contributing to the permissible height of a fence or wall.

In a required side or rear setback, if required by the California Building Code, an open work fence or guardrail, not more than 42 inches in height, may be erected on top of a retaining wall. However, the maximum height of the fence and/or wall including a required openwork fence or guardrail is limited to eight feet.

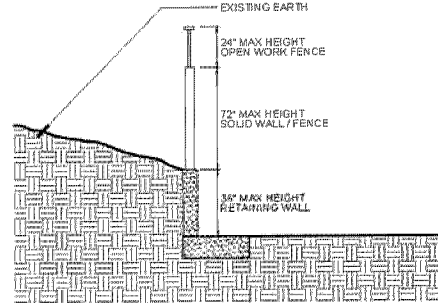
2. Exceptions: The provisions of this section shall not apply to fences required by state law to surround and enclose public utility installations or to chainlink fences enclosing school grounds and public playgrounds.
3. Adjustments: If there is a City-verified nuisance, criminal activity, or extraordinary topographical circumstances, a wall or fence may exceed the maximum permitted height by up to two feet subject to the approval of an adjustment by the Director, pursuant to chapters 22 and 23 of this title. A wall or fence may exceed the permitted height by more than two feet subject to the approval of an adjustment by the Planning Commission, pursuant to chapters 22 and 28 of this title.

4. Figures And Diagrams:

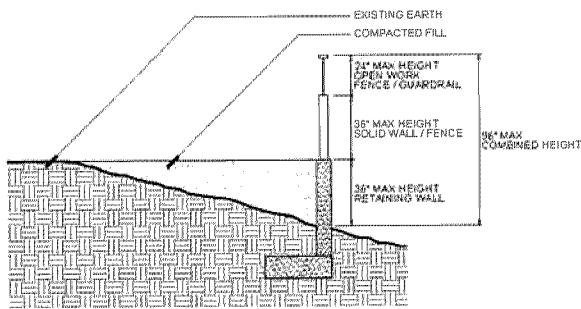
RETAINING WALLS FOR NON RESIDENTIAL ZONES



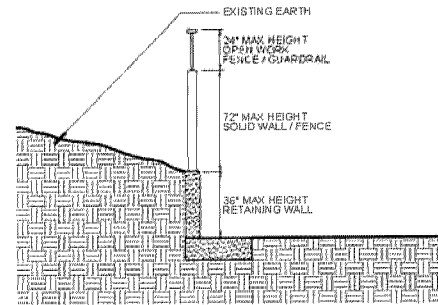
RETAINING WALL CONTAINING FILL IN FRONT SETBACKS



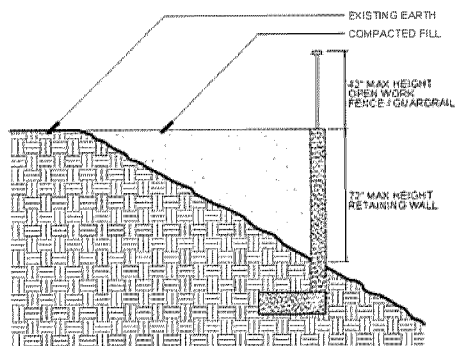
RETAINING WALL HOLDING CUT IN STREETSIDE SETBACKS



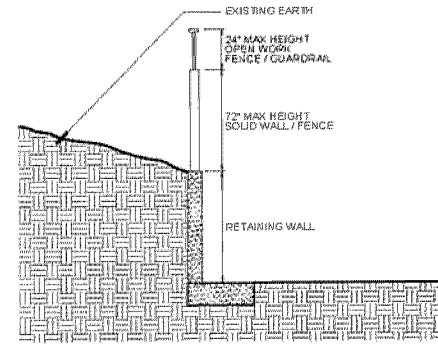
RETAINING WALL CONTAINING FILL IN SIDE OR REAR SETBACKS



RETAINING WALL HOLDING CUT IN FRONT SETBACKS



RETAINING WALL CONTAINING FILL NOT IN SETBACKS



RETAINING WALL HOLDING CUT NOT IN FRONT OR STREETSIDE SETBACKS

C. Temporary Construction Fencing. Construction projects that are accessible from a street right-of-way or an abutting property and which remain in operation or expect to remain in operation for over 30 calendar days shall provide

temporary construction fencing, as defined in Section 15-1-6 (Fence, Temporary Construction) of this code. Unless required to protect against a safety hazard, temporary construction fencing shall not be erected sooner than 15 days prior to commencement of construction. Once erected, temporary construction fencing shall be subject to the following standards and conditions:

1. The temporary construction fencing shall surround all safety hazards, as required by the building official, and shall prevent unauthorized entry to the subject parcel;

2. The temporary construction fencing shall adequately screen outdoor storage of construction equipment and materials as determined by the Director. Chain linked fencing with a mesh screen in addition to the material identified in ESMC Section 15-2-8 may be used as temporary construction fencing;

3. During construction, the subject temporary fencing shall be maintained in a satisfactory condition as determined by the Director; and

4. Temporary construction fencing shall be maintained in a satisfactory condition as determined by the Director, and shall be removed, unless such removal would create a safety hazard, as determined by the director or the city's building official, within 30 days of the following occurrences:

- a. The expiration or withdrawal of the building/grading permit for development of the fenced parcel; or
- b. Issuance of the final building/grading permit approval or certificate of occupancy for the development of the fenced parcel.

5. If temporary construction fencing is determined by the director or the city's building official to be necessary to protect against a safety hazard or attractive nuisance, the temporary fencing may be erected for a period of 180 days or for a longer period, as permitted by the building official until the hazard or nuisance is abated, after which the property owner shall either remove the temporary fencing or replace the temporary fencing with permanent fencing.

SECTION 11: ESMC § 15-2-5 (Height restrictions for buildings on through lots) is deleted in its entirety.

15-2-5: HEIGHT RESTRICTIONS FOR BUILDINGS ON THROUGH LOTS: _____

~~On through lots one hundred fifty feet (150') or less in depth, the height of a building on the lot may be measured from the elevation of the sidewalk of the street on which the building fronts. On through lots more than one hundred fifty feet (150') in depth, the height regulations shall apply to a depth of not more than one hundred fifty feet (150') from that street which permits the greater height.~~

SECTION 12: ESMC § 15-2-6 is amended as follows:

15-2-6: CORNER AND ALLEY CLEARANCE:

For the purpose of safe visibility, all corner lots, and reversed corner lots must maintain a triangular area, described as follows: one ~~(4)~~ angle must be formed by the front and side property lines, and the sides of this angle must be ~~fifteen~~**15** feet ~~(15')~~ in length, measured along the front and side property lines; the third side of this triangle must be a straight line connecting the two ~~(2)~~ other lines at their endpoints.

Lots located at the intersection of a public street and an alley must maintain a triangular area, described as follows: one ~~(4)~~ angle must be formed by the property lines abutting the street and the alley, and the sides of this angle must be five feet ~~(5')~~ in length. The third side of this triangle must be a straight line connecting the two ~~(2)~~ other lines at their endpoints. Along alleys that are more than ~~fifteen~~**15** feet ~~(15')~~ wide, this triangle must be located only on the lot to the right of the alley as seen from a vehicle exiting the alley to enter the adjacent street.

Within the area comprising these triangles, no trees, fences, shrubs, retaining walls, buildings and structures, or other physical obstructions may exceed ~~thirty~~**30** inches ~~(30")~~ in height from street grade, unless it is a tree which is trimmed to provide a minimum of ~~twelve~~**12** feet ~~(12')~~ of visibility from street grade under the canopy created by the branches.

SECTION 13: ESMC § 15-2-7 is amended as follows:

15-2-7: ENCROACHMENTS:

Encroachments are subject to the following provisions in the indicated zones:

A. All Zones: ~~"Architectural landscape features" as defined in section 15-1-6 of this title may encroach into setbacks as specified in section 15-2-14 of this chapter. In all zones, every~~**Every** required yard must be open and unobstructed from the ground up, except the following intrusions may project two feet ~~(2')~~ into required yards, provided the required yard cannot be reduced to less than three feet ~~(3')~~ in width:

1. Bay and greenhouse windows, on the first floor in any setback and on the second floor only in the front yard setback, provided that said window is not wider than eight feet ~~(8')~~ measured in the general direction of the wall of which it is a part;

2. Cornices, corbels, columns, belt courses, sills, eaves or other similar architectural building features as defined in section 15-1-6 of this title. Eaves may project six inches ~~(6")~~ into any nonconforming side or rear yard which is three feet ~~(3')~~ in width;

3. Fireplace structures not wider than eight feet ~~(8')~~ measured in the general direction of the wall of which it is a part;

4. Planting boxes or masonry planters not exceeding ~~forty-two~~**42** inches (42") in height; ~~and~~

5. Uncovered porches, platforms and landings which do not extend above the floor level of the first floor. Ramps, stairs, and safety guardrails leading to said porches, platforms and landings may encroach further into a required setback but must maintain at least a three-foot (3') distance to a property line; and

6. "Architectural landscape features" as defined in section 15-1-6 of this title may encroach into setbacks as specified in section 15-2-14 of this chapter.

B. Residential Zones: In Residential Zoning Districts:

1. A porte-cochere (open carport) may be placed over a driveway in the front ~~twenty~~**20** feet (20') of one side yard setback, outside of the front yard setback, or attached to the front ~~twenty~~**20** feet (20') of one dwelling unit closest to the front lot line, provided the structure is not more than one story in height; is unenclosed on three (3) sides; and is entirely open except for the necessary supporting columns and architectural features.

2. Mechanical equipment, such as pool heaters, water heaters, air conditioners, and solar energy system appurtenances not wider than eight feet (8') measured in the general direction of the wall of which it is a part, and adequately soundproofed, may project two feet (2') into required side and rear yards, provided the required yard cannot be reduced to less than three feet (3').

3. Detached arbors, pergolas, or trellises that partially cover a walkway and do not exceed eight feet (8') in overall height, six feet (6') in width, and five feet (5') in length may have a zero setback in the front and street-side yards. However, the structures must comply with the requirements of sections 15-2-6, "Corner And Alley Clearance", and 15-2-11, "Driveway Visibility", of this chapter.

4. Uncovered porches, platforms and landings which do not exceed ~~twelve~~**12** inches (12") in height above finished grade may have a zero setback in non-street fronting side and rear yards.

5. Built-in barbeques may have a zero setback in non-street fronting side and rear yards provided that the structures:

a. have no trellis or similar cover;

b. are placed adjacent to an existing solid wall;

c. do not exceed the maximum height of the adjacent solid wall, up to a maximum of six feet;

d. are less than 120 square feet in size;

e. are located a minimum of three feet from an adjacent structure; and

f. are consistent with the California Fire Code.

C. Nonresidential Zones: In nonresidential zoning districts, mechanical equipment and

accessory structures that do not contain occupied space, as defined by the California Building Code adopted by this Code, or that do not contain net floor area, as defined in section 15-1-6 of this title, may be located within a required interior side or rear setback area.

1. Mechanical equipment includes emergency generators; air conditioning and heating units; transformers; solar energy system appurtenances; and other equipment that is accessory to the principal permitted use. Mechanical equipment does not include electrical substations.

2. Accessory structures include trash and recycling enclosures; ground-mounted and covered parking solar energy systems; and structures that exclusively house building operating equipment that is accessory to the principal permitted use.

3. Mechanical equipment and non-occupied accessory structures within a required setback are subject to the following requirements:

- a. The mechanical equipment or accessory structure may not be higher than ~~eighteen~~18 feet (18').
- b. The mechanical equipment or accessory structure may not be longer than ~~sixty~~60 feet (60') parallel to the line of the property to which it is situated or longer than ~~thirty-five~~35 percent (35%) of the length of such property line to which it is situated, whichever is less.
- c. The mechanical equipment or accessory structure may not be located within a required interior side or rear setback area if the interior side or rear property line abuts a ~~Residentially~~residentially zoned property or abuts a public street.
- d. Operation of the mechanical equipment must not exceed the noise standards for commercial and industrial property as identified in this Code.
- e. The mechanical equipment or accessory structure must be set back from any interior side or rear property line to meet all access, safety, and screening requirements as specified in title 13 of this Code and this title, including, but not limited to, adequate ingress and egress for public safety employees.

D. Urban Mixed Use North (MU-N), Urban Mixed Use South (MU-S), Corporate Office (CO) And Light Industrial (M-1) Zones: In addition to the encroachments permitted in nonresidential zoning districts generally, patios, decks, and similar outdoor areas used as gathering spaces; and outdoor dining areas, may be located within setback areas as follows:

1. Stairs, pedestrian ramps, and related safety guardrails must maintain at least a ~~three-foot~~ 3' distance to a lot line.

2. Patios, decks, and similar outdoor areas used as gathering spaces, and outdoor dining areas must be enclosed by walls, fences, and/or hedges. These may be up to ~~forty two~~42 inches (42") in height and maintain at least a five-foot (5') distance to a property line. Walls, fences, and/or hedges may exceed ~~forty two~~42 inches (42") in height, provided that the portion exceeding ~~forty two~~42 inches (42") in height is of a transparent or translucent material, subject to the review and approval of the Director. These areas may be covered by a nonsolid trellis or pergola; or by a retractable awning, large umbrella or

other similar nonpermanent cover which provides protection from rain, subject to the approval by the Director.

SECTION 14: ESMC § 15-2-8 is amended as follows:

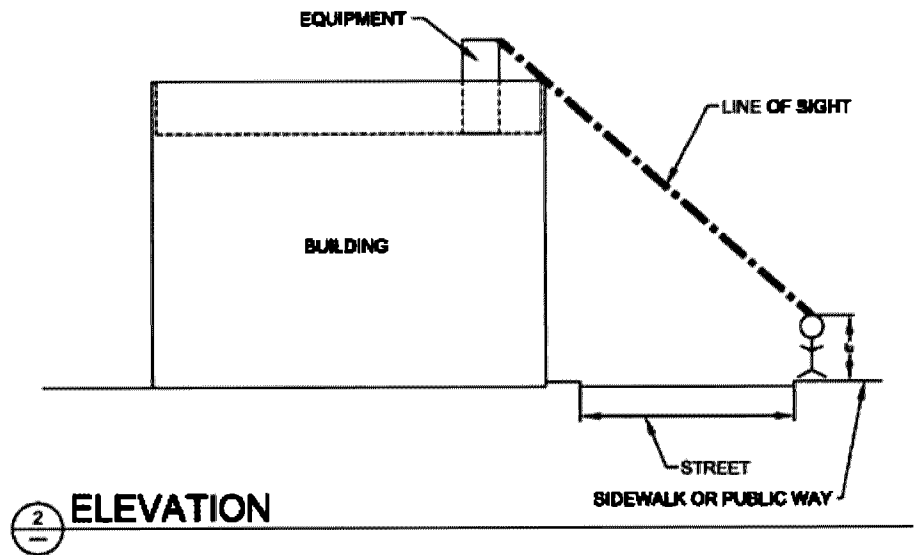
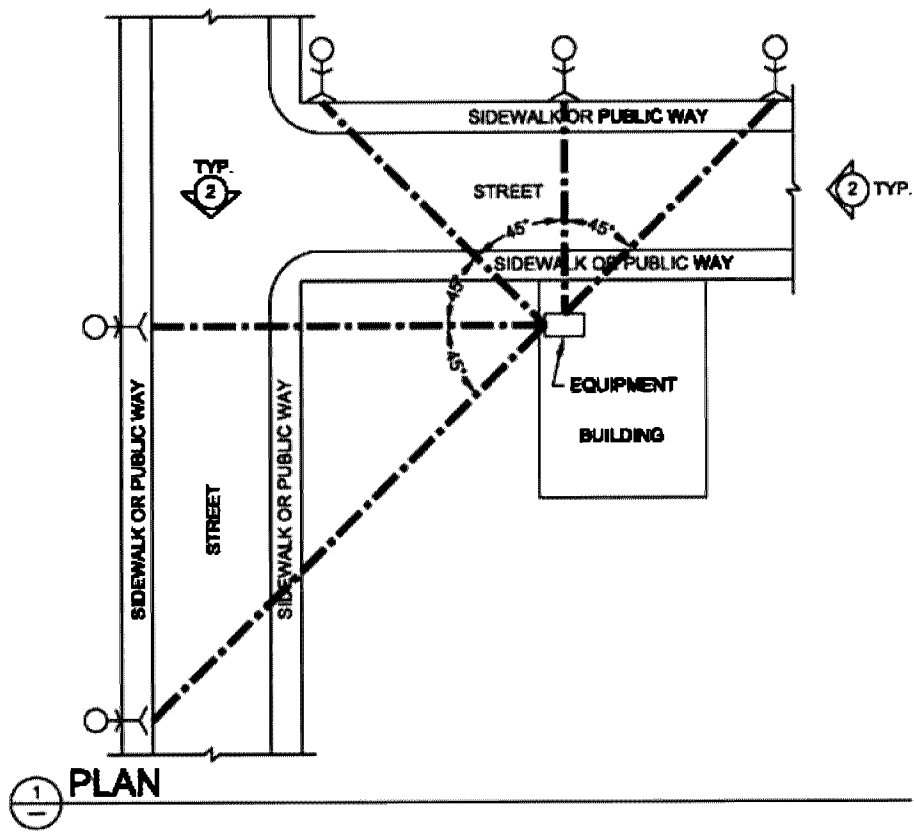
15-2-8: SCREENING:

Equipment must be screened in the following manner:

- A. **Electrical Lines; Cables:** All electrical, telephone, cable television and similar service wires and cables which provide direct service to the property being developed, within the exterior boundary lines of such property, must be installed underground. Risers on poles and buildings are permitted and must be provided by the developer or owner onto the pole which provides service to said property. Utility service poles may be placed on the rear of the property to be developed only for the purpose of terminating underground facilities. The developer or owner is responsible for complying with the requirements of this section and must make the necessary arrangements with the utility companies for the installation of such facilities.
- B. **Equipment; Appurtenances:** Equipment and appurtenances such as, but not limited to, surface mounted transformers, pedestal mounted terminal boxes and meter cabinets, sprinkler manifolds and concealed ducts in an underground system may be placed above ground, provided that they are located in a fully enclosed structure or are screened from public view to the satisfaction of the Director. Screening must sufficiently obstruct view of said equipment from public rights-of-way surrounding the equipment location. Screening material may include masonry, metal, wood, vinyl or similar durable material. Screening may be up to ~~thirty~~**30** percent (~~30%~~) open on the vertical surface, for example, perforated, lattice, louvered, and stacked. Chain link fencing may not be used for screening equipment. All vent pipes and similar devices which are attached to a building must be painted to match the building.
- C. **Rooftop Installation:** Mechanical equipment installed on rooftops must be screened from public view to the satisfaction of the Director. Screening must sufficiently obstruct the view of said equipment from public rights-of-way surrounding the equipment location. Screening material may include masonry, metal, wood, vinyl or similar durable material. Screening material and colors must be compatible with the building on which the equipment is located. Screening may be up to ~~thirty~~**30** percent (~~30%~~) open on the vertical surface, for example, perforated, lattice, louvered, and stacked. Chain link fencing may not be used for screening equipment.
- D. **Storage Areas:** All outdoor storage areas, including those for cartons, containers and trash, must be screened from public view to the satisfaction of the Director. Screening must sufficiently obstruct view of said equipment from public rights-of-way surrounding the storage area location. Screening material may include masonry, metal, wood, vinyl or similar durable material. Chain link fencing may not be used for screening of storage areas.

E. Solar energy systems: All solar energy system appurtenances including, but not limited to, electrical conduit, junction boxes, water tanks, supports, and plumbing shall be screened to the maximum extent possible without compromising the effectiveness of the solar collectors, and shall be painted a color similar to the color of the surface upon which they are mounted. Solar collectors (modules, inverters and rails) are exempt from the screening and color provisions of this subsection.

FIGURE 1- SCREENING



SECTION 15: ESMC § 15-2-14 is amended as follows:

15-2-14: LANDSCAPING:

- A. Requirement; Purpose: The goal of this section is to ensure that adequate landscape areas and permanent water efficient irrigation systems are provided for all nonresidential development. The area extending between a building(s) and property lines must contain both softscape and hardscape landscape materials, except for those portions devoted to vehicular parking and loading. All softscape area provided for each project site in nonresidential zoning districts must be natural plant material, preferably native to the area and not include artificial turf or synthetic grass except as otherwise provided in this title. ~~Lots in residential zoning districts are allowed to contain artificial turf or synthetic grass provided that the Director of Planning and Building Safety will review the use of artificial turf or synthetic grass to require that the type and quality of material used is not harmful to the environment (such as containing lead based or other hazardous materials); to require a pervious surface to address percolation, drainage, runoff, and stormwater detention requirements; and to require that the artificial turf or synthetic grass is incorporated into a comprehensive landscaping design and site planning.~~ All nonresidential landscape projects must comply with chapter 15A of this title relating to water conservation in landscaping.
- B. Components: To achieve these purposes, the landscape criteria is divided into the following components:
1. Vehicular Use Areas: All surface vehicular use areas (VUA) shall provide landscape areas including shade trees and permanent irrigation systems, to cover five percent ~~(5%)~~ of the VUA. Landscaping shall be distributed uniformly throughout the VUA, and shall be in addition to the required property perimeter and building perimeter landscaping. There shall be one ~~(1)~~ tree for every ~~three thousand (3,000)~~ square feet of VUA. These trees shall be evenly distributed throughout the automobile parking area to provide shade and provided around the perimeter of truck loading/waiting areas to provide screening. Individual tree and planter areas shall not be less than three feet ~~(3')~~ in width, excluding curbs.
 2. Building Perimeter: In those instances where setbacks are provided, all buildings, including parking structures, shall have landscape areas and permanent irrigation systems around their perimeter. A minimum horizontal depth of five feet ~~(5')~~ of landscape materials, excluding curbs, shall be provided around the buildings, except additions to buildings in the rear one-third ~~($\frac{1}{3}$)~~ of a lot, which do not abut residential property, where landscaping would not be visible from the public right-of-way need not provide building perimeter landscaping in the rear. A combination of soft and hard landscape materials may be installed, provided the use of such materials form a cohesive, attractive and functional design.
 3. Property Perimeter: All required setback areas must be landscaped as required by chapter 15A of this title. In addition, the landscaping must incorporate the theme utilized for the public rights-of-way and one ~~(1)~~ shade tree must be provided for every ~~twenty five feet (25')~~ **25 feet** of street frontage. The following encroachments are permitted into the landscaped setback areas:

- a. Parking spaces, including spaces for automobiles, bicycles, and shared mobility devices, may encroach into a required street-facing setback up to a maximum of ~~fifty~~**50** percent (~~50%~~) of the required setback area, provided a minimum landscaped setback of five feet (5') is maintained. ~~Parking~~**These** spaces may encroach into a required interior side and rear setback up to the interior side or rear property line, provided that the interior side and rear property line does not abut a public or private street.

- b. "Architectural landscape features", as defined in section 15-1-6 of this title, may encroach into the landscaped setback area up to a maximum of ~~eighty~~**80** percent (~~80%~~) of the required setback area ~~distance~~, provided a minimum landscaped setback of five feet (5') is maintained. The features may cover a maximum of ~~twenty-five~~**25** percent (~~25%~~) of the total setback area of the ~~setback~~, and be a maximum of ~~twenty~~**20** feet (~~20'~~) in height. Encroachments which exceed any of these standards, or which contain an open roof covering or side walls with greater than ~~twenty~~**20** percent (~~20%~~) component solid portions, requires the approval of an adjustment, as provided in chapter ~~24~~**22** of this title.

A combination of soft and hard landscape materials may be installed, provided the use of such materials will form a cohesive, attractive and functional design. Such design is to be integrated with and, if appropriate, physically connected to that provided for the building and VUA areas.

4. ~~Minimum Sizes For Plant Materials~~**sizes for plant material:**

- a. The minimum tree container size for all trees on a site must be provided as follows:
 - (1) At least ~~twenty~~**20** percent (~~20%~~) of the trees must be ~~thirty-six~~**36**-inch (~~36"~~) box size or larger.
 - (2) At least ~~thirty~~**30** percent (~~30%~~) of the trees must be ~~twenty-four~~**24**-inch (~~24"~~) box size or larger.
 - (3) The remaining ~~fifty~~**50** percent (~~50%~~) must be ~~fifteen~~-(15) gallon size or larger.
 - (4) ~~The Director of Planning and Building Safety~~ may approve smaller tree container sizes than required based on site conditions, however no tree may be smaller than a ~~fifteen~~-(15) gallon size.

- b. Shrubs must be planted from a minimum five (~~5~~) gallon size container. One (~~1~~) gallon size containers may be allowed for shrubs that are not commonly available in five (~~5~~) gallon size containers, subject to approval by the Director ~~of Planning and Building Safety~~.

SECTION 16: ESMC § 15-2-15 regarding video arcades is deleted.

SECTION 17: ESMC Article 15-4A (Single-Family Residential (R-1) Zone) is amended in its entirety to read as follows:

ARTICLE A: PERMITTED USES IN RESIDENTIAL ZONES

15-4A-1: PERMITTED USES:

Table No. 1 below contains the uses permitted in the R-1, R-2 and R-3 zones, including uses permitted by right, accessory uses, and uses subject to a conditional use permit.

Table No. 1 – Permitted uses in residential zones

| Uses | Zones | | |
|--|-------|-----|-----|
| | R-1 | R-2 | R-3 |
| Residential uses/Hospitality | | | |
| Accessory dwelling units, per ESMC Article 15-4E | A | A | A |
| Condominiums and stock cooperatives converted from multiple-family dwellings subject to the requirements of the Subdivision Map Act | | | P |
| Lodging houses | | | P |
| Micro-unit developments ³ | | | P |
| Mobile home parks, subject to Building and California Health and Safety Code regulations | CUP | CUP | CUP |
| Mobile or manufactured homes | P | P | P |
| Multiple-family dwellings | | | P |
| Renting of up to two rooms to not more than four persons per dwelling unit | P | P | P |
| Short-term rentals, per ESMC Chapter 4-16 ² | P | P | P |
| Single-family dwellings | P | P | P |
| Two-family dwellings, duplexes, or two one-family dwellings | | P | P |
| Group care uses | | | |
| Daycare centers | | | P |
| Family care home, foster family home, or group home serving six or fewer children (State authorized, certified or licensed) | P | P | P |
| Large family daycare homes | P | P | P |
| Residential facility, residential care facility, residential care facility for the elderly, intermediate care facility, developmentally disabled habilitative or nursing, or congregate living health facility, serving six or fewer persons (State authorized, certified or licensed) | P | P | P |
| Senior citizen housing subject to California Government Code sections 65913, 65914 and 65915 | | | CUP |
| Senior housing facilities, including, but not limited to, rest homes, convalescent homes, or nursing homes | | | CUP |
| Small family daycare homes | P | P | P |

| | | | |
|---|----------------------|----------------------|----------------------|
| Transitional or Supportive Housing | P | P | P |
| Non-residential uses | | | |
| Assembly halls | | CUP | CUP |
| Home occupations | P | P | P |
| Private schools | | CUP | CUP |
| Miscellaneous uses | | | |
| Animals and pets per ESMC Chapter 6-2 | P | P | P |
| Beekeeping per ESMC Chapter 6-2 | A | | |
| Detached accessory buildings and structures, including private garages | A | A | A |
| Play structures | A | A | A |
| Public parking areas abutting lots zoned commercial or industrial | | | CUP |
| Public parks, playgrounds, and recreational areas, except ballparks, bleachers, swimming pools or similar facilities for competitive sports or for use/hiring of public amusement devices | P | P | P |
| Roof-mounted and small-scale ground-mounted solar energy systems | A | A | A |
| Any use customarily incidental to a permitted use | A | A | A |
| Other similar uses approved by the Director, per ESMC Chapter 15-22 | A, P, AUP, CUP | A, P, AUP, CUP | A, P, AUP, CUP |

Notes:

1. P = Permitted use, A = Accessory use, AUP = Use subject to an administrative use permit (Per ESMC Chapters 15-22 and 15-23), CUP = Use subject to a conditional use permit (per ESMC Chapters 24 and 28), N = prohibited
2. A short-term rental unit is not a permitted use in the absence of a valid short-term rental permit per ESMC Chapter 4-16
3. Subject to the provisions of ESMC Chapter 15-13C (Micro-units)

SECTION 18: ESMC Article 15-4B (Two-Family Residential (R-2) Zone) is amended in its entirety to read as follows:

ARTICLE B. SINGLE-FAMILY RESIDENTIAL (R-1) ZONE

15-4B-1: PURPOSE

15-4B-2: PERMITTED USES

15-4B-3: SITE DEVELOPMENT STANDARDS FOR LOTS WIDER THAN 25 FEET

15-4B-3-1: SITE DEVELOPMENT STANDARDS FOR LOTS 25 FEET WIDE OR LESS

15-4B-4: LANDSCAPING

15-4B-5: OFF STREET PARKING AND LOADING SPACES

15-4B-6: SIGNS

15-4B-7: VEHICULAR ACCESS

15-4B-1: PURPOSE:

The purpose of this zone is to provide consistency with and implement policies related to those locations which are designated Single-Family on the General Plan land use map and in the General Plan text. This zone is to provide for and promote the development of single-family homes within a safe and healthy environment for existing and future residents.

15-4B-2: PERMITTED USES

Permitted uses, permitted accessory uses, and uses subject to conditional use permit for all residential zones are listed in Article 15-4A of this Title.

15-4B-3: SITE DEVELOPMENT STANDARDS FOR LOTS WIDER THAN 25 FEET:

All uses on lots that are wider than 25 feet within the R-1 Zone must comply with the development standards contained in this section.

A. General Provisions:

1. As provided by chapter 2 of this title.
2. New dwelling units must be internally integrated and connected.
3. An addition to, or extension of, a dwelling unit, except a garage or an accessory dwelling unit, must share a common wall and be internally integrated and connected to the existing dwelling unit.
4. Mobile and manufactured homes are subject to the following requirements:
 - a. The mobile or manufactured homes has been certified pursuant to the National Manufactured Housing Construction and Safety Standards Act of 1974, and has not been altered in violation of applicable codes; and
 - b. The mobile or manufactured home must be installed on a permanent foundation in compliance with all applicable building regulations and division

13, part 2 (commencing with section 18000) of the California Health and Safety Code.

B. Height:

1. The height of all buildings or structures with a pitched roof must not exceed 32 feet and two stories. Buildings or structures with a flat roof must not exceed 26 feet and two stories.
2. A maximum grade differential of six feet is permitted on sloping lots. The height which exceeds the maximum grade differential is included in measuring the maximum building height. On sloped lots, a segmented grade plane may be applied to different portions of a building.
3. See section 15-2-3 of this title for exceptions to building height.

C. Lot Area: A minimum of 5,000 square feet.

D. Setbacks:

1. Front yard: Minimum setback of 22 feet. Front yard setbacks for two car and three car garages located in the front half of a lot must comply with the standards contained in subsection G of this section.
 - a. Permitted front yard setback encroachments:
 - (1) Porches or verandas in a front yard setback not fully enclosed on three sides (railings and/or columns permitted) may encroach into the front setback a maximum of six feet;
 - (2) The first floor front yard setback facing exterior wall of a dwelling may encroach up to two feet for a width not exceeding 30 feet when a first floor porch or veranda, not fully enclosed on three sides, is also projecting into the front yard setback. The total amount of encroachment may not exceed six feet in depth combined for both the dwelling structure and a porch or veranda, for a minimum 50 percent of the building width;
 - (3) Raised decks, where the walking surface is not greater than 24 inches above adjacent grade, in conjunction with a lattice deck cover not greater than 10 feet above adjacent grade may encroach into the front yard setback a maximum of six feet in depth and 50 percent of the building width;
 - (4) Lattice patio covers, pergolas, arbors, or trellises not greater than 10 feet in height (as measured from the lowest adjacent grade to the highest point of the cover) may encroach into the front yard setback a maximum of six feet in depth and 50 percent of the building width;
 - (5) Architectural elements such as towers or turrets not greater than eight feet in diameter may encroach into the front setback a maximum of four feet;
2. Side yard: Structures must maintain a minimum setback on each side of the lot of 10 percent of the width of the lot, but can never be less than three feet and need not be more than six feet.
3. Setbacks for detached accessory structures:
 - a. Detached accessory structures, including garages, must maintain a minimum setback on each side of the lot of 10 percent of the width of the lot, but may not be less than three feet and need not be more than six feet on the first floor.

- b. The second floor of a detached accessory structure, including garages, must maintain a minimum setback on each side of the lot of 10 percent of the width of the lot plus an additional setback of two feet, but must not be less than five feet and need not be more than eight feet.
 - c. Detached accessory structures, including garages, that are only one story in height and are located in the rear third of the lot, must maintain a minimum side setback of two feet.
 - d. Detached accessory structures that are two stories high, and located in the rear third of the lot, must maintain a minimum side setback of two feet on the first floor and a minimum five feet on the second floor.
 - e. Detached accessory structures must maintain a minimum setback of three feet from the rear property line on the first floor and must maintain a minimum setback of five feet from the rear property line on the second floor.
 - f. Rooftop decks with required railings are permitted on single-story accessory structures and on top of the single-story portions of two-story accessory structures. Rooftop decks are not permitted on top of two-story accessory structures. Rooftop decks must maintain a minimum setback on each side of the lot of 10 percent of the width of the lot, plus an additional setback of two feet but can never be less than five feet, as measured from the property line to the required railing of the rooftop deck.
4. Side yard, Reversed Corner: Reversed corner lots must have the following side yard with a triangular area described as follows: One angle must be formed by the rear and street side property lines, and the sides of this angle must be 15 feet in length, measured along the rear and street side property lines. The third side of this triangle must be a straight line connecting the two other lines at their endpoints. This triangular side yard setback area is in addition to the other side yard setback requirements described in subsection D2 of this section.
 5. Rear yard: Primary structures must maintain a minimum setback of five feet.
 6. Exceptions: Notwithstanding the provisions of this subsection D, the west side yard of 618 W. Oak Avenue, more particularly described as the north 142.5 feet of the south 285 feet of the east 50.265 feet of Lot 14, Block 9, Tract No. 1685, commencing 63 feet south of the front lot line and continuing south a distance of 30 feet, must be three inches in width so long as that certain structure located along that 30-foot distance which existed on January 11, 1973, remains in existence. Upon the removal or destruction of said building, this property is no longer exempt from this subsection D.

Notwithstanding the provisions of this subsection D, the south side yard of 724 Penn Street, more particularly described as the south 55 feet of the north 110 feet of Lot 8, Block 92, El Segundo Sheet No. 4, commencing 84 feet east of the front lot line and continuing east a distance of 20 feet, must be three feet in width so long as that certain structure located along that 20 foot distance which existed on January 11, 1973, remains in existence. Upon the removal or destruction of said building, this property is no longer exempt from this subsection D.

E. Lot Width: A minimum of 50 feet.

F. Minimum Unit Size and Floor Area Ratio:

The minimum dwelling unit size shall be 250 square feet and the floor area ratio shall be as follows:

1. The maximum total building area on the lot shall not exceed an overall floor area ratio (FAR) of 0.60. There is no minimum building size.
2. The maximum FAR for the second floor of the primary structure shall not exceed 0.25.
3. In calculating the overall FAR, floor area is measured to the interior of a building's perimeter walls and shall include all floors of the primary dwelling (i.e., main structure), attached and detached accessory dwelling units, habitable attic space, accessory buildings, balconies, decks, verandas, and porches.
4. Areas where the vertical measurement between the floor and ceiling directly above is 14 feet or more shall be counted on both the first and second stories for FAR calculations (areas such as rotundas, spaces with vaulted ceilings, and other similar areas with volume).
5. Stairs and elevators are counted once and are applied to the first floor.
6. For purposes of calculating floor area, the following are not included:
 - a. Basements as defined in section 15-1-6 of this title;
 - b. Up to 500 square feet of interior floor area of an attached or detached garage;
 - c. Detached accessory structures measuring not more than 120 square feet;
 - d. First floor decks, verandas and porches under 30 inches in height (as measured from adjacent grade to the walking surface).
 - e. Up to 500 square feet cumulative of first floor decks, verandas and porches, covered or uncovered, attached or detached, and at least 30 inches in height (as measured from adjacent grade to the walking surface), provided that the deck, veranda or porch is at least 50 percent open on the sides.
 - f. Second floor balconies and decks that are not covered.
 - g. Up to 12 square feet of second floor decks and balconies that are covered by roof, lattice or trellis.
 - h. The area of decks, balconies, verandas or porches covered by eave projections up to 18 inches.
7. In cases of uncertainty or ambiguity, the director will determine whether an area is counted toward FAR.

G. Placement of buildings and structures:

1. A minimum distance of three feet must be maintained between buildings.
2. A detached single-story accessory structure in the rear third of the lot may be located as described in the requirements for setbacks in subsection D of this section, unless one of the following conditions exists:
 - a. Where the lot abuts an alley and the vehicular entrance to the detached accessory structure is from the alley, such detached accessory structure must be set back a distance measured from the opposite side of the alley that will provide a turning radius as follows:

90 degrees - 25 feet

75 degrees - 21 feet

60 degrees - 18 feet

45 degrees - 15 feet

- b. On the rear third of a reversed corner lot a single-story detached accessory structure may be built to the interior lot side line, but no building may be erected closer than five feet to the property line of any abutting lot to the rear. However, if an alley intervenes and the vehicular entrance to the detached accessory building is directly from the street side, a detached accessory building may be built to the rear lot line.
 3. A garage that is attached to a dwelling that is located in the front half of the lot facing the front property line must be set back a minimum of 24 feet from the front property line—unless the building has a porch, veranda, or deck at least eight feet in width by four feet in depth, then a minimum front setback of 22 feet is permitted.
 4. An attached three-car garage located in the front half of the lot that faces the front property line where one of the stalls is not tandem, must have at least two individual car door openings. The following garage designs are encouraged:
 - a. Three-car garages constructed as attached or detached structures at the rear of a lot.
 - b. Tandem for parking provided in excess of a two-car garage.
 - c. Attached three-car garages located on the front of a dwelling face toward the side property lines.
 5. Accessory outdoor showers attached to a building wall are permitted, but must not encroach in a required setback and must not be roofed. They may be enclosed with walls on three sides and a shower door on one side.
- H. Detached accessory buildings as defined in section 15-1-6 of this Title:
1. All detached accessory structures may not exceed 1,200 square feet gross floor area in aggregate per parcel;
 2. Except as permitted in Chapter 15-4E related to accessory dwelling units, detached accessory buildings are limited to two (2) stories, and may include an attic, which may be used for storage purposes only, provided that access to the attic is not from permanently fixed stairs (pull down type stairs are permitted), no plumbing is permitted, and electrical fixtures are limited to the minimum required by the California Building Code and California Electrical Code;
 3. Unless permitted as an accessory dwelling unit, detached accessory buildings may not contain a kitchen or kitchen facilities, a bathtub or shower and may not be used for sleeping purposes or as an "R" occupancy, as defined by the California Building Code, except that they may contain a sink and a toilet;
 4. Unless permitted as an accessory dwelling unit, detached accessory buildings may not be rented or used as a separate dwelling unit; and
 5. Before the City issues a building permit for a detached accessory structure, except an accessory dwelling unit, the Director will require that a covenant running with the land be recorded stating that the accessory structure may not be used in violation of this section.

15-4B-3-1: SITE DEVELOPMENT STANDARDS FOR LOTS 25 FEET WIDE OR LESS:

All uses on lots 25 feet wide or less within the R-1 Zone must comply with the development standards contained in this section.

A. General Provisions:

1. As provided by chapter 2 of this title.
2. New dwelling units must be internally integrated and connected.
3. An addition to, or extension of, a dwelling unit, except a garage or an accessory dwelling unit, must share a common wall and be internally integrated and connected to the existing dwelling unit.
4. Mobile and manufactured homes are subject to the following requirements:
 - a. The mobile or manufactured homes has been certified pursuant to the National Manufactured Housing Construction and Safety Standards Act of 1974, and has not been altered in violation of applicable codes; and
 - b. The mobile or manufactured home must be installed on a permanent foundation in compliance with all applicable building regulations and division 13, part 2 (commencing with section 18000) of the California Health and Safety Code.

B. Height:

1. The height of all buildings or structures with a pitched roof must not exceed 32 feet and two stories. Buildings or structures with a flat roof must not exceed 26 feet and two stories.
2. A maximum grade differential of six feet is permitted on sloping lots. The vertical height which exceeds the maximum grade differential is included in measuring the maximum building height. On sloped lots, a segmented grade plane may be applied to different portions of a building.
3. See section 15-2-3 of this title for exceptions to building height.

C. Lot area: A minimum of 5,000 square feet.

D. Setbacks:

1. Front yard: A minimum of 22 feet.
 - a. Permitted front yard setback encroachments:
 - (1) Porches or verandas in a front yard setback not fully enclosed on three sides (railings and/or columns permitted) may encroach into the front setback a maximum of six feet;
 - (2) The first floor front yard setback facing exterior wall of a dwelling may encroach up to two feet for a width not exceeding 30 feet when a first floor porch or veranda, not fully enclosed on three sides, is also projecting into the front yard setback. The total amount of encroachment may not exceed six feet in depth combined for both the dwelling structure and a porch or veranda, for a minimum 50 percent of the building width;

- (3) Raised decks, where the walking surface is not greater than 24 inches above adjacent grade, in conjunction with a lattice deck cover not greater than 10 feet above adjacent grade may encroach into the front yard setback a maximum of six feet in depth and 50 percent of the building width;
 - (4) Lattice patio covers, pergolas, arbors, or trellises not greater than 10 feet above adjacent grade (as measured from the lowest adjacent grade to the highest point of the cover) may encroach into the front yard setback a maximum of six feet in depth and 50 percent of the building width;
 - (5) Architectural elements such as towers or turrets not greater than eight feet in diameter may encroach into the front setback a maximum of four feet;
2. Side yard: A minimum of three feet.
 3. Detached accessory structures and garages: Detached accessory structures and attached garages are allowed along the property line on one interior side lot line, provided that the detached accessory structure or attached garage is in the rear one-third of the lot.
 4. Side yard, reverse corner: Reversed corner lots must have a side yard with a triangular area described as follows: One angle must be formed by the rear and street side property lines, and the sides of this angle must be 15 feet in length, measured along the rear and street side property lines. The third side of this triangle must be a straight line connecting the two other lines at their endpoints. This triangular side yard setback area is in addition to the other side yard setback requirements described in subsection D2 of this section.
 5. Rear yard: A minimum of five feet. Detached accessory structures are allowed zero setback on the rear property line.

E. Lot Width: A minimum of 50 feet.

F. Minimum Unit Size:

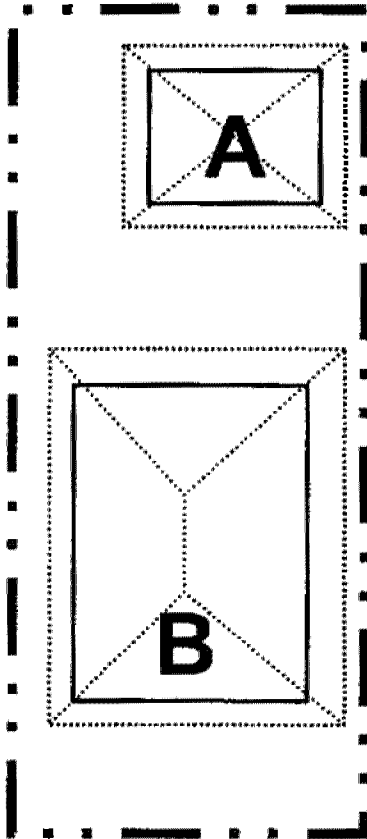
The minimum dwelling unit size shall be 250 square feet.

G. Placement of buildings and structures:

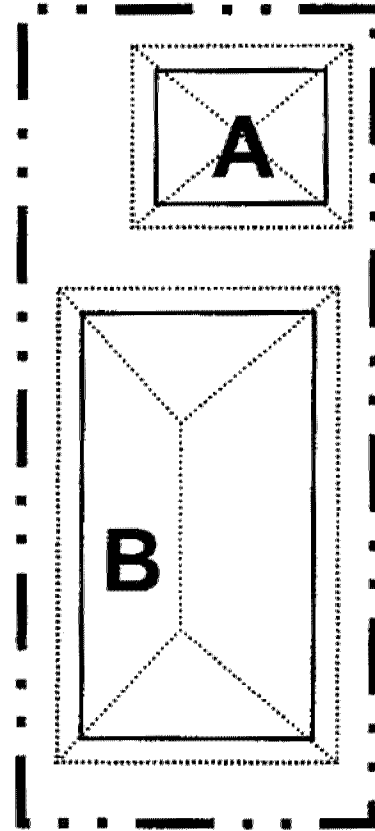
1. A minimum distance of three feet must be maintained between buildings;
2. A detached accessory structure in the rear third of the lot may be located on the rear and one interior side lot line, unless one of the following conditions exists:
 - a. Where the lot rears upon an alley and the vehicular entrance to the detached accessory structure is from the alley, such detached accessory structure must be set back a distance measured from the opposite side of the alley that will provide a turning radius as follows:
 - 90 degrees - 25 feet
 - 75 degrees - 21 feet
 - 60 degrees - 18 feet
 - 45 degrees - 15 feet
 - b. On the rear third of a reversed corner lot a detached accessory structure may be built to the interior lot side line, but no building must be erected closer than five feet to the property line of any abutting lot to the rear. However, if an alley

intervenes and the vehicular entrance to the detached accessory building is directly from the street side, a detached accessory building may be built to the rear lot line.

- H. Lot Coverage: All buildings, including detached accessory buildings, shall not cover more than 40 percent of the lot area. This coverage may be increased to 47 percent if the height of all the structures is limited to 18 feet. If a building exceeds 18 feet in height, the lot coverage shall not exceed 40 percent under any circumstances.



$A+B \leq 40\%$ if
bldg. height is
over 18'.



$A+B \leq 47\%$ if
bldg. height is
18' or under.

- I. Building Wall Modulation: Architectural building features, in conformance with the definition of "architectural building feature" in section 15-1-6 of this title, must be included to modulate the one-story exterior building walls subject to the approval of

the director, and for two-story structures as specified in subsection D, "Setbacks", of this section.

- J. Detached accessory buildings, not including detached accessory dwelling units as defined in section 15-1-6 of this Title:
1. All detached accessory structures may not exceed 1,200 square feet gross floor area in aggregate per parcel except as permitted in Chapter 15-4D;
 2. Except as permitted in Chapter 15-4E related to accessory dwelling units, detached accessory buildings are limited to one floor, but may include an attic, which may be used for storage purposes only, provided access to the attic is not from permanently fixed stairs (pull down type stairs are permitted), no plumbing is permitted, and electrical fixtures are limited to the minimum required by the California Building Code and California Electrical Code;
 3. Unless permitted as an accessory dwelling unit, detached accessory buildings may not contain a kitchen or kitchen facilities, a bathtub or shower and may not be used for sleeping purposes or as an R occupancy, as defined by the California Building Code, except that they may contain a sink and a toilet;
 4. Unless permitted as an accessory dwelling unit, detached accessory buildings may not be rented or used as a separate dwelling unit; and
 5. Before the City issues a building permit for a detached accessory structure, except an accessory dwelling unit, the Director must require that a covenant running with the land be recorded stating that the accessory structure may not be used in violation of this section.

15-4B-4: LANDSCAPING:

Landscaping and irrigation must be provided within the front and street side setback areas. Those setback areas fronting upon a public street must incorporate a combination of softscape and hardscape in the landscape except for those portions devoted to vehicular parking. They may contain artificial turf or synthetic grass provided that it: 1) is not harmful to the environment (such as containing lead based or other hazardous materials); 2) includes a pervious surface to address percolation, drainage, runoff, and stormwater detention requirements; and 3) is incorporated into a comprehensive landscaping design and site plan.

- A. A minimum of 25 percent of the front yard setback area must be maintained with permanent landscaping that contains a combination of lawn, trees, vines, bushes and ground covers, and does not include hardscape materials for lots less than 50 feet in width.
- B. A minimum of 35 percent of the front yard setback area must be maintained with permanent landscaping that contains a combination of lawn, trees, vines, bushes and ground covers, and does not include hardscape materials for lots that are 50 feet or greater in width.

15-4B-5: OFF STREET PARKING AND LOADING SPACES:

Off street parking must be provided as required by chapter 15 of this title.

15-4B-6: SIGNS:

Signs in the R-1 zone must comply with the requirements of chapter 18 of this title.

15-4B-7: VEHICULAR ACCESS:

Where an R-1 lot abuts an alley, vehicular access to the lot must be from the alley. Curb cuts and driveways must be installed in conformance with ESMC subsection 15-15-50.

SECTION 19: ESMC Article 15-4C (Multi-Family Residential (R-3) Zone) is amended in its entirety to read as follows:

ARTICLE C. TWO-FAMILY RESIDENTIAL (R-2) ZONE

- 15-4C-1: PURPOSE**
- 15-4C-2: PERMITTED USES**
- 15-4C-3: SITE DEVELOPMENT STANDARDS**
- 15-4C-4: LANDSCAPING**
- 15-4C-5: OFF STREET PARKING AND LOADING SPACES**
- 15-4C-6: SIGNS**
- 15-4C-7: VEHICULAR ACCESS**

15-4C-1: PURPOSE

The purpose of this zone is to provide consistency with and implement policies related to those locations which are designated Two-Family on the General Plan land use map and in the text. This zone is to provide for and promote the development of single-family and two-family homes within a safe and healthy environment for existing and future residents.

15-4C-2: PERMITTED USES

Permitted uses, permitted accessory uses, and uses subject to conditional use permit for all residential zones are listed in Article 15-4A of this Title.

15-4C-3: SITE DEVELOPMENT STANDARDS

All uses in the R-2 Zone shall comply with the development standards contained in this section.

A. General Provisions:

1. As provided by chapter 2 of this title.

2. Any use permitted in the R-1 Zone, when developed in the R-2 Zone, shall be constructed in accordance with R-2 site developments standards and parking requirements.
3. New dwelling units must be internally integrated and connected.
4. An addition to, or extension of a dwelling unit, except a garage or an accessory dwelling unit, must share a common wall and be internally integrated and connected to the existing dwelling unit.
5. Mobile and manufactured homes are subject to the following requirements:
 - a. The mobile or manufactured home has been certified pursuant to the National Manufactured Housing Construction and Safety Standards Act of 1974, and has not been altered in violation of applicable codes; and
 - b. The mobile or manufactured home must be installed on a permanent foundation in compliance with all applicable building regulations and division 13, part 2 (commencing with section 18000) of the California Health and Safety Code.

B. Height:

1. The height of all buildings or structures with a pitched roof shall not exceed 32 feet and two stories. Buildings or structures with a flat roof must not exceed 26 feet and two stories.
2. A maximum grade differential of six feet is permitted on sloping lots. The vertical height which exceeds the maximum grade differential limit is included in measuring the maximum building height. On sloped lots, a segmented grade plane may be applied to different portions of a building.
3. See section 15-2-3 of this title for exceptions to building height.

C. Lot Area: A minimum of 7,000 square feet. Lots less than 4,000 square feet in area shall be occupied by only one dwelling unit, provided all other requirements of this title are met.

D. Setbacks:

1. Front yard: A minimum of 20 feet.
 - a. Permitted front yard setback encroachments:
 - (1) Porches or verandas in a front yard setback not fully enclosed on three sides (railings and/or columns permitted) may encroach into the front setback a maximum of six feet;
 - (2) The first floor front yard setback facing exterior wall of a dwelling may encroach up to two feet for a width not exceeding 30 feet when a first floor porch or veranda, not fully enclosed on three sides, is also projecting into the front yard setback. The total amount of encroachment may not exceed six feet in depth combined for both the dwelling structure and a porch or veranda, for a minimum 50 percent of the building width;
 - (3) Raised decks, where the walking surface is not greater than 24 inches above adjacent grade, in conjunction with a lattice deck cover not greater than 10 feet above adjacent grade may encroach into the front yard setback a maximum of six feet in depth and 50 percent of the building width;

- (4) Lattice patio covers, pergolas, arbors, or trellises not greater than 10 feet above adjacent grade (as measured from the lowest adjacent grade to the highest point of the cover) may encroach into the front yard setback a maximum of six feet in depth and 50 percent of the building width;
 - (5) Architectural elements such as towers or turrets not greater than eight feet in diameter may encroach into the front setback a maximum of four feet.
2. Side Yard: Structures shall maintain a minimum setback on each side of the lot of 10 percent of the width of the lot, but shall never be less than three feet and need not be more than five feet. Any detached accessory structures, and attached garages on 25-foot wide lots only, located on the rear one-third of the lot are allowed zero setback on one interior side lot line.
 3. Side Yard, Reversed Corner: Reversed corner lots shall have the following side yard with a triangular area described as follows: one angle shall be formed by the rear and street side property lines, and the sides of this angle shall be 15 feet in length, measured along the rear and street side property lines. The third side of this triangle shall be a straight line connecting the two other lines at their endpoints. This triangular side yard setback area shall be in addition to the other side yard setback requirements described in subsection D2 of this section.
 4. Rear Yard: A minimum of five feet. Detached accessory structures are allowed zero setback on the rear property line. A dwelling unit above a garage where the vehicular entrance is from an alley shall maintain a minimum one-foot setback.

E. Lot width: A minimum of 50 feet.

F. Minimum Unit Size:

The minimum dwelling unit size shall be 250 square feet.

G. Placement of buildings and structures:

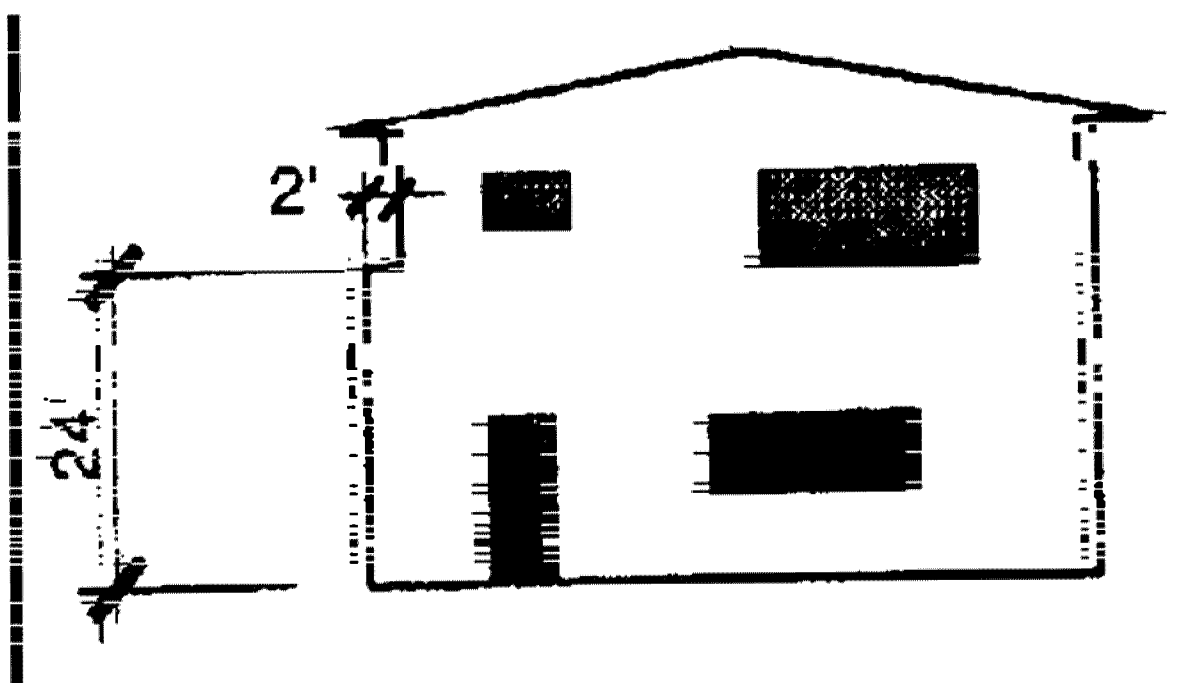
1. A minimum distance of three feet must be maintained between buildings.
2. A detached accessory structure in the rear one-third of the lot may be located on the rear and one interior side lot line, unless one of the following conditions exists:
 - a. Where the lot rears upon an alley and the vehicular entrance to the detached accessory structure is from the alley, such detached accessory structure shall be set back a distance measured from the opposite side of the alley that will provide a turning radius as follows:
 - 90 degrees - 25 feet
 - 75 degrees - 21 feet
 - 60 degrees - 18 feet
 - 45 degrees - 15 feet
 - b. On the rear third of a reversed corner lot, a detached accessory structure may be built to the interior lot side line, but no building shall be erected closer than five feet to the property line of any abutting lot to the rear. However, if an alley intervenes and the vehicular entrance to the detached accessory building is

directly from the street side, a detached accessory building may be built to the rear lot line.

H. Building wall modulation:

1. Lots greater than 4,000 square feet in area: No plane of a building wall facing a property line shall exceed 24 feet in height or length without at least a two-foot offset for a minimum length of six feet in the wall plane. When expanding or adding onto the height or length of an existing building wall, only the expansion or addition shall not exceed 24 feet without wall modulation. Below is an example of wall modulation for walls up to 30 feet.

| Total Length Or Height | Wall | Maximum Length Of Unbroken Wall Plane | Minimum Length Of 2 Foot Offset |
|-------------------------------|-------------|--|--|
| 24 feet | | 24 feet | 0 feet |
| 25 feet | | 24 feet | 1 foot |
| 26 feet | | 24 feet | 2 feet |
| 27 feet | | 24 feet | 3 feet |
| 28 feet | | 24 feet | 4 feet |
| 29 feet | | 24 feet | 5 feet |
| 30 feet | | 24 feet | 6 feet |



2. Lots 4,000 square feet or less in area: Architectural building features must be included to modulate the building walls subject to the approval of the Director.
- I. Lot coverage: All buildings, including detached accessory buildings, shall not cover more than 50 percent of the area of the lot.
- J. Detached Accessory Buildings:
 1. All detached accessory structures shall not exceed 1,200 square feet in aggregate per parcel.
 2. Except as permitted in Chapter 15-4E related to accessory dwelling units, detached accessory buildings shall be limited to one floor, but may include an attic, which may be used for storage purposes only, provided access to the attic is not from permanently fixed stairs (pull down type stairs are permitted), no plumbing is permitted, and electrical fixtures are limited to the minimum required by the California Building Code and California Electrical Code.
 3. Unless permitted as an accessory dwelling unit, detached accessory buildings shall not contain a kitchen or kitchen facilities, a bathtub or shower and shall not be used for sleeping purposes or as an "R" occupancy, as defined by the California Building Code, except that they may contain a sink and a toilet.
 4. Unless permitted as an accessory dwelling unit, detached accessory buildings shall not be rented or used as a separate dwelling unit.
 5. Prior to issuance of a building permit for a detached accessory structure, except an accessory dwelling unit, the Director shall require the recording of a covenant to run with the land, which states that the accessory structure shall not be used in violation of this section.

15-4C-4: LANDSCAPING

Landscaping and irrigation must be provided within the front yard and street side setback areas. Those setback areas fronting upon a public street must incorporate a combination of softscape and hardscape in the landscape, except for those portions devoted to vehicular parking. They may contain artificial turf or synthetic grass provided that it: 1) is not harmful to the environment (such as containing lead based or other hazardous materials); 2) includes a pervious surface to address percolation, drainage, runoff, and stormwater detention requirements; and 3) is incorporated into a comprehensive landscaping design and site plan.

15-4C-5: OFF STREET PARKING AND LOADING SPACES

As required by chapter 15 of this title.

15-4C-6: SIGNS

As required by chapter 18 of this title.

15-4C-7: VEHICULAR ACCESS

Where an R-2 lot abuts an alley, vehicular access to the lot must be from the alley. Curb cuts and driveways must be installed in conformance with ESMC subsection 15-15-50.

SECTION 20: ESMC Chapter 15-4 (Residential Zones) is amended to add a new Article 15-4D (Multi-Family Residential (R-3) Zone) to read as follows:

ARTICLE D. MULTI-FAMILY RESIDENTIAL (R-3) ZONE

- 15-4D-1: PURPOSE**
- 15-4D-2: PERMITTED USES**
- 15-4D-5: SITE DEVELOPMENT STANDARDS**
- 15-4D-6: LANDSCAPING**
- 15-4D-7: OFF STREET PARKING AND LOADING SPACES**
- 15-4D-8: SIGNS**
- 15-4D-9: VEHICULAR ACCESS**

15-4D-1: PURPOSE

The purpose of this zone is to provide consistency with and implement policies related to those locations which are designated Multi-Family on the General Plan land use map and in the General Plan text. This zone is to provide for the development of multi-family complexes with amenities for children and adults and promote a safe and healthy environment for existing and future residents.

15-4D-2: PERMITTED USES:

Permitted uses, permitted accessory uses, and uses subject to conditional use permit for all residential zones are listed in Article 15-4A of this Title.

15-4D-3: SITE DEVELOPMENT STANDARDS:

A. General Provisions:

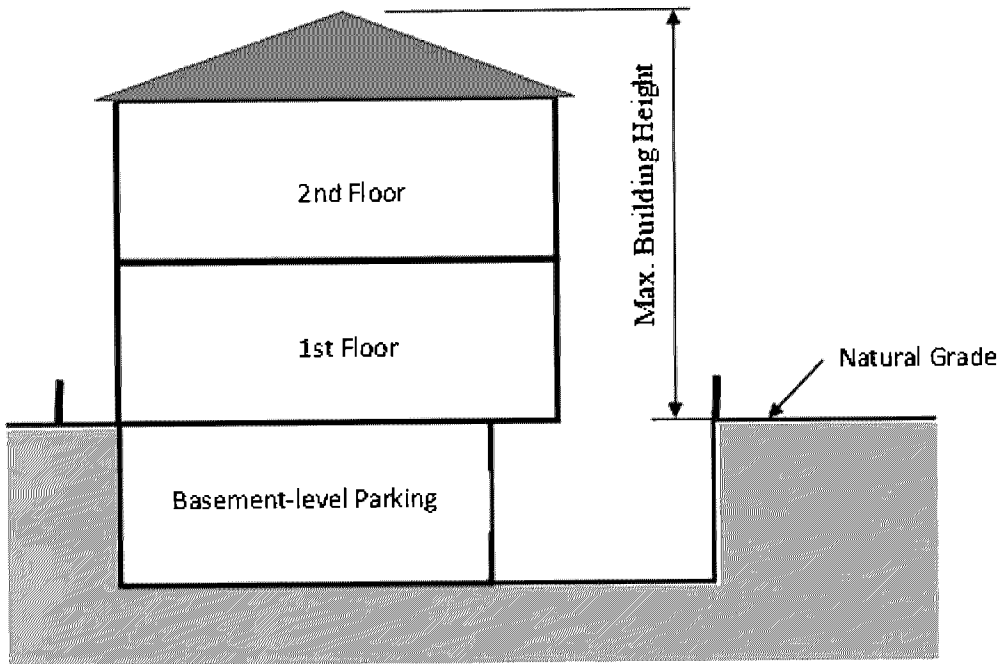
1. As provided by chapter 2 of this title.
2. Any use permitted in the R-1 or R-2 Zones, when developed in the R-3 Zone, shall be constructed in accordance with R-3 site developments standards and parking requirements.
3. New dwelling units must be internally integrated and connected.
4. An addition to, or extension of, a dwelling unit, except a garage or an accessory dwelling unit, must share a common wall and be internally integrated and connected to the existing dwelling unit.
5. Mobile and manufactured homes are subject to the following requirements:
 - a. The mobile or manufactured home has been certified pursuant to the National Manufactured Housing Construction and Safety Standards Act of 1974, and has not been altered in violation of applicable codes; and
 - b. The mobile or manufactured home must be installed on a permanent foundation in compliance with all applicable building regulations and division

13, part 2 (commencing with section 18000) of the California Health and Safety Code.

B. Lot Area: A minimum of 7,000 square feet.

C. Height:

1. The height of all buildings or structures with a pitched roof shall not exceed 32 feet and two stories. Buildings or structures with a flat roof must not exceed 26 feet and two stories.
2. A maximum grade differential of six feet is permitted on sloping lots. The height which exceeds the maximum grade differential limit is included in measuring the maximum building height. On sloped lots, a segmented grade plane may be applied to different portions of a building.
3. See section 15-2-3 of this title for exceptions to building height.



D. Setbacks:

1. Front yard: Structures must maintain a minimum setback of 15 feet. Entry gates for vehicular access must maintain a minimum setback of 20 feet.
 - a. Permitted front yard setback encroachments:
 - (1) Porches or verandas in a front yard setback not fully enclosed on three sides (railings and/or columns permitted) may encroach into the front setback a maximum of six feet;
 - (2) The first floor front yard setback facing exterior wall of a dwelling may encroach up to two feet for a width not exceeding 30 feet when a first floor porch or veranda, not fully enclosed on three sides, is also projecting into the front yard setback. The total amount of encroachment may not exceed

six feet in depth combined for both the dwelling structure and a porch or veranda, for a minimum 50 percent of the building width;

- (3) Raised decks, where the walking surface is not greater than 24 inches above adjacent grade, in conjunction with a lattice deck cover not greater than 10 feet above adjacent grade may encroach into the front yard setback a maximum of six feet in depth and 50 percent of the building width;
 - (4) Lattice patio covers, pergolas, arbors, or trellises not greater than 10 feet above adjacent grade (as measured from the lowest adjacent grade to the highest point of the cover) may encroach into the front yard setback a maximum of six feet in depth and 50 percent of the building width;
 - (5) Architectural elements such as towers or turrets not greater than eight feet in diameter may encroach into the front setback a maximum of four feet.
2. Side yard facing a side street: 10 percent of the width of the lot, but not less than three feet and not more than five feet, except if parking garages or covered parking spaces face a street, then the setback shall be 20 feet.
 3. Side yard facing an adjacent lot: 10 percent of the width of the lot on each side of the lot, but not less than three feet and need not be more than five feet. Detached accessory structures, located in the rear one-third of the lot, are allowed zero setback on one interior side lot line.
 4. Side yard, reversed corner: Reversed corner lots shall have a side yard with a triangular area described as follows: one angle shall be formed by the rear and street side property lines, and the sides of this angle shall be 15 feet in length, measured along the rear and street side property lines. The third side of this triangle shall be a straight line connecting the two other lines at their endpoints. This triangular side yard setback area shall be in addition to the other side yard setback requirements described in subsections D2 and D3 of this section.
 5. Rear Yard: A minimum of 10 feet.
 6. Rear Yard: Detached accessory structures are allowed zero setback on the rear property line and on one interior lot side line in the rear one-third of the lot.

E. Lot Width: A minimum of 50 feet.

F. Minimum Unit Size and Density:

The minimum dwelling unit size shall be 250 square feet and the density shall be as follows:

1. On property of 15,000 square feet or less in size, one unit for every 1,613 square feet of lot area is allowed. A fraction of a lot greater than 1,075 square feet will allow an additional unit.
2. On property greater than 15,000 square feet in size, one unit for every 2,420 square feet of lot area is allowed. A fraction of a lot greater than 1,613 square feet will allow an additional unit.

G. Placement of buildings and structures:

1. A minimum distance of three feet must be maintained between buildings;
2. A detached accessory structure in the rear one-third of the lot may be located on the rear and one interior side lot line, unless one of the following conditions exists:
 - a. Where the lot rears upon an alley and the vehicular entrance to the detached accessory structure is from the alley, such detached accessory structure shall be set back a distance measured from the opposite side of the alley that will provide a turning radius as follows:

90 degrees - 25 feet

75 degrees - 21 feet

60 degrees - 18 feet

45 degrees - 15 feet

- b. On the rear third of a reversed corner lot, a detached accessory structure may be built to the interior lot side line, but no building shall be erected closer than five feet to the property line of any abutting lot to the rear. However, if an alley intervenes and the vehicular entrance to the detached accessory building is directly from the street side, a detached accessory building may be built to the rear lot line.
- c. Notwithstanding the above, a detached accessory dwelling unit must be set back at least four feet from interior side and rear property lines.

H. Lot Coverage: All buildings, including detached accessory buildings, shall not cover more than 53 percent of the area of the lot.

I. Open space and recreation requirements: The following minimum open space and recreational facilities must be provided:

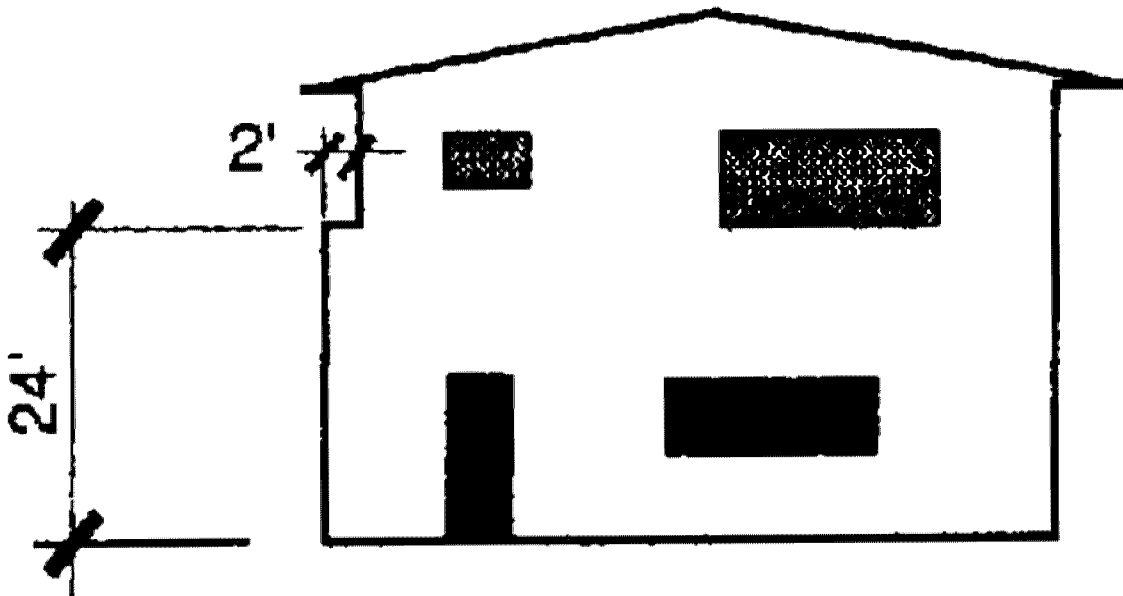
| Number Of Units | Private Open Space Per Unit | Common Open Space Per Unit | Recreational Facilities Per Unit |
|------------------------|------------------------------------|-----------------------------------|---|
| 4 or fewer | 50 square feet | 150 square feet | |
| 5 - 9 | 50 square feet | 200 square feet | |
| 10 - 20 | 50 square feet | 250 square feet | |
| 21 and above | 50 square feet | 250 square feet | 50 square feet |

All required open space and recreational facilities are in addition to the required front and street side setbacks. Interior side and rear setbacks may be considered as required open spaces and recreation facilities. All required common open space must: 1) be physically or visually accessible to the residents, 2) be a minimum of five feet in both length and width, and 3) include a minimum of 50 percent of softscape landscaping.

1. Adjustments: The Director may approve adjustments from the minimum open space dimensions and landscaping percentage standards as provided in Chapters 22 and 23 of this Title.

J. Building Wall Modulation: No plane of a building wall facing a property line shall exceed 24 feet in height or length without at least a two-foot offset for a minimum length of six feet in the wall plane. When expanding or adding onto the height or length of an existing building wall, only the expansion or addition shall not exceed 24 feet without wall modulation. Below is an example of wall modulation for walls up to 30 feet:

| Total wall length or height (in feet) | Maximum length of unbroken wall plane (in feet) | Minimum length of 2-foot offset (in feet) |
|---------------------------------------|---|---|
| 24 | 24 | 0 |
| 25 | 24 | 1 |
| 26 | 24 | 2 |
| 27 | 24 | 3 |
| 28 | 24 | 4 |
| 29 | 24 | 5 |
| 30 | 24 | 6 |



K. Condominium Conversions: Condominiums and stock cooperatives converted from multiple-family dwellings shall meet all the requirements for condominiums in effect at the time they were originally constructed. If there were no condominium standards in

effect at the time of construction, the conversion shall comply with the condominium standards of ordinance 898, adopted January 20, 1976.

L. Detached Accessory Buildings:

1. Unless permitted as an accessory dwelling unit pursuant to article 15-4E of this title, buildings shall not contain a kitchen or kitchen facilities, a bathtub or shower and shall not be used for sleeping purposes.
2. Detached accessory buildings, except detached accessory dwelling units, shall not be rented or used as a separate dwelling unit or as an "R" occupancy, as defined by the California Building Code, except that they may contain a sink and a toilet.
3. Prior to issuance of a building permit for a detached accessory structure, except a detached accessory dwelling unit, the Director shall require the recording of a covenant to run with the land, which states that the accessory structure shall not be used as a dwelling unit or used in violation of this subsection.

15-4D-4: LANDSCAPING

- A. Landscaping and irrigation must be provided within the front yard and street side setback areas.
- B. Those setback areas fronting upon a public street must incorporate a combination of softscape and hardscape in the landscape, except for those portions devoted to vehicular parking. In addition, those portions of the property which abut a different zoning classification must be landscaped with trees and shrubs to provide an effective buffer from adjoining property.
- C. The setback areas may contain artificial turf or synthetic grass provided that it: 1) is not harmful to the environment (such as containing lead based or other hazardous materials); 2) includes a pervious surface to address percolation, drainage, runoff, and stormwater detention requirements; and 3) is incorporated into a comprehensive landscaping design and site plan.

15-4D-5: OFF STREET PARKING AND LOADING SPACES

Off-street parking shall be provided as required by chapter 15 of this title.

15-4D-6: SIGNS

Signs in the R-3 Zone shall comply with the requirements of chapter 18 of this title.

15-4D-7: VEHICULAR ACCESS:

Where an R-3 lot abuts an alley, vehicular access to the lot must be from the alley. Curb cuts and driveways must be installed in conformance with ESMC subsection 15-15-5O.

SECTION 21: Subsection (D) of ESMC § 15-4E-3 (Accessory Dwelling Unit Density) of Article E of Chapter 15-4 is amended to read as follows:

D. Density:

- ~~1. One (1) accessory dwelling unit or one (1) junior accessory dwelling unit per lot within a proposed or existing single-family dwelling or existing accessory structure.~~
- ~~2. One (1) detached or attached to an accessory structure accessory dwelling unit that may be combined with one (1) junior accessory dwelling unit per lot with a proposed or existing single-family dwelling.~~
- ~~3. Multiple accessory dwelling units within the portions of existing multi-family dwelling structures that are not used as livable space, provided each unit complies with state building standards for dwellings.~~
- ~~4. One (1) accessory dwelling unit or twenty five percent (25%) of the existing multi-family dwelling units, whichever is greater, within an existing multi-family dwelling.~~
- ~~5. Two (2) detached accessory dwelling units per lot with an existing multi-family dwelling.~~

1. Lots with a proposed or existing single-family dwelling:

a. One accessory dwelling unit and one junior accessory dwelling unit per lot within a proposed or existing single-family dwelling or existing accessory structure, and/or

b. one accessory dwelling unit detached from the primary structure or attached to an accessory structure that may be combined with one junior accessory dwelling unit per lot.

2. Lots with a proposed or existing multifamily dwelling structure:

a. One accessory dwelling unit within the portions of existing multifamily dwelling structures that are not used as livable space, provided each unit complies with state building standards for dwellings, and multiple accessory dwelling units up to a maximum of 25 percent of the existing multifamily dwelling units, and/or

b. two detached accessory dwelling units per lot with an existing multifamily dwelling structure.

For purposes of this section, portions of existing multi-family dwelling structures that are not used as livable space, include, but are not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages.

SECTION 22: Subsection (F) of ESMC § 15-4E-3 (Accessory Dwelling Unit Parking) of Article E of Chapter 15-4 is amended to read as follows:

F. Parking:

{1.} No parking spaces are required for accessory dwelling units within one-half (1/2) mile **walking distance** of a **public** transit stop.

{2.} When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an accessory dwelling unit, or converted to an accessory dwelling unit, replacement parking for the lost spaces are not required.

SECTION 23: ESMC subsection 15-4E-4 (Accessory Dwelling Unit Application Process; Fees) is amended to read as follows:

A. Any application for a building permit to create an accessory dwelling unit on a lot with an existing single-family dwelling or multi-family dwelling units shall be ministerially approved **or denied** within ~~sixty (60)~~ days of the City's receipt of a completed application. **If a completed application is not approved or denied within 60 days, the application shall be deemed approved. However, any** Any permit application for an accessory dwelling unit that is submitted with a permit application to create a single-family dwelling shall be considered ministerially but is not subject to the ~~sixty (60)~~ day requirement to allow the City time to act on the permit application to create the new single-family dwelling, if necessary. **If an application for an ADU is denied, staff shall return in writing a full set of comments to the applicant with a list of items that are defective or deficient and a description of how the application can be remedied by the applicant.**

B. For an accessory dwelling unit of ~~seven hundred fifty (750)~~ square feet or more, the applicant must pay development impact fees imposed pursuant to Chapter 27A of this title, in an amount set by City Council resolution, provided that such development impact fee is proportional in relation to the square footage of the primary dwelling unit.

SECTION 24: ESMC § 15-4G-3 (General Urban Lot Split Development Standards) is amended to read as follows:

15-4G-3: GENERAL URBAN LOT SPLIT DEVELOPMENT STANDARDS:

All urban lot splits with two-unit residential developments within the R1 Zone must comply with the R1 development standards contained in Section ~~17-210.020~~**15-4B-3** and the development standards of this Section 15-4G-3. If there are conflicts between the provisions of Section ~~17-210.020~~**15-4B-3** and this Section 15-4G-3, the provisions of this Section will govern.

A. Urban lot splits must incorporate all built-form parameters of State of California Government Code Section 66411.7, including:

1. A parcel map that subdivides an existing R1 parcel will create no more than two new parcels of approximately equal lot area and with one of the two created parcels not smaller than 40 percent of the lot area of the original parcel proposed for subdivision. See Figure 4G-1.
2. Both newly created parcels will be no smaller than 1,200 square feet in gross area.
3. No more than two (2) dwelling units per lot will be constructed on a R1 urban lot split.
4. Accessory Dwelling Units or Junior Accessory Dwelling Units are prohibited where an Urban Lot Split is also developed with a two-unit residential development pursuant to Section 15-4G-4 and 15-4G-5.
5. A minimum of one off-street parking spaces will be provided per newly constructed dwelling unit. No parking is required if the parcel is located within one-half

mile walking distance of a High-quality Transit Corridor or major transit stop or if a car share vehicle is located within one-block of the parcel.

B. Lot line splits will be parallel to public street frontages. See Figure 4G-2.

C. When cross easements across lot split parcels are required to provide access to units, or access to vehicle parking spaces, or access to utilities and utility connections, or access between lot split parcels, or access for any other purpose, a covenant establishing the cross easement acceptable to the ~~Development Services~~ **Community Development** Department must be recorded with the Los Angeles County Recorder upon the filing of the Final Parcel Map described in chapter 14-6 of title 14 of this code.

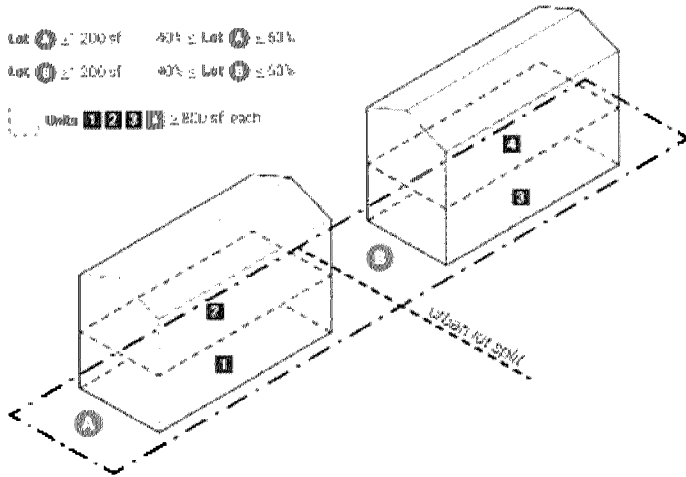


Figure 4G-1

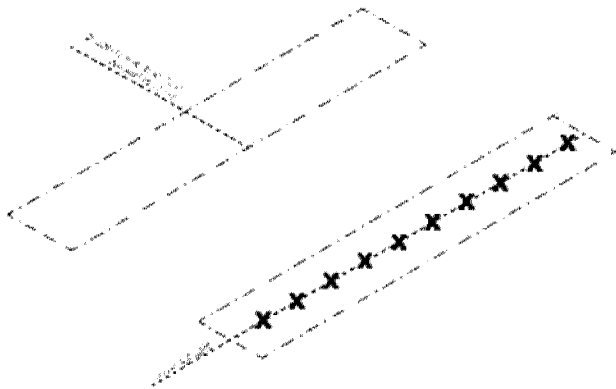


Figure 4G-2

SECTION 25: Article 15-5A (Downtown Commercial (C-RS) zone) of ESMC Chapter 15-5 is amended in its entirety to read as follows:

ARTICLE A: PERMITTED USES IN COMMERCIAL ZONES

15-5A-1: PERMITTED USES:

Table No. 1 below contains the uses permitted in the CR-S, C-2, C-3, C-4, CO, MU-N, AND MU-S zones, including uses permitted by right, accessory uses, uses subject to a administrative use permit, and uses subject to a conditional use permit.

Table No. 1 – Permitted uses in commercial zones

| Uses | Zones ¹ | | | | | | |
|--|--------------------|-----|------------------|-----|------------------|------------------|------------------|
| | CR-S | C-2 | C-3 | C-4 | CO | MU-N | MU-S |
| Eating and drinking establishments | | | | | | | |
| Alcohol - Off-site sale at retail establishments. | AUP | AUP | AUP | AUP | AUP | AUP | AUP |
| Alcohol - On site sale and consumption at bars. | CUP | CUP | CUP | CUP | CUP | CUP | CUP |
| Alcohol On-site sale and consumption at restaurants and hotels | AUP | AUP | AUP | AUP | AUP | AUP | AUP |
| Cafés | A | A | A | A | A | A | A |
| Drive-through restaurants | | | CUP ² | | CUP ² | CUP ² | CUP ² |
| Micro-brewery with tasting room and/or dining | | | | CUP | | CUP | CUP |
| Outdoor dining areas, per ESMC Chapter 15-2 | A | A | A | A | A | A | A |
| Restaurants, delicatessens, and cafés | P | P | P | P | P | P | P |
| General Commercial uses | | | | | | | |
| Adult-oriented businesses per ESMC Chapter 15-13 | | | | | | | P |
| Animal hospitals (and veterinary services) | | P | P | P | | | |
| Billiard/pool rooms and bowling alleys | P | P | P | P | | | |
| Business and consumer support services | P | | P | | | P | P |
| Car rental agencies | | CUP | CUP | | | | |
| Catering services and flight kitchens | | | | | | CUP | CUP |
| Farmers' market | | | | P | | | |
| Financial institutions | P | | | P | | P | P |

| Uses | Zones ¹ | | | | | | |
|---|--------------------|-----|------------------|----------------|------------------|------------------|------------------|
| | CR-S | C-2 | C-3 | C-4 | CO | MU-N | MU-S |
| Fitness centers | | P | P | P ³ | P | P | P |
| General offices | P | P | P ⁴ | P | P | P | P |
| Indoor sale of automobiles, motorcycles, and motor scooters | | | | P | | | |
| Massage establishments, per ESMC Chapter 4-10 | | | | CUP | | | CUP |
| Medical-dental offices | P | P | P | P | P | P | P |
| Medical-dental laboratories | A | A | P | A | A | P | P |
| Motion picture/television production facilities (indoor) ⁸ | | | | | | P | P |
| Motion picture/television production facilities (outdoor) ⁸ | | | | | | CUP | CUP |
| Multi-media offices | | | P | P | P | P | P |
| Office worker-oriented services, not located on Pacific Coast Highway or El Segundo Boulevard | | | | | P | | |
| Personal services | P | P | P | P | | P | P |
| Retail sales | P | P | P | P | | P | P |
| Service stations | CUP ⁶ | | CUP ⁶ | | CUP ⁶ | CUP ⁶ | CUP ⁶ |
| Group care and hospitality uses | | | | | | | |
| Bed and breakfast inns | | CUP | | | | | |
| Daycare centers | P | P | P | P | P | P | P |
| Hospitals | | | | | | CUP | CUP |
| Hotels and motels | | | P | | CUP ⁵ | P | P |
| Industrial | | | | | | | |
| Freight forwarding | N | N | N | N | N | N | N |
| Light industrial uses | | | | | | AUP | AUP |
| Research and development uses | | | | | P ⁷ | P ⁷ | P ⁷ |
| Waste material transfer and storage | N | N | N | N | N | N | N |
| Wholesale uses | | | | | | P | P |
| Institutional | | | | | | | |
| Government buildings/public uses | P | P | P | | P | | |
| Museums | | | | | CUP | | |

| Uses | Zones ¹ | | | | | | | |
|--|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|--|
| | CR-S | C-2 | C-3 | C-4 | CO | MU-N | MU-S | |
| Schools | P | | | | | | | |
| Miscellaneous uses | | | | | | | | |
| Any use customarily incidental to a permitted use | A | A | A | A | A | A | A | |
| Assembly halls | CUP | | | P | | CUP | CUP | |
| Data centers | | | | | | P | P | |
| Drive-through or walk-up services, excluding drive-through restaurants | A | A | A | A | A | A | A | |
| Employee recreational facilities and play areas | A | A | A | A | A | A | A | |
| Helicopter landing facilities per ESMC Section 15-2-13 | | | CUP | | CUP | CUP | CUP | |
| Open storage of commodities sold or utilized on the premises | A | A | A | A | A | A | A | |
| Commercial Parking facilities, including park and ride lots | | | | | | CUP | CUP | |
| Parking structures and surface parking lots | A | A | A | A | A | A | A | |
| Permitted uses conducted in a trailer, shipping container or similar structure | | | | AUP | | | | |
| Recreational facilities (public and private) | | P | P | P | P | CUP | CUP | |
| Residential uses | A | A | | | | | | |
| Shared mobility parking facilities | A | A | A | A | A | A | A | |
| Solar energy systems - Small and medium-scale ground-mounted | A | A | A | A | A | A | A | |
| Solar energy systems - Roof-mounted | A | A | A | A | A | A | A | |
| Other similar uses approved by the Director, per ESMC Chapter 15-22 | P, A, AUP, CUP | P, A, AUP, CUP | P, A, AUP, CUP | P, A, AUP, CUP | P, A, AUP, CUP | P, A, AUP, CUP | P, A, AUP, CUP | |

Notes:

1. P = Permitted use, A = Accessory use, AUP = Use subject to an administrative use permit (Per ESMC Chapters 22 and 23), CUP = Use subject to a conditional use permit (per ESMC Chapters 24 and 28), N = prohibited
2. Drive-through restaurants are permitted with a CUP only east of Pacific Coast Highway.
3. Fitness centers in the C-4 zone are only permitted indoors
4. General offices in the C-3 zone are limited to a maximum gross area of 5,000 square feet
5. Hotels in the CO zone are not permitted west of Pacific Coast highway
6. Service stations are permitted with a CUP only when located at least 500 feet from any residential zoned property. This distance

restriction does not apply to properties east of Pacific Coast Highway

7. Research and development uses in commercial zones are permitted only east of Pacific Coast Highway
8. See ESMC Article 15-7B regarding the Multimedia Overlay (MMO) District and its permitted uses

SECTION 26: Article 15-5B (Neighborhood Commercial (C-2) zone) of ESMC Chapter 15-5 is amended in its entirety to read as follows:

ARTICLE B. DOWNTOWN COMMERCIAL (C-RS) ZONE

- 15-5B-1: PURPOSE**
- 15-5B-2: PERMITTED USES**
- 15-5B-3: SITE DEVELOPMENT STANDARDS**
- 15-5B-4: LANDSCAPING**
- 15-5B-5: OFF STREET PARKING AND LOADING SPACES**
- 15-5B-6: SIGNS**
- 15-5B-7: RESIDENTIAL USE STANDARDS**

15-5B-1: PURPOSE

The purpose of this zone is to provide consistency with and implement policies related to those locations which are designated Downtown Commercial on the General Plan land use map and in the General Plan text. This zone is comprised of commercial retail-service areas and certain lands where such development is desirable and appears likely to occur. Regulations are designed to stabilize and protect the commercial retail-service character of the downtown area, and to create a favorable environment for pedestrian circulation and access. Principal uses are, therefore, restricted to commercial retail-service use, and certain essential and complementary uses as permitted under the conditional use permit.

15-5B-2: PERMITTED USES

Permitted uses, permitted accessory uses, uses subject to administrative use permit, and uses subject to conditional use permit for all commercial zones are listed in Article 15-5A of this Title.

15-5B-3: SITE DEVELOPMENT STANDARDS

All uses within the C-RS Zone shall comply with the development standards contained in this section.

A. General Provisions:

1. All uses shall be conducted within a fully enclosed building, except:
 - a. Outdoor restaurants, cafes or seating areas, provided they comply with the provisions of section 15-2-16 of this title; and
 - b. Outdoor recreational activities.
2. Required on-site parking shall not be allowed between the use and/or building and the front lot line upon which said use or building faces.
3. Prior to approval of any development project, all criteria of the Transportation Demand Management (TDM) and trip reduction criteria, as provided for in chapter 16 of this title shall be met.
4. Other provisions as required by chapter 2 of this title.

B. Lot area: A minimum of 5,000 square feet.

C. Height:

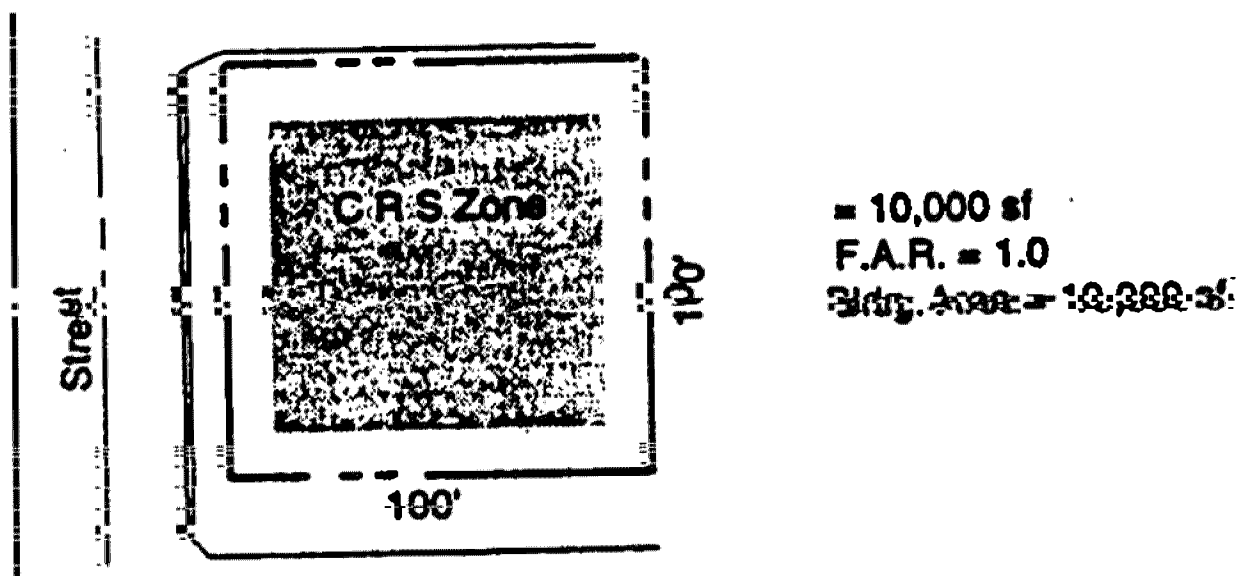
1. Buildings and structures shall not exceed the height of 45 feet.
2. A maximum grade differential of 8 feet is permitted on sloping lots. The vertical height which exceeds the maximum grade differential limit is included in measuring the maximum building height. On sloped lots, a segmented grade plane may be applied to different portions of a building.
3. See section 15-2-3 of this title for exceptions to building height.

D. Setbacks:

1. Front Yard: None required, unless both the C-RS Zone and a residential zone occupy the same block face. In such a case, the setback shall be the same as the residential zone.
2. Side Yard: None required, unless the side yard abuts property with a different zone classification, in which case the side yard setback shall be a minimum of 10 feet.
3. Rear Yard: None required, unless the following conditions exist:
 - a. If the rear yard adjoins an alley, dedicated street, public right-of-way, or if the primary access is through the rear yard, rear yard setback shall be a minimum of 10 feet; and
 - b. If the rear yard abuts property with a non-commercial zone classification, the rear yard setback shall be a minimum of 10 feet.

E. Lot frontage: No minimum requirements.

F. Building Area: The total net floor area of all buildings, excluding residential floor area, shall not exceed the total net square footage of the property multiplied by 1.0 or an FAR of one to one (1:1).



G. Walls and fences: Walls and fences shall comply with the requirements of chapter 2 of this title.

H. Access: All development projects shall provide adequate access and facilities for various modes of transit, as required by the City's Transportation Demand Management Program in chapter 16 of this title. In addition, all development projects shall provide pedestrian access between buildings and transit facilities located on site and/or off site, if within adjoining public rights-of-way. If the building is part of a multi-building development project, then safe and convenient pedestrian access shall be provided between buildings.

15-5B-4: LANDSCAPING

Landscaping must be provided as required by section 15-2-14 and chapter 15A of this Title.

15-5B-5: OFF STREET PARKING AND LOADING SPACES

As required by chapter 15 of this title.

15-5B-6: SIGNS

As required by chapter 18 of this title.

15-5B-7: RESIDENTIAL USE STANDARDS

Residential uses shall be permitted only on the floor above street level, provided the street level is used for commercial purposes. One dwelling unit shall be permitted for each 4,356 square feet of lot area. Parking for the residential use shall conform with the requirements for multiple-family dwelling units, except that parking shall not be required to be provided in a covered structure. Tandem parking shall be allowed in a configuration that provides all of the commercial spaces direct ingress and egress to the site.

SECTION 27: Article 15-5C (General Commercial (C-3) zone) of ESMC Chapter 15-5 is amended in its entirety to read as follows:

ARTICLE C. NEIGHBORHOOD COMMERCIAL (C-2) ZONE

- 15-5C-1: PURPOSE**
- 15-5C-2: PERMITTED USES**
- 15-5C-7: SITE DEVELOPMENT STANDARDS**
- 15-5C-8: LANDSCAPING**
- 15-5C-9: OFF STREET PARKING AND LOADING SPACES**
- 15-5C-10: SIGNS**

15-5C-1: PURPOSE

The purpose of this zone is to provide consistency with and implement policies related to those locations which are designated Neighborhood Commercial on the General Plan land use map and in the General Plan text. This zone is intended to promote, preserve,

enhance and service the neighborhood commercial needs of adjacent residential areas. Regulations are designed and intended to cater to both pedestrian and vehicular access. Principal uses are, therefore, restricted to neighborhood serving general commercial uses.

15-5C-2: PERMITTED USES

Permitted uses, permitted accessory uses, uses subject to administrative use permit, and uses subject to conditional use permit for all commercial zones are listed in Article 15-5A of this Title.

15-5C-3: SITE DEVELOPMENT STANDARDS

All uses within the C-2 Zone shall comply with the development standards contained in this section.

A. General Provision:

1. All uses shall be conducted within a fully enclosed building, except:
 - a. Outdoor restaurants, cafes or seating areas, provided they comply with the provisions of section 15-2-16 of this title; and
 - b. Outdoor recreational activities.
2. Prior to approval of any development project, all criteria of the Transportation Demand Management (TDM) and trip reduction criteria, as provided for in chapter 16 of this title shall be met.
3. Other provisions as required in chapter 2 of this title.

B. Lot area: A minimum of 5,000 square feet.

C. Height:

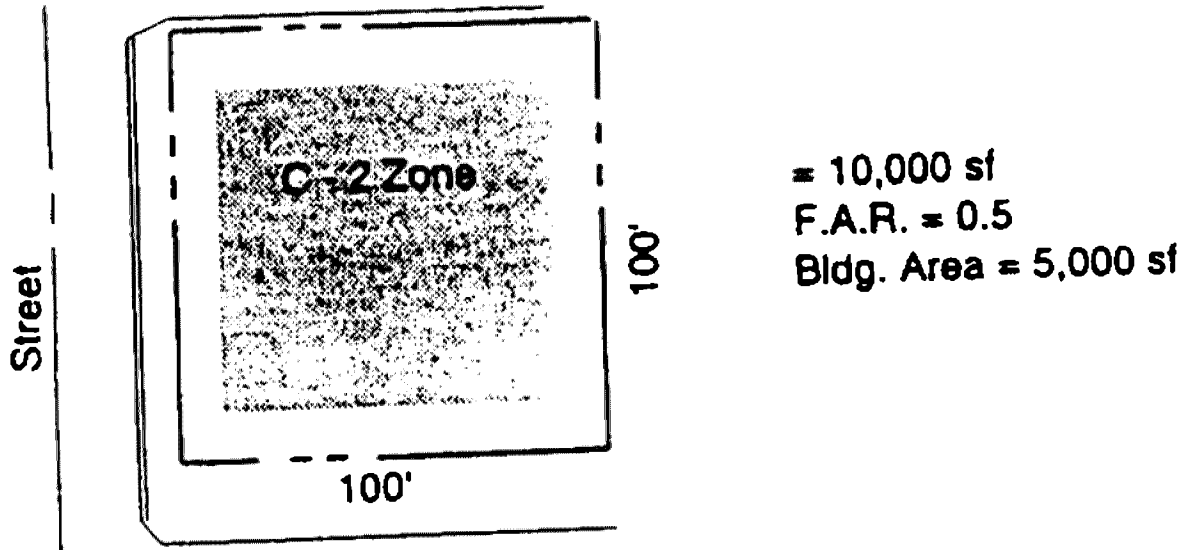
1. Buildings and structures shall not exceed a height of 28 feet.
2. A maximum grade differential of 8 feet is permitted on sloping lots. The vertical height which exceeds the maximum grade differential limit is included in measuring the maximum building height. On sloped lots, a segmented grade plane may be applied to different portions of a building.
3. See section 15-2-3 of this title for exceptions to building height.

D. Setbacks:

1. Front Yard: 15 feet minimum.
2. Side Yard: None required, unless the side yard abuts property with a non-commercial zone classification, in which case the side yard setback shall be a minimum of 10 feet.
3. Rear Yard: 10 feet minimum.

E. Lot Frontage: No minimum requirements.

F. Building Area: The total net floor area of all buildings, excluding residential floor area, shall not exceed the net square footage of the property, multiplied by 0.5 or an FAR of 0.5:1.



G. Walls and fences: Walls and fences shall comply with the location requirements of chapter 2 of this title.

H. Access: All development projects shall provide adequate access and facilities for various modes of transit, as required by the City's Transportation Demand Management Program in chapter 16 of this title. In addition, all development projects shall provide pedestrian access between buildings and transit facilities located on site and/or off site, if within adjoining public rights-of-way. If the building is part of a multi-building development project, then pedestrian access shall be provided between buildings.

15-5C-4: LANDSCAPING

Landscaping must be provided as required by section 15-2-14 and chapter 15A of this title.

15-5C-5: OFF STREET PARKING AND LOADING SPACES

As required by chapter 15 of this title.

15-5C-6: SIGNS

In compliance with chapter 18 of this title.

15-5C-7: RESIDENTIAL USE STANDARDS

Residential uses shall be permitted only on the floor above street level, provided the street level is used for commercial purposes. One dwelling unit shall be permitted for each 4,356 square feet of lot area. Parking for the residential use shall conform with the requirements

for multiple-family dwelling units, except that parking shall not be required to be provided in a covered structure. Tandem parking shall be allowed in a configuration that provides all of the commercial spaces direct ingress and egress to the site.

SECTION 28: Article 15-5D (Corporate Office (CO) zone) of ESMC Chapter 15-5 is amended in its entirety to read as follows:

ARTICLE D. GENERAL COMMERCIAL (C-3) ZONE

15-5D-1: PURPOSE

15-5D-2: PERMITTED USES

15-5D-3: SITE DEVELOPMENT STANDARDS

15-5D-4: LANDSCAPING

15-5D-5: OFF STREET PARKING AND LOADING SPACES

15-5D-6: SIGNS

15-5D-1: PURPOSE

The purpose of this zone is to provide consistency with and implement policies related to those locations which are designated General Commercial on the General Plan land use map and in the General Plan text. This zone is intended to provide for the development of commercial establishments which serve a broad cross section of the City and surrounding area. Regulations are designed to promote and control their growth in a favorable environment to all abutting and surrounding land uses. Principal uses, therefore, include a broad spectrum of retail and service commercial uses.

15-5D-2: PERMITTED USES

Permitted uses, permitted accessory uses, uses subject to administrative use permit, and uses subject to conditional use permit for all commercial zones are listed in Article 15-5A of this Title.

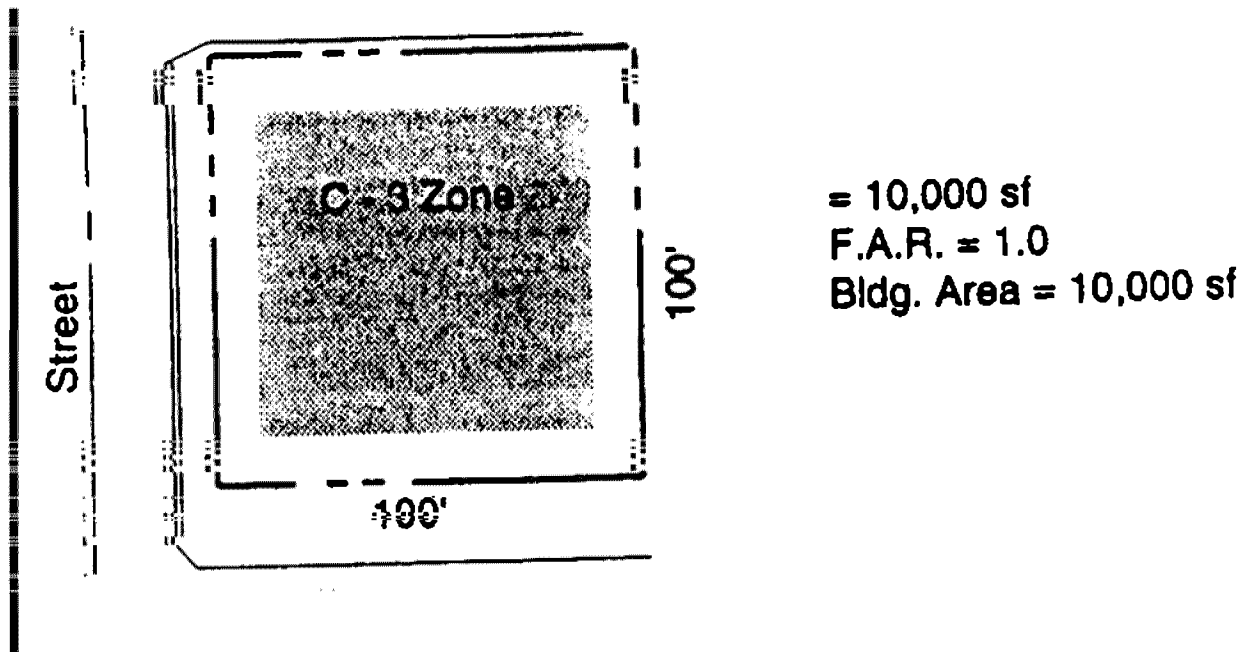
15-5D-3: SITE DEVELOPMENT STANDARDS

All uses in the C-3 Zone shall comply with the development standards contained in this section.

A. General Provisions:

1. All uses shall be conducted within a fully enclosed building except:
 - a. Outdoor restaurants, cafes or seating areas, provided they comply with the provisions of section 15-2-16 of this title;
 - b. Outdoor retail activities customarily conducted outdoors, including, but not limited to, lumberyards and nurseries; and
 - c. Outdoor recreational activities.
2. Prior to approval of any development project, all criteria of the Transportation Demand Management (TDM) and trip reduction criteria, as provided for in chapter 16 of this title shall be met.

3. Other provisions as required in chapter 2 of this title.
- B. Lot area: A minimum of 10,000 square feet.
- C. Height:
1. East of Sepulveda Boulevard: No building or structure shall exceed 200 feet.
 2. West of Sepulveda Boulevard: No building or structure shall exceed 45 feet.
 3. If the subject property abuts residentially zoned property, no building or structure shall exceed 40 feet.
 4. A maximum grade differential of eight feet is permitted on sloping lots. The vertical height which exceeds the maximum grade differential limit is included in measuring the maximum building height. On sloped lots, a segmented grade plane may be applied to different portions of a building.
 5. See section 15-2-3 of this title for exceptions to building height.
- D. Setbacks:
1. Front yard: 10 feet minimum
 2. Side yard: None required, unless one of the following conditions exists:
 - a. If the side yard adjoins a dedicated street, a minimum of 10 feet shall be provided; and
 - b. If the side yard abuts residentially zoned property, a minimum of 10 feet shall be provided.
 3. Rear yard: None required, unless one of the following conditions exists:
 - a. If the rear yard adjoins an alley, dedicated street, public right-of-way, or if the primary access is through the rear yard, a minimum of 10 feet shall be provided; and
 - b. If the rear yard abuts property with a non-commercial classification, a minimum of 10 feet shall be provided.
 4. Future street right-of-way Lines. If any future street right-of-way line has been established by plan adopted by the city council, such line shall be considered to be the property line for purposes of determining setbacks.
 5. Easements. Setbacks from legal easements, other than street right-of-way easements, shall not be required. In addition to the appropriate review and approval by the city, no construction of any structure or improvement is allowed within a legal easement without written authorization from the legal holder of the easement. Such authorization shall be in a form acceptable to the Director.
- E. Lot frontage: Each lot shall be a minimum frontage on a street of 100 feet.
- F. Building area: The total net floor area of all buildings shall not exceed the total net square footage of the property multiplied by 1.0 or an FAR of one to one (1:1). Additional FAR may be granted for properties east of Sepulveda Boulevard only, with approval of a transfer of development rights (TDR) plan.



G. Walls and fences: Walls and fences shall comply with the location requirement of chapter 2 of this title.

H. Access: All development projects shall provide adequate access and facilities for various modes of transit, as required by the City's Transportation Demand Management Program in chapter 16 of this title. In addition, all development projects shall provide pedestrian access between buildings and transit facilities located on site and/or off site, if within adjoining public rights-of-way. If the building is part of a multi-building development project, then safe and convenient pedestrian access shall be provided between buildings.

15-5D-4: LANDSCAPING

As required by section 15-2-14 and chapter 15A of this title.

15-5D-5: OFF STREET PARKING AND LOADING SPACES

As required by chapter 15 of this title.

15-5D-6: SIGNS

As required by chapter 18 of this title.

SECTION 29: Article 15-5E (Urban Mixed Use North (MU-N) zone) of ESMC Chapter 15-5 is amended in its entirety to read as follows:

ARTICLE E. CORPORATE OFFICE (CO) ZONE

- 15-5E-1: PURPOSE**
- 15-5E-2: PERMITTED USES**
- 15-5E-3: SITE DEVELOPMENT STANDARDS**
- 15-5E-4: LANDSCAPING**
- 15-5E-5: OFF STREET PARKING AND LOADING SPACES**
- 15-5E-6: SIGNS**

15-5E-1: PURPOSE

The purpose of this zone is to provide consistency with and implement policies related to those locations which are designated Corporate Office on the General Plan land use map and in the General Plan text. This zone is intended to provide for the development of office projects. Regulations are designed to promote and control their growth in a favorable environment to all abutting and surrounding land uses. Principal uses are, therefore, restricted to a mixture of office and food serving uses with limited retail uses.

15-5E-2: PERMITTED USES

Permitted uses, permitted accessory uses, uses subject to administrative use permit, and uses subject to conditional use permit for all commercial zones are listed in Article 15-5A of this Title.

15-5E-3: SITE DEVELOPMENT STANDARDS

All uses in the CO Zone shall comply with the development standards contained in this section.

A. General Provisions:

1. All uses shall be conducted within a fully enclosed building, except:
 - a. Outdoor restaurants and cafes incidental to the permitted use, provided they comply with the provisions of section 15-2-16 of this title.
 - b. Recreational facilities customarily conducted in the open.
2. Prior to approval of any development project, all criteria of the Transportation Demand Management (TDM) and trip reduction criteria, as provided for in chapter 16 of this title shall be met.
3. Other provisions as required in chapter 2 of this title.

B. Lot area: A minimum of 10,000 square feet.

C. Height:

1. East of Pacific Coast Highway: No building or structure shall exceed 200 feet.
2. West of Pacific Coast Highway: No building or structure shall exceed 45 feet.
3. If the subject property abuts residentially zoned property, no building or structure shall exceed 40 feet.
4. A maximum grade differential of eight feet is permitted on sloping lots. The vertical height which exceeds the maximum grade differential limit is included in measuring

the maximum building height. On sloped lots, a segmented grade plane may be applied to different portions of a building.

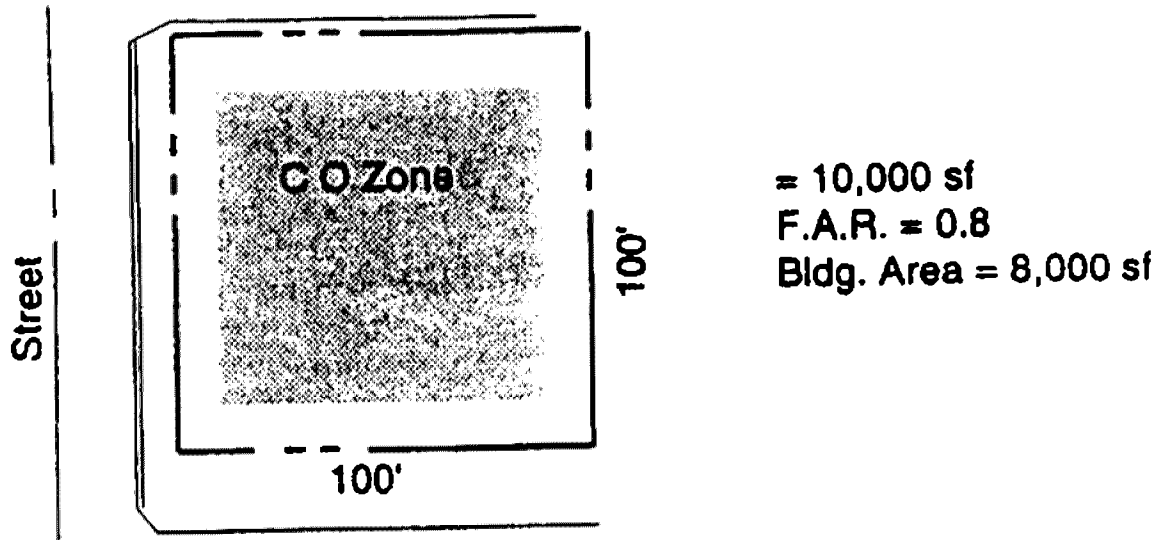
5. See section 15-2-3 of this title for exceptions to building height.

D. Setbacks:

1. Front yard: A minimum of 20 feet.
2. Side yard: A minimum of 10 feet, unless one of the following conditions exists:
 - a. If the side yard adjoins a dedicated street, a minimum of 20 feet shall be provided; and
 - b. If the side yard abuts property zoned for residential uses, a minimum of 100 feet shall be provided, including a 25-foot landscape buffer.
3. Rear yard: A minimum of 10 feet, unless one of the following conditions exists:
 - a. If the rear yard adjoins an alley, dedicated street, public right-of-way, or if the primary access is through the rear yard, a minimum of 25 feet shall be provided; and
 - b. If the rear yard abuts property zoned for residential uses, a minimum of 100 feet shall be provided, including a 25-foot landscape buffer.
4. Future street right-of-way lines. If any future street right-of-way line has been established by plan adopted by the city council, such line shall be considered to be the property line for purposes of determining setbacks.
5. Easements. Setbacks from legal easements, other than street right-of-way easements, shall not be required. In addition to the appropriate review and approval by the city, no construction of any structure or improvement is allowed within a legal easement without written authorization from the legal holder of the easement. Such authorization shall be in a form acceptable to the Director.

E. Lot frontage: Each lot shall have a minimum frontage on a street of 100-feet.

F. Building area: The total net floor area of all buildings shall not exceed the total net square footage of the property multiplied by 0.8 or an FAR of 0.8:1. Additional FAR may be granted for properties east of Pacific Coast Highway only, with approval of a transfer of development rights (TDR) plan.



G. Walls and fences: Wall and fences shall comply with the location requirements of chapter 2 of this title.

H. Access: All development projects shall provide adequate access and facilities for various modes of transit, as required by the City's Transportation Demand Management Program, chapter 16 of this title. In addition, all development projects shall provide pedestrian access between buildings and transit facilities located on site and/or off site, if within adjoining public rights-of-way. If the building is part of a multi-building development project, then pedestrian access shall be provided between buildings.

15-5D-4: LANDSCAPING

As required by section 15-2-14 and chapter 15A of this title.

15-5D-5: OFF STREET PARKING AND LOADING SPACES

As required by chapter 15 of this title.

15-5D-6: SIGNS

As required by chapter 18 of this title.

SECTION 30: Article 15-5F (Urban Mixed Use South (MU-S) zone) of ESMC Chapter 15-5 is amended in its entirety to read as follows:

ARTICLE F. URBAN MIXED USE NORTH (MU-N) ZONE

15-5F-1: PURPOSE

- 15-5F-2: PERMITTED USES**
- 15-5F-3: SITE DEVELOPMENT STANDARDS**
- 15-5F-4: LANDSCAPING**
- 15-5F-5: OFF STREET PARKING AND LOADING SPACES**
- 15-5F-6: SIGNS**

15-5F-1: PURPOSE

The purpose of this zone is to provide consistency with and implement policies related to those locations which are designated Urban Mixed Use North on the General Plan land use map and in the General Plan text. The Urban Mixed Use North (MU-N) zone is established to provide area(s) where a mixture of compatible commercial, office, research and development, retail and hotel uses can locate and develop in a mutually beneficial manner. It is the intent of the MU-N zone to have several types of uses occupy a single building, or if a project includes multiple buildings, then each building should contain a different type of use. It is anticipated, although not required, that each type of use will be from two or more of the following categories: retail, service, hotel, office, research and development, theaters or recreational facilities. It is further intended to ensure that adequate open space and development regulations will create a favorable environment for abutting uses as well as ensuring the compatibility and harmonious existence of development within MU-N zoned property. Businesses located within this zone are encouraged to provide street level uses which allow for, and facilitate, pedestrian activity for area workers and visitors.

15-5F-2: PERMITTED USES

Permitted uses, permitted accessory uses, uses subject to administrative use permit, and uses subject to conditional use permit for all commercial zones are listed in Article 15-5A of this Title.

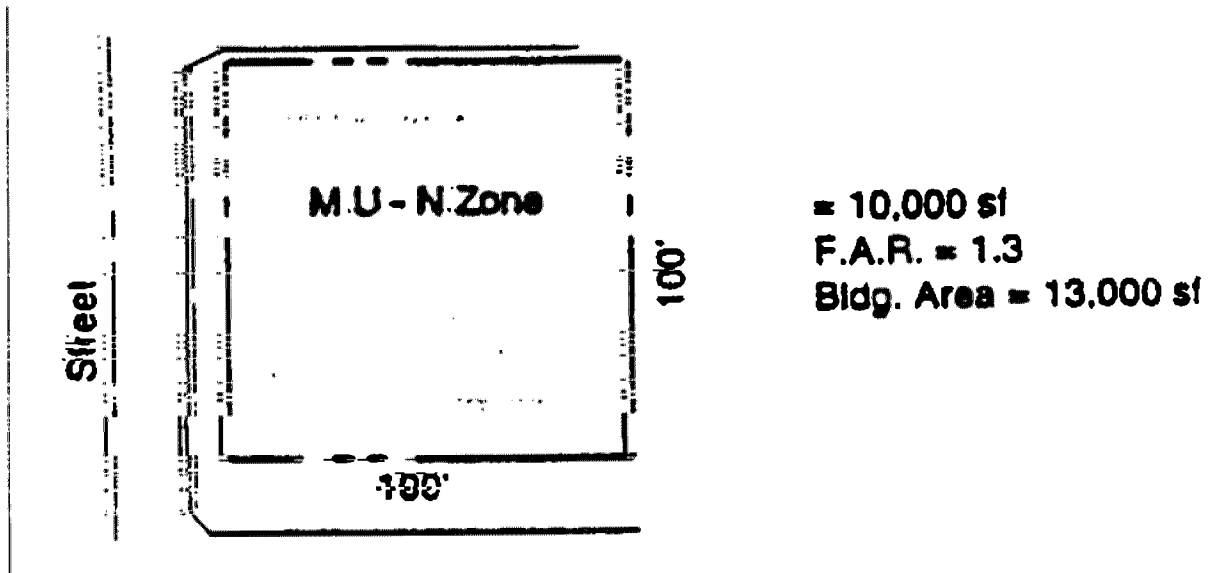
15-5F-3: SITE DEVELOPMENT STANDARDS

All uses within the MU-N Zone shall comply with the development standards contained in this section.

A. General Provision:

1. All uses shall be conducted wholly within an enclosed building except:
 - a. Electrical distribution stations.
 - b. Outdoor restaurants and cafes incidental to the permitted use, provided they comply with the provisions of section 15-2-16 of this title.
 - c. Recreational facilities customarily conducted in the open.
 - d. Special uses, to the degree the conditional use permit granting such special uses expressly permits operation in other than a fully enclosed building.
2. Prior to approval of any development project, all criteria of the Transportation Demand Management (TDM) and trip reduction criteria as provided for in chapter 16 of this title shall be met.

3. Other provisions as required in chapter 2 of this title.
- B. Lot area: A minimum lot area of 10,000 square feet.
- C. Height:
1. Buildings and structures shall not exceed a height of 175 feet.
 2. A maximum grade differential of eight feet is permitted on sloping lots. The vertical height which exceeds the maximum grade differential limit is included in measuring the maximum building height. On sloped lots, a segmented grade plane may be applied to different portions of a building.
 3. See section 15-2-3 of this title for exceptions to building height
- D. Setbacks:
1. Front yard: A minimum of 20 feet.
 2. Side yard: A minimum of 10 feet, unless the side yard adjoins a dedicated street, in which case a minimum of 20 feet shall be provided.
 3. Rear yard: Five feet minimum, unless the rear yard adjoins an alley, dedicated street, or public right-of-way, or if the primary access is through the rear yard. In these cases, a minimum of 20 feet shall be provided.
 4. Future street right-of-way lines. If any future street right-of-way line has been established by plan adopted by the city council, such line shall be considered to be the property line for purposes of determining setbacks.
 5. Easements. Setbacks from legal easements, other than street right-of-way easements, shall not be required. In addition to the appropriate review and approval by the city, no construction of any structure or improvement is allowed within a legal easement without written authorization from the legal holder of the easement. Such authorization shall be in a form acceptable to the Director.
- E. Lot Frontage: Each lot in the MU-N Zone shall have a minimum frontage on a street of 100 feet.
- F. Building area: The total net floor area of all buildings shall not exceed the total net square footage of the property multiplied by 1.3 or an FAR 1.3:1. Additional FAR may be granted for properties east of Pacific Coast Highway only, with approval of a transfer of development rights (TDR) plan.



G. Walls and fences: Fences in the MU-N Zone shall comply with the requirements of chapter 2 of this title.

H. Access: All development projects shall provide adequate access and facilities for various modes of transit, as required by the City's transportation demand management program in chapter 16 of this title. In addition, all development projects shall provide pedestrian access between buildings and transit facilities located on site and/or off site, if within adjoining public rights-of-way. If the building is part of a multi-building development project, then pedestrian access shall be provided between buildings.

15-5E-4: LANDSCAPING

As required by section 15-2-14 and chapter 15-15A of this title.

15-5E-5: OFF STREET PARKING AND LOADING SPACES

As required by chapter 15 of this title.

15-5E-6: SIGNS

As required chapter 18 of this title.

SECTION 31: Article 15-5G (Commercial Center (C-4) zone) of ESMC Chapter 15-5 is amended in its entirety to read as follows:

ARTICLE G. URBAN MIXED USE SOUTH (MU-S) ZONE

- 15-5G-1: PURPOSE**
- 15-5G-2: PERMITTED USES**

- 15-5G-3: SITE DEVELOPMENT STANDARDS**
- 15-5G-4: LANDSCAPING**
- 15-5G-5: OFF STREET PARKING AND LOADING SPACES**
- 15-5G-6: SIGNS**

15-5G-1: PURPOSE

The purpose of this zone is to provide consistency with and implement policies related to those locations which are designated Urban Mixed Use South on the General Plan land use map and in the General Plan text. The Urban Mixed Use South (MU-S) Zone is established to provide area(s) where a mixture of compatible commercial, offices, research and development, retail and hotel uses can locate and develop in a mutually beneficial manner. It is the intent of the MU-S Zone to have several types of uses occupy a single building, or if a project includes multiple buildings, then each building should contain a different type of use. It is anticipated, although not required, that each type of use will be from two or more of the following categories: retail, service, hotel, office, research and development, theaters or recreational facilities. It is further intended to ensure that adequate open space and development regulations will create a favorable environment for abutting uses as well as ensuring the compatibility and harmonious existence of development within MU-S Zoned property. Businesses located within this zone are encouraged to provide street level uses which allow for, and facilitate, pedestrian activity for area workers and visitors.

15-5G-2: PERMITTED USES

Permitted uses, permitted accessory uses, uses subject to administrative use permit, and uses subject to conditional use permit for all commercial zones are listed in Article 15-5A of this Title.

15-5G-3: SITE DEVELOPMENT STANDARDS

All uses within the MU-S Zone shall comply with the development standards contained in this section.

A. General Provisions:

1. All uses shall be conducted wholly within an enclosed building except:
 - a. Electrical distribution stations;
 - b. Outdoor restaurants and cafes incidental to the permitted use, provided they comply with the provisions of section 15-2-16 of this title;
 - c. Recreational facilities customarily conducted in the open; and
 - d. Special uses, to the degree the conditional use permit granting such special uses expressly permits operation in other than a fully enclosed building.
2. Prior to approval of any development project, all criteria of the Transportation Demand Management (TDM) and trip reduction criteria as provided for in chapter 16 of this title shall be met.
3. Other provisions as required in chapter 2 of this title.

B. Lot area: A minimum lot area of 10,000 square feet.

C. Height:

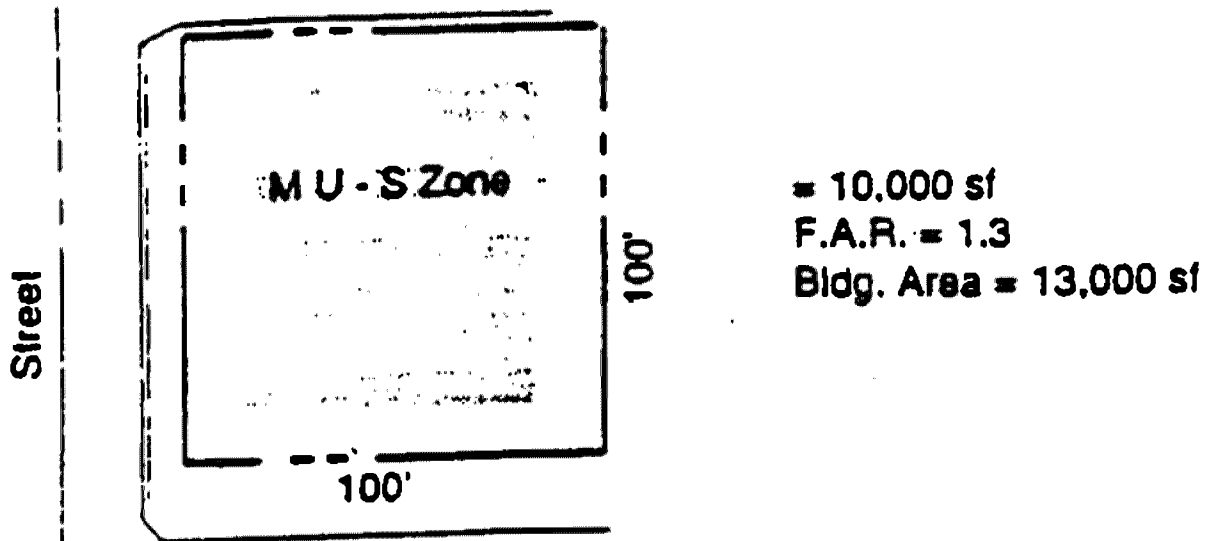
1. Buildings and structures shall not exceed a height of 175 feet.
2. A maximum grade differential of eight feet is permitted on sloping lots. The vertical height which exceeds the maximum grade differential limit is included in measuring the maximum building height. On sloped lots, a segmented grade plane may be applied to different portions of a building.
3. See section 15-2-3 of this title for exceptions to building height.

D. Setback:

1. Front Yard: 20 feet minimum, except that along Rosecrans Avenue a minimum setback of 30 feet must be provided.
2. Side Yard: 10 feet minimum, unless one of the following conditions exists:
 - a. If the side yard abuts property with a non-commercial zoning classification, the side yard setback shall be a minimum of 20 feet.
 - b. If the side yard abuts Rosecrans Avenue or Park Place, the side yard setback shall be a minimum of 30 feet.
3. Rear Yard: Five feet minimum, unless the rear yard adjoins an alley, dedicated street, or public right-of-way, or if the primary access is through the rear yard. In these cases, the rear yard setback shall be a minimum of 20 feet.

E. Lot frontage: Each lot in the MU-S Zone shall have a minimum frontage on a street of 100 feet.

F. Building area: The total net floor area of all buildings shall not exceed the total net square footage of the property multiplied by 1.3 or an FAR of 1.3:1. Additional FAR may be granted for properties east of Sepulveda Boulevard only, with approval of a transfer of development rights (TDR) plan.



G. Walls and fences: Fences in the MU-S Zone shall comply with the requirements of chapter 2 of this title. A minimum six-foot high masonry wall shall be provided along property lines for those yards abutting residential or industrial zones.

H. Access: All development projects shall provide adequate access and facilities for various modes of transit, as required by the City's Transportation Demand Management Program in chapter 16 of this title. In addition, all development projects shall provide pedestrian access between buildings and transit facilities located on site and/or off site, if within adjoining public rights-of-way. If the building is part of a multi-building development project, then pedestrian access shall be provided between buildings.

15-5G-4: LANDSCAPING

As required by section 15-2-14 and chapter 15A of this title.

15-5G-5: OFF STREET PARKING AND LOADING SPACES

As required by chapter 15 of this title.

15-5G-6: SIGNS

As required by chapter 18 of this title.

SECTION 32: ESMC Chapter 15-5 is amended to add a new ESMC Article 15-5H (Commercial Center (C-4) zone) to read as follows:

ARTICLE H. COMMERCIAL CENTER (C-4) ZONE

15-5H-1: PURPOSE

15-5H-2: PERMITTED USES

15-5H-6: SITE DEVELOPMENT STANDARDS

15-5H-7: LANDSCAPING

15-5H-8: OFF STREET PARKING AND LOADING SPACES

15-5H-9: SIGNS

15-5H-1: PURPOSE

The purpose of this zone is to provide consistency with and implement policies affecting property designated as commercial center on the General Plan land use map and in the General Plan text. This zone is intended to provide for developing commercial establishments serving the City and surrounding area. Regulations are designed to promote and control growth of commercial center projects such as retail and service uses.

15-5H-2: PERMITTED USES

Permitted uses, permitted accessory uses, uses subject to administrative use permit, and uses subject to conditional use permit for all commercial zones are listed in Article 15-5A of this Title.

15-5H-6: SITE DEVELOPMENT STANDARDS

All uses in the C-4 Zone must comply with the development standards contained in this section.

A. General Provisions:

1. All uses must be conducted within a fully enclosed building except:
 - a. Outdoor restaurants, cafes or seating areas, complying with the provisions of section 15-2-16 of this title;
 - b. Outdoor wholesale or retail activities customarily conducted outdoors, including, without limitation, lumberyards, nurseries, and periodic outdoor sales;
 - c. Outdoor recreational activities; and
 - d. Temporary uses conducted for a period not to exceed one year in a temporary trailer, shipping container, or similar structure.
2. Before the City approves any development project, the project must meet all requirements of the transportation demand management (TDM) and trip reduction criteria as set forth in chapter 16 of this title.
3. Other provisions as set forth in chapter 2 of this title.

B. Lot Area: A minimum of 10,000 square feet.

C. Height:

1. No building or structure may exceed 65 feet.
2. A maximum grade differential of eight feet is permitted on sloping lots. The vertical height which exceeds the maximum grade differential limit is included in measuring the maximum building height. On sloped lots, a segmented grade plane may be applied to different portions of a building.
3. See section 15-2-3 of this title for exceptions to building height.

D. Setbacks: The setback requirements shall not be applicable to environmental treatment facilities that are determined by a regulatory agency to be necessary to mitigate the presence of hazardous substances that are present in the soils on the parcel of property on which a treatment facility is located. However, the environmental treatment facility must otherwise comply with the City's traffic safety and Building Code requirements.

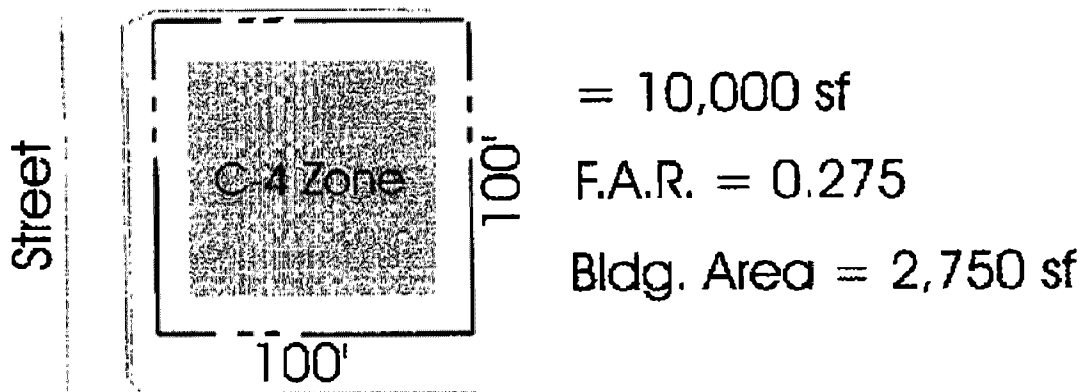
1. Front yard: 25 feet minimum.
2. Side yard: Zero feet minimum, unless one of the following conditions exists:
 - a. If the side yard adjoins a dedicated street, at least 25 feet must be provided; and
 - b. If the side yard abuts property with a different classification, the side yard setback shall be a minimum of 10 feet.
3. Rear yard: 15 feet minimum unless one of the following conditions exists:

- a. If the rear yard adjoins an alley, dedicated street, public right-of-way, or if the primary access is through the rear yard, at least 25 feet must be provided;
- b. If the rear yard adjoins a railroad right-of-way, at least 10 feet must be provided; and
- c. If the rear yard abuts property with a different classification, the rear yard setback shall be a minimum of feet.

E. Lot frontage:

1. Each lot must provide a minimum frontage on a public street of 100 feet; or
2. Flag lots are permitted with a minimum stem width of 20 feet at a public street. If the flag lot does not provide physical access to a public street, a permanent access easement must be provided from the lot across any contiguous lot or lots which conform with the minimum lot frontage requirement to a public street. The easement, and any proposed modification to the easement, requires City review and approval.

F. Building Area: The total net floor area of all buildings may not exceed the total net square footage of the property multiplied by 0.275 or an FAR 0.275:1. However, additional FAR may be granted by the City pursuant to a development agreement.



G. Transfer of development rights: The transfer of development density from one or more donor parcels to any other receiving parcel or parcels is permitted within the C-4 Zone; provided, that the requirements of this section are met.

1. Location of transfer parcels: The donor and receiving parcels must each be located entirely within the C-4 Zone.
2. Maximum net floor area (NFA) for a receiving parcel: The NFA on any receiving parcel increased in density pursuant to this section cannot exceed an FAR of 0.6.
3. Reduced NFA for a donor parcel: The permitted NFA on any donor parcel decreased in density pursuant to this section must be reduced by the amount of NFA transferred to one or more receiving parcels.
4. Building standards for parcels: All buildings must comply with the building standards of the C-4 Zone.
5. Transfer of development rights: A transfer of development rights may be initiated by a person submitting a written application for a transfer to the Community Development Department that identifies the donor parcel(s), receiving parcel(s),

- the amount of NFA proposed to be transferred, and the proposed uses of the donor and receiving parcels.
6. Review by Director: The Director must approve, conditionally approve or deny a transfer plan at a public hearing. The Director must use the following criteria in making a determination:
 - a. The transfer meets the objectives of this title and the purposes of the C-4 Zone;
 - b. The proposed transfer will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity;
 - c. The proposed transfer complies with each of the applicable provisions of this chapter;
 - d. The proposed transfer recognizes and compensates for potential impacts that could be generated by the proposed transfer, such as aesthetics, noise, smoke, dust, fumes, vibration, odors, traffic and hazards; and
 - e. The proposed transfer plan is consistent with the General Plan.
 7. Notice and hearing: Upon filing of an application for a transfer plan by a property owner or an applicant with the consent of the owner, the Director must give public notice, as provided in chapter 28 of this title, of the intention to consider at a public hearing the granting of a transfer plan.
 8. Appeal to Planning Commission: The applicant or any person affected by the Director 's decision respecting a transfer plan can appeal that decision to the Planning Commission pursuant to chapter 29 of this title.
 9. Appeal to City Council: The applicant or any person affected by the Planning Commission's decision respecting a transfer plan can appeal the Planning Commission's decision to the City Council pursuant to chapter 29 of this title.
 10. Final Approval: A transfer plan approved by the Director, Planning Commission and/or City Council becomes final upon the completion of all applicable conditions of approval and the following:
 - a. Legal Assurances: A covenant or other suitable, legally binding agreement in a form approved by the City Attorney must be recorded against the affected donor and receiving parcels confirming the transfer of NFA between/among parcels and setting forth any conditions of approval imposed by the City. The covenant must be executed by all parties that have a legal or equitable interest in the affected donor and receiving parcels. The covenant must confirm that from the date of recording of the covenant, the affected parcels will be burdened by the covenant in perpetuity and the covenant will run with the land and the FAR for the donor parcel and receiving parcel will be set in the covenant pursuant to the FAR allowed at the time of approval of the transfer; and
 11. Removal/Modification: The Director may approve the removal or modification of a covenant if the transfer has not been entirely utilized by a receiving parcel or a different parcel has been identified as a donor parcel. The legal and equitable owners of the affected parcels must execute a removal or modification covenant in a form approved by the City Attorney.
- H. Walls and fences: Walls and fences must comply with the location requirement of chapter 2 of this title.
- I. Access: All development projects must provide adequate access and facilities for various modes of transit, as required by the City's Transportation Demand

Management Program in chapter 16 of this title. In addition, all development projects must provide pedestrian access between buildings and transit facilities located on site and/or off site, if within adjoining public rights-of-way. If the building is part of a multi-building development project, then safe and convenient pedestrian access must be provided between buildings.

15-5H-7: LANDSCAPING

As required by section 15-2-14 and chapter 15A of this title.

15-5H-8: OFF STREET PARKING AND LOADING SPACES

As required by chapter 15 of this title.

15-5H-9: SIGNS

Signs in the C-4 Zone must comply with requirements of chapter 18 of this title except as specified below:

- A. A maximum of three ground or monument signs not to exceed 45 feet in height each are permitted along the Pacific Coast Highway street frontage, north of the Union Pacific Railroad.
- B. A maximum of two ground or monument signs not to exceed 25 feet in height each are permitted along the Pacific Coast Highway street frontage south of the Union Pacific Railroad.
- C. A maximum of two ground or monument signs (not including wayfinding signs), not to exceed 25 feet in height each are permitted along the Park Place street frontage.
- D. A maximum of one ground or monument sign (not including wayfinding signs), not to exceed 25 feet in height is permitted along the Allied Way street frontage.
- E. A maximum of one ground or monument sign, not to exceed 65 feet in height is permitted along the Allied Way street frontage.
- F. A maximum of two ground or monument signs (not including wayfinding signs), not to exceed 20 feet each are permitted along the Rosecrans Avenue street frontage.
- G. A maximum of one roof sign up to 450 square feet in that portion of the C-4 Zone located south of the Union Pacific Railroad and north of Village Drive which shall not count toward the maximum 15 percent permitted for storefront signage as specified in subsection 15-18-4A(1)(b) of this title.
- H. Parcels that are comprised of a minimum of 7.5 acres and that have at least 80 percent of the floor area devoted to retail and restaurant uses may have up to two (light emitting diode signs ("LED sign")) that do not exceed 30 feet in height and 60 feet in width so long as: 1) the signs only advertise businesses and products (but only in

conjunction with the name of the business that sells the product) that are located on the parcel or display movie projections and abstract videos that are not related to advertising any product, or entertainment, retail or service use and 2) the sign is oriented such that it is intended to be viewed by individuals located on the parcel and not by individuals located in a public right-of-way. Pursuant to a development agreement that covers multiple parcels of property, and so long as the requirements of this provision are otherwise met, the names of businesses and products (but only in conjunction with the name of the business that sells the product) that are located on parcels that are subject to the development agreement may be advertised on an LED sign located on another parcel that is subject to the same development agreement.

SECTION 33: ESMC Article 15-6A (Light Industrial (M-1) zone) of ESMC Chapter 15-6 is amended in its entirety to read as follows:

ARTICLE A: PERMITTED USES IN INDUSTRIAL ZONES

15-6A-1: PERMITTED USES

Table No. 1 below contains the uses permitted in the M-1 and M-2 zones, including uses permitted by right, accessory uses, uses subject to an administrative use permit and uses subject to a conditional use permit

Table No. 1 – permitted uses in industrial zones

| Uses | Zones | |
|---|-------|-----|
| | M-1 | M-2 |
| Eating and drinking establishments | | |
| Drive-through restaurants | CUP | CUP |
| Restaurants and cafes | P | CUP |
| General Commercial uses | | |
| Adult-oriented businesses | | |
| Alcohol - off-site sale at limited support service retail establishments. | AUP | AUP |
| Alcohol - on-site sale and consumption at restaurants and delicatessens | AUP | AUP |
| Animal boarding | CUP | CUP |
| Animal hospitals (and veterinary services) | P | CUP |
| Billiard/pool rooms and bowling alleys | CUP | CUP |
| Business and consumer support services | CUP | CUP |
| Drive-through or walk-up services, excluding drive-through restaurants. | A | A |
| Financial institutions | CUP | CUP |
| Fitness centers | P | CUP |
| General offices | P | CUP |
| Medical-dental offices | CUP | CUP |
| Medical-dental laboratories | CUP | CUP |
| Motion picture/television production facilities (indoor) ⁹ | CUP | CUP |
| Multi-media offices | CUP | CUP |
| Office worker-oriented services, not located on Pacific Coast Highway or El Segundo Boulevard | CUP | CUP |
| Personal services | CUP | CUP |
| Retail sales | CUP | CUP |
| Service stations ² | CUP | CUP |

| Group care and hospitality uses | | |
|---|-----|-----|
| Daycare centers | P | CUP |
| Dog daycare (indoor) | P | |
| Dog daycare (outdoor) | CUP | CUP |
| Emergency shelters | P | |
| Hotels and motels | CUP | CUP |
| Industrial | | |
| Construction yards | | P |
| Extraction of raw materials and refining | | P |
| Factories | | P |
| Freight forwarding, transfer, trucking yards or terminals | CUP | CUP |
| General storage, warehousing and ministorage | P | |
| Generating stations | | P |
| Heavy manufacturing uses | | P |
| High and medium bay labs | P | |
| Light manufacturing uses and related offices | P | |
| Research and development | P | CUP |
| Waste material transfer and storage | N | N |
| Wholesale uses | CUP | CUP |
| Institutional | | |
| Government buildings/public uses | P | CUP |
| Schools | CUP | CUP |
| Miscellaneous uses | | |
| Data centers | CUP | CUP |
| Helicopter landing facilities, per ESMC section 15-2-13 | CUP | CUP |
| Medium and large-scale ground-mounted solar energy systems | P | P |
| Open storage of commodities sold or utilized on the premises. | A | A |
| Outdoor dining areas, per ESMC Chapter 15-2 | A | A |

| | | |
|--|-------------------|-------------------|
| Public utilities, including, but not limited to, power substations and telephone exchanges | P | |
| Residential Uses | N | N |
| Recreational facilities (public and private) | P | CUP |
| Roof-mounted solar energy systems. | A | A |
| Small and medium-scale ground-mounted solar energy systems. | A | A |
| Any use customarily incidental to a permitted use | A | A |
| Other similar uses approved by the Director, per ESMC Chapter 15-22 | P, A, AUP, CUP, N | P, A, AUP, CUP, N |

Notes:

1. P = Permitted use, A = Accessory use, AUP = Use subject to an administrative use permit (Per ESMC Chapters 23 and 23), CUP = Use subject to a conditional use permit (per ESMC Chapters 24 and 28), N = prohibited
2. Service stations are permitted with a CUP if located a minimum of 500 feet from any residential zoned property. This distance criteria does not apply to properties east of Pacific Coast Highway.

SECTION 34: Article 15-6B (Heavy Industrial (M-2) zone) of ESMC Chapter 15-6 is amended in its entirety to read as follows:

ARTICLE B. LIGHT INDUSTRIAL (M-1) ZONE

- 15-6B-1: PURPOSE**
- 15-6B-2: PERMITTED USES**
- 15-6B-3: SITE DEVELOPMENT STANDARDS**
- 15-6B-4: LANDSCAPING**
- 15-6B-5: OFF STREET PARKING AND LOADING SPACES**
- 15-6B-6: SIGNS**
- 15-6B-7: EMERGENCY SHELTERS DEVELOPMENT STANDARDS**

15-6B-1: PURPOSE

The purpose of this zone is to provide consistency with and implement policies related to those locations which are designated Light Industrial on the General Plan land use map and in the General Plan text. This zone is intended to provide for the location and grouping of light industrial activities, research, and technological processes, and related offices and auxiliary uses performing support services for existing and permitted establishments, companies or business firms within the zone.

15-6B-2: PERMITTED USES

Permitted uses, permitted accessory uses, uses subject to administrative use permit, and uses subject to conditional use permit for all industrial zones are listed in Article 15-6A of this Title.

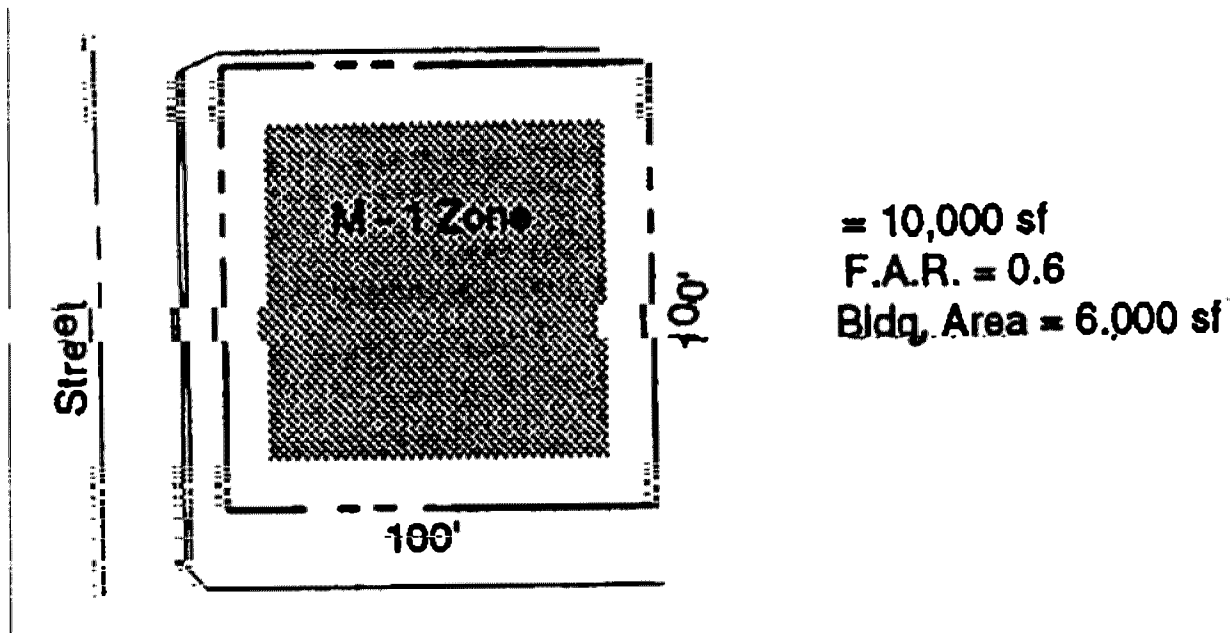
15-6B-7: SITE DEVELOPMENT STANDARDS

All uses within the M-1 Zone shall comply with the development standards contained in this section.

A. General Provisions:

1. No operations and uses conducted on the premises shall be in violation of this Code, State laws, or environmental regulations by reason of noise, odor, dust, mud, smoke, light, vibrations or other similar causes.
2. All uses in the M-1 Zone shall be conducted completely within a fully enclosed building except:
 - a. Recreational facilities customarily undertaken in the open;
 - b. Special uses, provided such use expressly permits operation in other than a fully enclosed building as provided through an administrative determination; and
 - c. Outdoor restaurant seating, provided it complies with the provisions of section 15-2-16 of this title.

3. Prior to approval of any development project, all criteria of the Transportation Demand Management (TDM) and trip reduction criteria, as provided for in chapter 16 of this title shall be met.
 4. Other provisions as required in chapter 2 of this title.
- B. Lot area: A minimum of 10,000 square feet.
- C. Height:
1. Buildings and structures shall not exceed a height of 200 feet.
 2. A maximum grade differential of eight feet is permitted on sloping lots. The vertical height which exceeds the maximum grade differential limit is included in measuring the maximum building height. On sloped lots, a segmented grade plane may be applied to different portions of a building.
 3. See section 15-2-3 of this title for exceptions to building height.
- D. Setbacks:
1. Front Yard: A minimum of 25 feet.
 2. Side Yard: A minimum of 15 feet, unless the side yard adjoins a dedicated street, in which case the side yard setback shall be a minimum of 25 feet.
 3. Rear Yard: A minimum of 10 feet, unless the rear yard adjoins an alley, dedicated street, public right-of-way, or if the primary access is through the rear yard, in which case the rear yard setback shall be a minimum of 25 feet.
- E. Lot Frontage: A minimum frontage of 100 feet shall be provided on a dedicated street.
- F. Building Area: The total net "floor area" of all buildings, as defined in section 15-1-6 of this title, on any parcel or lot shall not exceed the total square footage of the parcel or lot area multiplied by 0.6, thereby giving a floor area ratio (FAR) of 0.6:1. However, additional FAR may be granted by the City upon the preparation and approval of a specific plan, consistent with section 65450 et seq., of the California Government Code, or, for properties east of Pacific Coast Highway only, with the approval of a transfer of development rights (TDR) plan. The total net floor area of high and medium bay labs may be multiplied by a factor of 0.5 to determine the allowed net floor area, if an agreement is recorded which ensures that the use and the number of employees is consistent with the definition of "high and medium bay labs" in section 15-1-6 of this title.



G. Walls and fences: Walls and fences in the M-1 Zone shall comply with the requirements of chapter 2 of this title.

H. Access: All development projects shall provide adequate access and facilities for various modes of transit, as required by the City's transportation demand management program in chapter 16 of this title. In addition, all development projects shall provide pedestrian access between buildings and transit facilities located on site and/or off site if within adjoining public rights-of-way. If the building is part of a multi-building development project, then safe and convenient pedestrian access shall be provided between buildings.

15-6B-8: LANDSCAPING

As required by section 15-2-14 and chapter 15A of this title.

15-6B-9: OFF STREET PARKING AND LOADING SPACES

As required by chapter 15 of this title.

An area equivalent to 20 percent of the gross floor area of the building that is devoted to accessory use(s) may be parked at the rate of the building's primary use. In cases of uncertainty or ambiguity, the Director will determine whether an area is accessory.

15-6B-10: SIGNS

As required by chapter 18 of this title.

15-6B-11: EMERGENCY SHELTERS DEVELOPMENT STANDARDS

- A. Emergency shelters: Emergency shelters are subject to the following development standards:
1. Not more than one emergency shelter is permitted within a radius of 300 feet from another emergency shelter.
 2. No emergency shelter will be permitted within 300 feet of residentially zoned property, El Segundo public or private schools, El Segundo parks and open space, or childcare facilities.
 3. The emergency shelter facility may provide one or more of the following specific facilities and services including, without limitation:
 - a. Childcare facilities;
 - b. Commercial kitchen facilities designed and operated in compliance with Health and Safety Code section 113700 et seq.;
 - c. Dining area;
 - d. Laundry;
 - e. Recreation room; and
 - f. Support services (e.g., training, counseling).
 4. Not more than 12 persons can be served on a nightly basis.
 5. Maximum length of stay of a person in an emergency shelter is limited to 180 days in any 12-month period.
 6. The facility must provide a minimum of 50 gross square feet of personal living space per person served, not including space for common areas.
 7. Emergency shelters may operate 24 hours a day to provide sleeping facilities and other facilities and services. Admittance and intake processing of emergency shelter clients is limited to 7:00 A.M. to 10:00 P.M. daily. Delivery hours are limited to 7:00 A.M. to 6:00 P.M. daily. Refuse collection is limited to 7:00 A.M. to 8:00 P.M. daily.
 8. Each emergency shelter must have an on-site management office, with at least one employee present at all times the emergency shelter is in operation. A minimum of two employees must be on duty when more than 10 beds are occupied.
 9. Each emergency shelter must have on site security employees, with at least one security employee present at all times the emergency shelter is in operation.
 10. Staging drop off, intake, and pick up of emergency shelter clients must take place inside a building, at a rear or side entrance not adjacent to a public right-of-way, or in an interior courtyard. Any exterior waiting areas must be physically and visually separated from public view of a right-of-way with a minimum six-foot tall decorative masonry wall and/or a six-foot tall hedge or similar mature landscaping as approved by the Director. Floor plans for the emergency shelter must be submitted with the building plans that show the size and location of any proposed interior and/or exterior waiting or resident intake areas.
 11. Outdoor recreation activities may be conducted at the facility subject to the same physical and visual separation requirements as exterior waiting areas as set forth in this section.
 12. Off street parking must be provided as set forth in this Code, except that the number of off street parking spaces provided must be one parking space per three beds, plus one parking space per employee on duty with a minimum of three employee parking spaces. Notwithstanding this requirement, the required number

- of off street parking spaces cannot exceed the spaces required for similar uses of the same size in the M-1 Zone.
13. Exterior lighting must be provided at all building entrances and outdoor activity areas, and must be activated between sunset and sunrise of each day. All exterior lighting must comply with this Code.
 14. Facilities must provide a storage area for refuse and recyclables and must be fully screened from public view of any public right-of-way and be enclosed by a solid wall or fence, in accordance with this Code. The refuse and recyclable storage area must be large enough to accommodate the number of bins that are required to provide the facility with sufficient service so as to avoid the overflow of material outside of the bins provided.
 15. Emergency shelter application requests and building plans for emergency shelters must be submitted to the Director, and if the application and building plans meet all applicable standards in this Code, including design, development, and any other State or local requirement, the emergency shelter application may be approved by the Director. Emergency shelter applications must be approved before a building permit may be issued.

SECTION 35: ESMC Chapter 15-6 is amended to add a new Article 15-6C (Heavy Industrial (M-2) zone) to read as follows:

ARTICLE C. HEAVY INDUSTRIAL (M-2) ZONE

- 15-6C-1: PURPOSE**
- 15-6C-2: PERMITTED USES**
- 15-6C-3: SITE DEVELOPMENT STANDARDS**
- 15-6C-4: LANDSCAPING**
- 15-6C-5: OFF STREET PARKING AND LOADING SPACES**
- 15-6C-6: SIGNS**

15-6C-1: PURPOSE

To provide consistency with and implement policies related to those locations which are designated heavy industrial on the general plan land use map and in the general plan text. This zone is intended to provide areas suitable for the development of heavy manufacturing, assembling, or processing activities having unusual or potentially deleterious operational characteristics, that would be detrimental if allowed to operate in other zones within the city.

15-6C-2: PERMITTED USES

Permitted uses, permitted accessory uses, uses subject to administrative use permit, and uses subject to conditional use permit for all industrial zones are listed in Article 15-6A of this Title.

15-6C-3: SITE DEVELOPMENT STANDARDS

All uses within the M-2 Zone shall comply with the development standards contained in this section.

A. General Provisions:

1. Operations and uses conducted on the premises, which are or may be in violation of this Code, State laws, or environmental regulations by reason of noise, odor, dust, mud, light, smoke, vibrations or other similar causes, shall conform to all City, State and Federal regulations which are designed to protect the health, safety and welfare of the citizens of this City and the employees of the proposed use.
2. Prior to approval of any development project, all criteria of the transportation demand management (TDM) and trip reduction criteria, as provided for in chapter 16 of this title shall be met.
3. Other provisions as required in chapter 2 of this title.

B. Lot area: A minimum of 20,000 square feet.

C. Height:

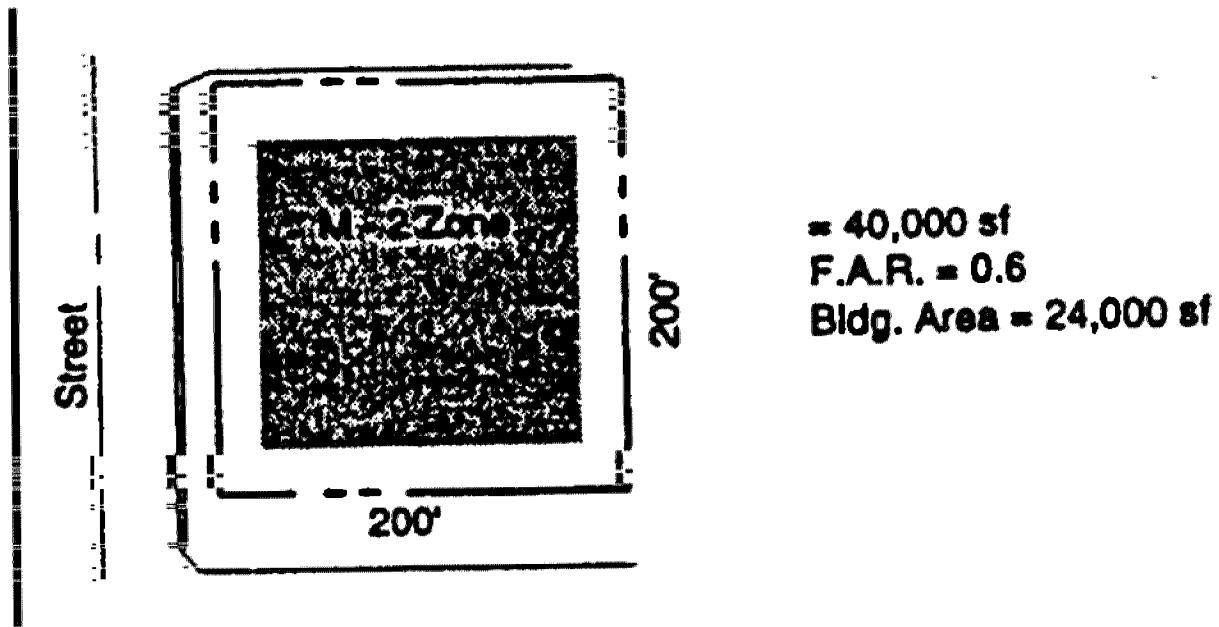
1. A maximum of 200 feet.
2. A maximum grade differential of eight feet is permitted on sloping lots. The height which exceeds the maximum grade differential limit is included in measuring the maximum building height. On sloped lots, a segmented grade plane may be applied to different portions of a building.
3. See section 15-2-3 of this title for exceptions to building height.

D. Setbacks:

1. Front Yard: 25 feet minimum.
2. Side Yard: 15 feet minimum, unless the side yard adjoins a dedicated street, in which case the side yard setback shall be a minimum of 25 feet.
3. Rear Yard: 10 feet minimum, unless the rear yard adjoins an alley, dedicated street, or public right-of-way, or if the primary access is through the rear yard, in which case the rear yard setback shall be a minimum of 25 feet.

E. Lot frontage: A minimum frontage of 100 feet shall be provided on a dedicated street.

F. Building area: The total net "floor area" of all buildings, as defined in section 15-1-6 of this title, on any parcel or lot shall not exceed the total square footage of the parcel or lot area multiplied by 0.6, thereby giving a floor area ratio of 0.6:1.



G. Walls and fences: As required by chapter 2 of this title.

H. Access: All development projects shall provide adequate access and facilities for various modes of transit, as required by the city's transportation demand management program in chapter 16 of this title. In addition, all development projects shall provide pedestrian access between buildings and transit facilities located on site and/or off site if within adjoining public rights of way. If the building is part of a multi-building development project, then safe and convenient pedestrian access shall be provided between buildings.

I. Recreational facilities: All developments greater than 500 acres shall maintain employee recreational facilities subject to the approval of the Director of Community Development and the Director of Public Works.

15-6C-4: LANDSCAPING

As required by section 15-2-14 and chapter 15A of this title.

15-6C-5: OFF STREET PARKING AND LOADING SPACES

As required by chapter 15 of this title.

15-6C-6: SIGNS

As required by chapter 18 of this title.

SECTION 36: ESMC Article 15-7A (Medium Density Residential (MDR) Overlay zone) of ESMC Chapter 15-7 is amended as follows:

ARTICLE A. MEDIUM DENSITY RESIDENTIAL (MDR) OVERLAY ZONE

15-7A-1: PURPOSE:

15-7A-2: ACTIVATION:

15-7A-3: DEVELOPMENT STANDARDS:

15-7A-4: LIVE/WORK DEVELOPMENT STANDARDS

15-7A-1: PURPOSE:

- A. ~~The purpose of the Medium Density Residential (MDR) Overlay Zone is to~~ To provide for an area within the Smoky Hollow Specific Plan area that is appropriate for and capable of sustaining residential uses.
- B. Moreover, it is the intent in identifying the long-term potential for residential use in the area designated to establish that residential use is explicitly excluded from the remainder of the Smoky Hollow specific plan area, except for single caretaker dwelling units provided for elsewhere in the plan.
- C. The MDR Zone shall be considered a "floating zone" in that once a need is identified, this zone can be activated. This floating zone for the Smoky Hollow Specific Plan area attempts to recognize that future residential market forces are anticipated in certain portions of the specific plan area and sensible land use planning dictates their exact locations given adjacent land uses and proximity to arterial streets.
- D. In effect, this zone is not a true "floating zone" in that it does not add more regulations over the existing Smoky Hollow East base zone. Rather, it is a "holding zone" which can be activated and used in place of the base zone.

15-7A-2: ACTIVATION:

The following processes activate the MDR Zone:

- A. A General Plan amendment to change the designation for proposed activated property from Smoky Hollow Specific Plan to Multi-Family Residential;
- B. A Specific Plan amendment to remove the proposed activated property from the Smoky Hollow Specific Plan; and
- C. A Zone Change application to change the zone of the proposed activated property from Smoky Hollow East with MDR Overlay to Multi-Family Residential (R-3) without MDR Overlay.

15-7A-3: DEVELOPMENT STANDARDS:

The development standards that apply to the underlying base zone shall apply unless and until the MDR is activated. If the MDR is properly activated, Multi-Family Residential (R-3) zoning standards shall apply to the activated property along with the following

additional standards:

- A. The setback along Grand Avenue shall be ~~thirty~~**30** feet (~~30'~~) minimum for properties east of Kansas Street, whether it is for a front or side yard.
- B. Vehicular access to MDR activated properties may not be taken directly from Grand Avenue. (Ord. 1580, 2-5-2019)

15-7A-4: LIVE/WORK DEVELOPMENT STANDARDS

Live/work uses are in addition to residential uses and must comply with all the following:

- A. Live/work uses cannot be open to walk-in trade or client visits other than by appointment;
- B. Only one employee, other than the resident, may be employed on site;
- C. Work activity must be conducted entirely within the individual unit;
- D. Outdoor storage is not permitted;
- E. Live/work uses cannot generate hazardous materials or employ hazardous processes;
- F. The live/work use cannot be publicly observed;
- G. Live/work impacts, such as noise, vibration, dust, odors, fumes, smoke, heat, electrical interference or other similar nuisances, cannot be perceptible beyond the individual unit;
- H. Live/work activities cannot increase pedestrian or vehicle traffic beyond that ordinarily associated with residential occupancy nor can it reduce the number of required off street parking spaces available for residential use;
- I. One wall sign is permitted at the entrance of each individual unit. The wall sign cannot exceed six square feet and cannot extend above or out from the wall. Signs cannot emit sounds, odor, or visible matter, such as smoke or steam. Signage may be lighted from another source such as gooseneck lamps. Internally illuminated and neon signs are not allowed. Rooftop signage is not allowed within the zone. Signs cannot contain any revolving, fluttering, flashing or spinning elements. All signage is subject to city requirements for sign permits.

SECTION 37: ESMC Section 15-7B-3 regarding the MMO (Multimedia overlay) district Permitted Accessory Uses is amended as follows:

15-7B-3: PERMITTED ACCESSORY LAND USES:

The following uses would be permitted as accessory uses in the ~~proposed~~ MMO District:

A. Drive-through or walk-up services, including financial operations, but excluding drive-through restaurants.

B. Employee recreational facilities and play area.

C. Open storage of commodities sold or utilized on the premises.

D. Outdoor dining areas pursuant to the standards contained in sections 15-2-7 and 15-2-16 of this title.

~~D.E.~~ Parking structures and surface parking lots.

~~E.F.~~ Other similar uses approved by the Director of Planning and Building Safety, as provided by chapter 22 of this title.

SECTION 38: ESMC Section 15-8-3 (Open Space zone permitted accessory uses) is amended as follows:

15-8-3: PERMITTED ACCESSORY USES:

The following accessory uses are permitted in the O-S zone when developed and used in conjunction with one or more permitted uses in the zone:

A. Comfort stations.

B. Concession stands.

C. Maintenance buildings.

D. Parking areas.

~~E. Other similar uses approved by the director of community, economic and development services as provided by chapter 22 of this title. (Ord. 1212, 11-16-1993; amd. Ord. 1315, 1-18-2000)~~

E. Roof-mounted solar energy systems.

F. Small and medium-scale ground-mounted solar energy systems.

G. Other similar uses approved by the Director, as provided by chapter 22 of this title.

SECTION 39: ESMC Section 15-10-3 (Public Facilities zone permitted accessory uses) is amended as follows:

15-10-3: PERMITTED ACCESSORY USES:

A. Any use customarily incidental to a permitted use.

~~B. Other similar uses approved by the Director of Planning and Building Safety, as provided by chapter 22 of this title. (Ord. 1212, 11 16 1993; amd. Ord. 1315, 1 18 2000)~~

B. Roof-mounted solar energy systems.

C. Small and medium-scale ground-mounted solar energy systems.

D. Other similar uses approved by the Director, as provided by chapter 22 of this title.

SECTION 40: ESMC Subsections (F) through (T), inclusive, of § 15-15-5 (Parking area development standards) are amended as follows:

~~F. Tire Stops:~~

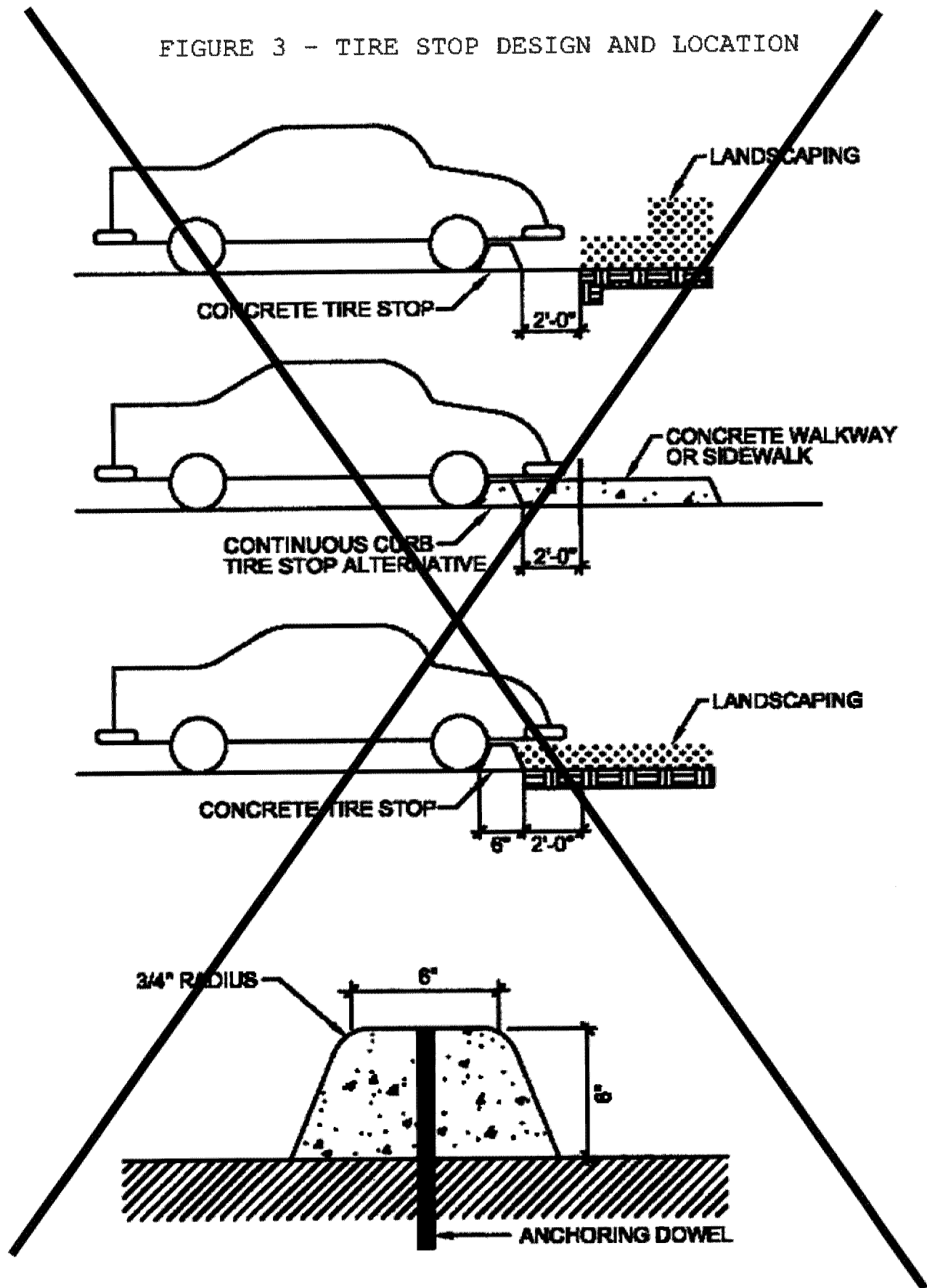
~~— 1. Location: Concrete tire stops must be provided in all parking lot areas abutting a building, structure, sidewalk, street, alley or other permanent feature such as a tree, bollard, utility box, or sign. Tire stops shall be located two feet from the front of a parking space.~~

~~— 2. Continuous Curb: A continuous concrete curb may be provided in lieu of a tire stop, provided the area within two feet of the curb face (overhang area) is not required for pedestrian or handicap access. The vehicle overhang area may be landscaped, however this landscaped area does not count toward the required vehicle use area landscaping.~~

~~— 3. Dimensions: Tire stops or curbs must be a minimum of six inches wide and six inches tall.~~

~~—FIGURE 3 TIRE STOP DESIGN AND LOCATION~~

FIGURE 3 - TIRE STOP DESIGN AND LOCATION



~~4. The Director may approve adjustments from the tire stop standards as provided in Chapters 22 and 23 of this title.~~

GF. Lighting:

1. Lights provided to illuminate any parking area or vehicle sales areas as permitted by this Code must be arranged so as to direct the light away from any premises upon which a residential dwelling unit is located.
2. Parking area light standards located within 50 feet of a property line must not exceed 25 feet in height.
3. The Director may approve adjustments from the lighting standards.

HG. Landscaping:

1. All new or substantially redesigned parking areas must provide landscaping as provided in chapter 2, "General Provisions", of this title.

H. Parking Space Dimensions:

1. Minimum Interior Dimensions:

| Space Type | Minimum Width | Minimum Length |
|--|-------------------------------|------------------------------|
| Commercial standard | 8.5 feet | 18 feet |
| Residential standard | 9 feet | 20 feet |
| Residential - narrow lots ¹ | 8.5 feet | 20 feet |
| Vehicle lift | 11 <u>8.5</u> feet | 21 <u>18</u> feet |
| Compact | 8.5 feet | 15 feet |
| Parallel | 8.5 feet | 24 feet |
| Accessible | See note 2 | See note 2 |
| Motorcycle | 5 feet | 9 feet |
| Bicycle ² | 2 feet | 5 feet |

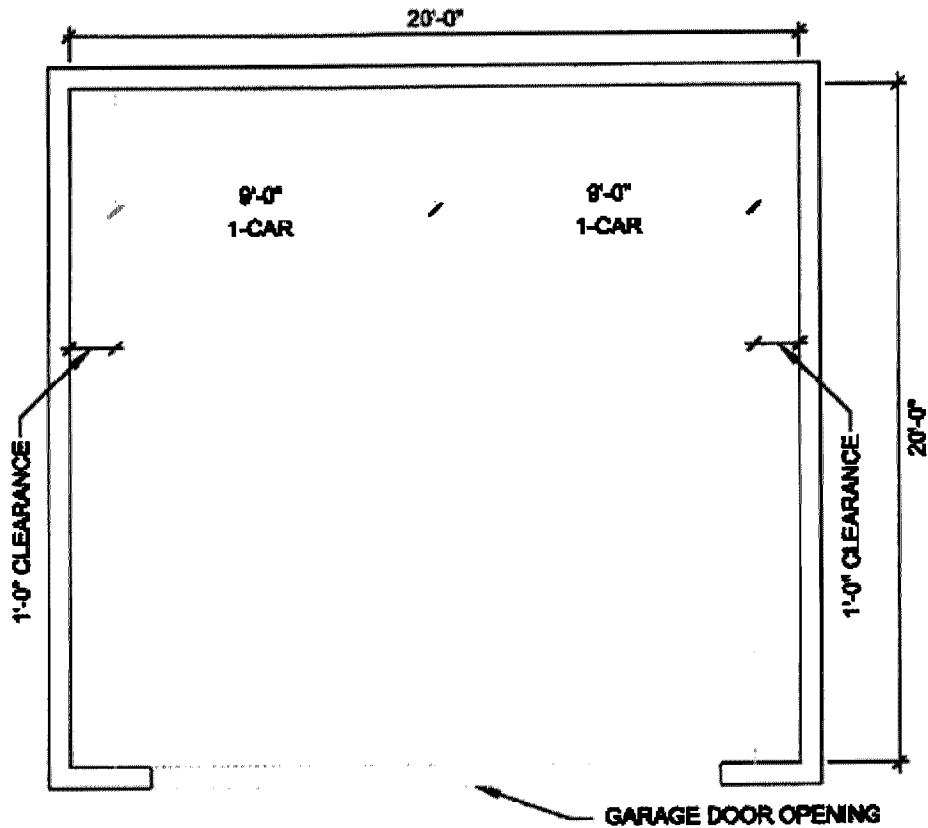
Notes:

1. Lots under 40 feet in width.
2. The dimensions of accessible parking spaces must comply with the Americans With Disabilities Act (ADA), title III and California Code of Regulations (CCR), California Access Code, title 24.
3. Each bicycle space must accommodate one 2-bicycle capacity rack.

2. Single-Family Dwellings:

- a. Two-car garages must have minimum interior dimensions of 20 feet by 20 feet, except for narrow lots as indicated below.

FIGURE 4 - SINGLE-FAMILY DWELLING GARAGE



b. Individual garages must not exceed 900 square feet in size or a four car capacity, whichever is less. Subterranean garages and semi-subterranean garages that meet the definition of a basement are exempt from this requirement.

3. The Director may approve adjustments to the parking space dimensions standards as provided in Chapters 22 and 23 of this title.

J. Compact Spaces: Compact parking is allowed for office, industrial, hotel, and recreational uses up to a maximum of 20 percent of required parking spaces. Parking provided in excess of the required number may be compact in size. Compact spaces cannot be allowed for retail uses.

K. Tandem Spaces: All tandem parking spaces, where allowed, must be clearly outlined on the surface of the parking facility.

TANDEM SPACES PERMITTED

| Use | Maximum Percentage of Required Spaces ³ | Maximum Percentage of Required Spaces in Smoky Hollow | Maximum Depth |
|------------------------------------|--|---|-----------------------|
| Single- and two-family residential | 100 | n/a | 2 spaces ¹ |

| | | | |
|-----------------------------|-------------------------|-----|----------|
| Multiple-family residential | Prohibited ² | n/a | n/a |
| Retail and services | Prohibited | 30 | 2 spaces |
| Industrial | 20 | 85 | 2 spaces |
| Offices | 20 | 85 | 2 spaces |
| Restaurants | Prohibited | 10 | 2 spaces |

Notes:

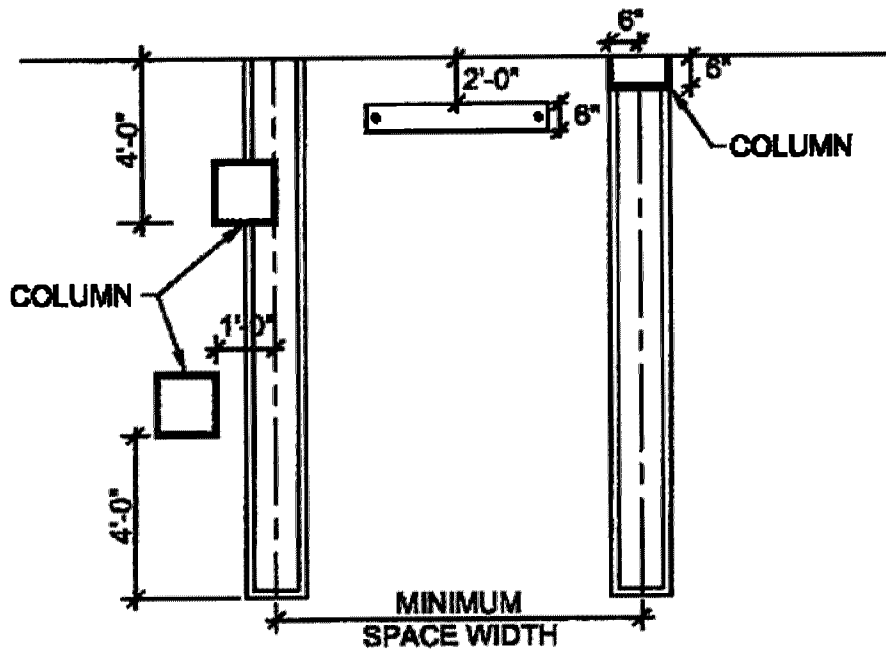
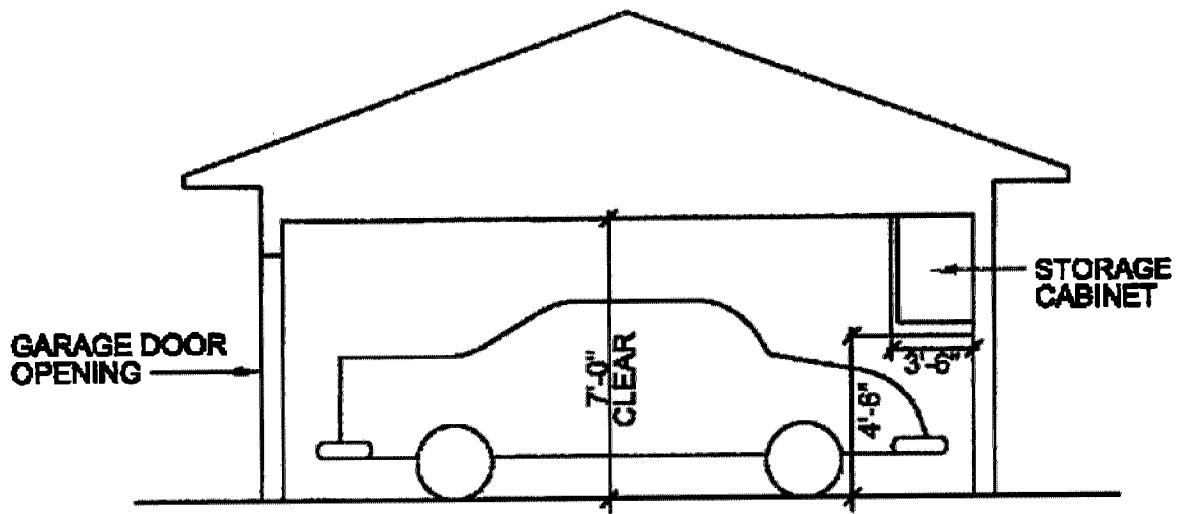
1. Tandem spaces for single- and two-family dwellings must be assigned to the same unit.
2. Tandem parking is permitted for multiple-family residential developments involving density bonuses, pursuant to Government Code section 65915.
3. Parking provided in excess of the required number may be tandem in configuration.

The Director may approve adjustments to the required number and standards for tandem parking spaces as provided in Chapters 22 and 23 of this title, subject to conditions. The conditions may include recording of a covenant agreement, requiring a parking attendant, requiring valet service, and other operational conditions. The Director may also approve tandem parking in excess of the above limits for permitted temporary uses and/or special events.

LK. Parking Clearance and Obstructions:

1. Vertical Clearance: The minimum vertical clearance for all parking areas must be seven feet.
 - a. Exceptions: Storage cabinets and other obstructions shall be permitted in an area above the front end of parking spaces that must be at least 4.5 feet above the ground and no more than 3.5 feet from the front end of the space.
2. Horizontal Clearance: Parking spaces located next to walls, columns, or similar obstructions must provide an additional one foot of clearance on the side of the obstruction.
 - a. Exceptions:
 - (1) Columns or similar obstructions are permitted in the one-foot clearance area four feet of the front and rear end of a parking space.
 - (2) Walls, columns, or similar obstructions may project six inches into the front end corners of a parking space.
 - (3) In existing parking facilities, standard parking spaces may be reduced in length by up to two feet to accommodate installation of electric vehicle charging stations.**
3. Disabled Access: Where necessary to comply with the Americans With Disabilities Act (ADA), title III and California Code of Regulations (CCR), California Access Code, title 24, parking facilities may deviate from the parking clearance and obstructions standards.

FIGURE 5 - REQUIRED CLEARANCE AND PERMITTED OBSTRUCTIONS



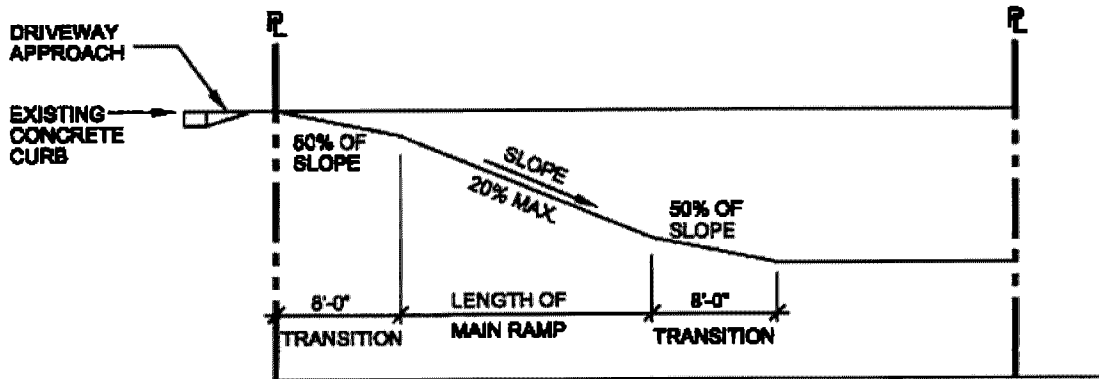
4. The Director of Planning and Building Safety may approve adjustments to the parking clearance and obstructions standards as provided in chapter 24, "Adjustments", Chapters 22 and 23 of this title.

ML. Vehicle Ramps:

| | |
|---------------------------|---|
| Maximum slope | 20 percent |
| Transitions slopes | Required at each end of ramps that exceed a 6 percent slope |
| Maximum transition length | 8 feet |
| Slope of transitions | 50 percent of the main ramp slope |

FIGURE 6 - VEHICLE RAMP DESIGN

FIGURE 6 - VEHICLE RAMP DESIGN



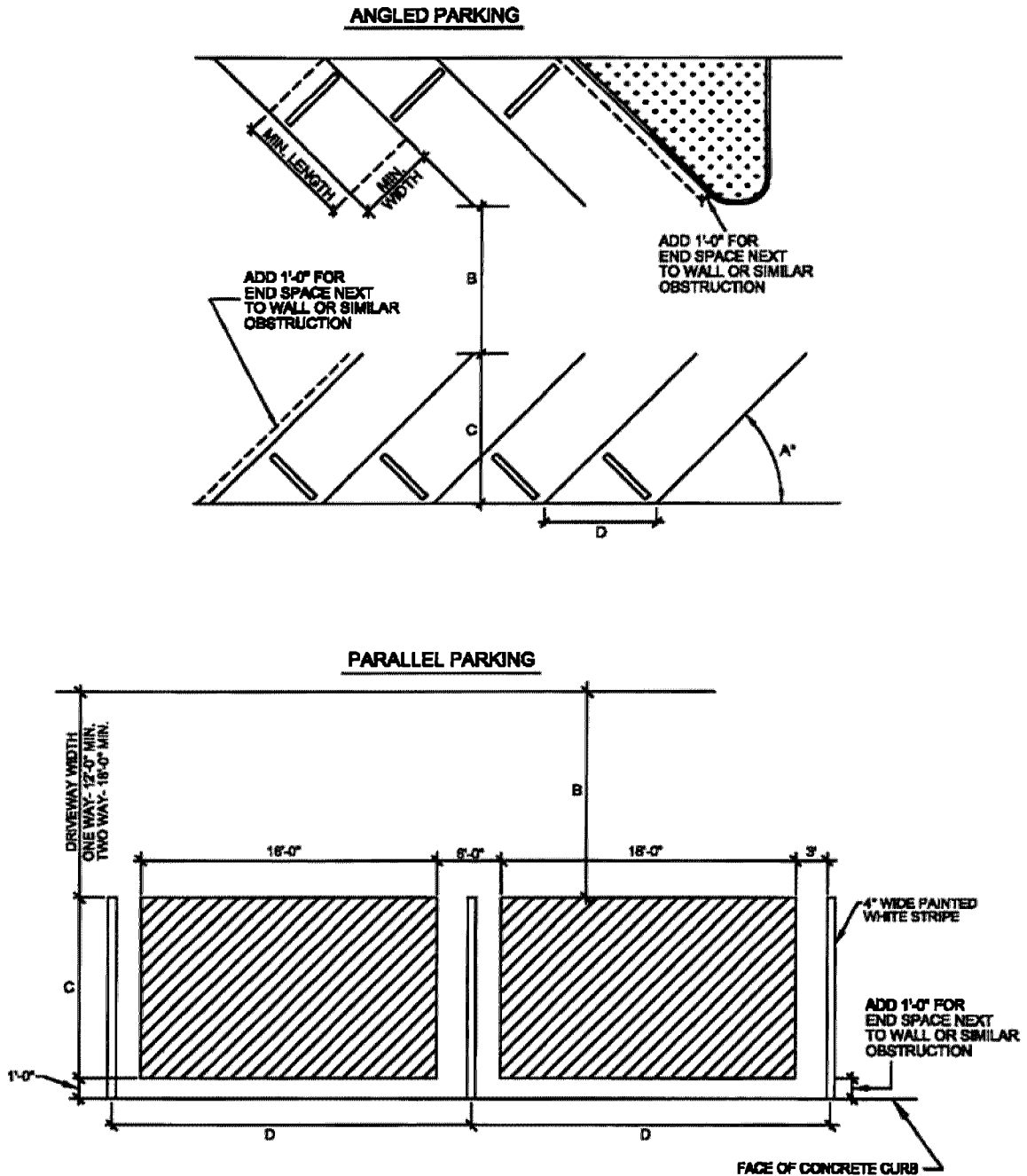
The Director may approve adjustments to the vehicle ramps standards as provided in Chapters 22 and 23 of this title.

NM. Drive Aisle Width and Parking Row Depth:

| Parking Angle | Aisle Width - One-Way | Aisle Width - Two-Way | Standard Space Depth | Compact Space Depth | Space Width |
|---------------|-----------------------|-----------------------|----------------------|---------------------|-------------|
| A | B | B | C | C | D |
| 0° - parallel | 12' | 18' | 8.5' | 8.5' | 24' |
| 30° | 12' | 18' | 16.36' | 14.86' | 17' |
| 45° | 15' | 18' | 18.74' | 16.62' | 12.02' |
| 60° | 16' | 18' | 19.84' | 17.24' | 9.82' |
| 90° | 25' | 25' | 18' | 15' | 8.5' |

FIGURE 7 - PARKING AISLE AND PARKING SPACE DIMENSIONS

FIGURE 7 - PARKING AISLE AND PARKING SPACE DIMENSIONS



1. For 90-degree parking, the parking aisle width can deviate from the above requirements based on the following table:

EXCEPTIONS FOR 90° PARKING ANGLE¹

| Parking Space Minimum Width (in feet) | Aisle Width (in feet) |
|---------------------------------------|-----------------------|
|---------------------------------------|-----------------------|

| | |
|-----|----|
| 8.5 | 25 |
| 9.0 | 24 |
| 9.5 | 23 |
| 10 | 22 |

Note:

1. The exceptions for 90-degree parking do not apply to garages for single- and two-family dwellings.
2. The Director may approve adjustments to the drive aisle width and parking space depth standards as provided in Chapters 22 and 23 of this title.

ON. Driveway and Curb Cuts: All curb cuts and driveways must lead directly to required parking. Curb cuts not leading to parking, must be removed whenever new buildings are constructed or additions are made to existing buildings. The location and design of all driveway entrances and exits must comply with the standards listed below. The goal of these standards is to: 1) preserve on street parking spaces, 2) improve traffic safety, and 3) improve on site vehicle circulation.

1. Driveway and Curb Cut Width:

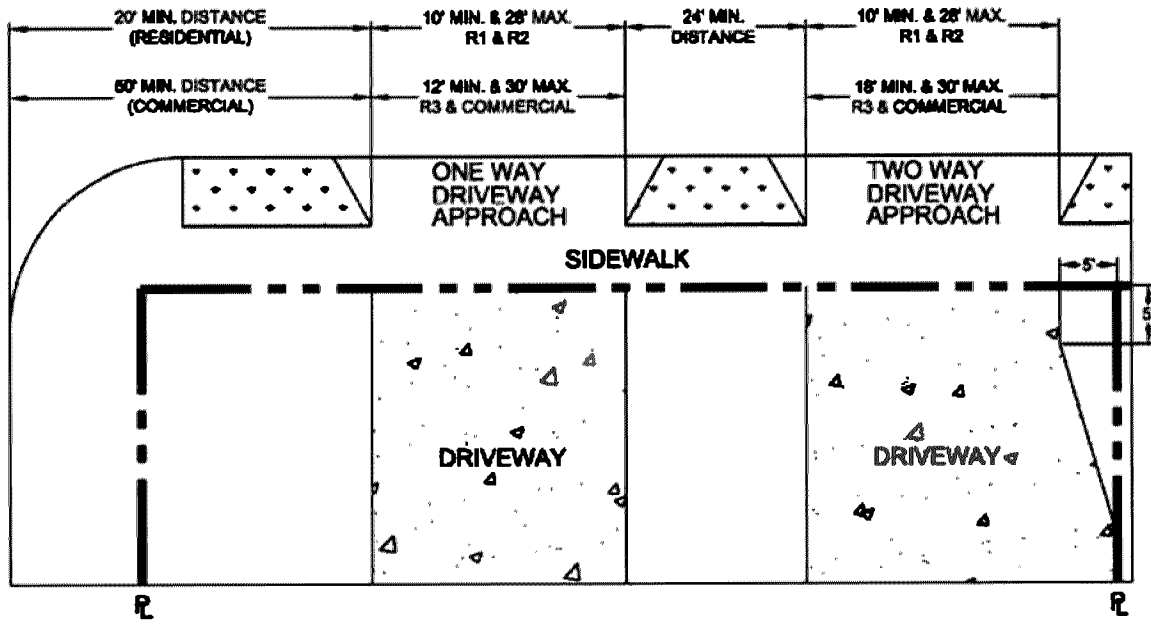
| Zone | Curb Cut Width (in feet) ¹ | | Driveway Width (in feet) | |
|---|---------------------------------------|---------|--------------------------|---------|
| | Minimum | Maximum | Minimum | Maximum |
| R-1 and R-2 - lots less than 50 feet wide | 10 | 20 | 10 | 20 |
| R-1 and R-2 - lots at least 50 feet wide | 10 | 25 | 10 | 28 |
| R-3 - serving 12 or fewer parking spaces or one-way | 12 | 30 | 12 | 30 |
| R-3 - serving 13 or more parking spaces or two-way | 18 | 30 | 18 | 30 |
| Nonresidential - one-way | 12 | 30 | 12 | 30 |
| Nonresidential - two-way | 18 | 30 | 18 | 30 |

Note:

1. Curb cut width excludes the width of aprons.
2. Curb Cut Locations:

| Zone | Minimum Distance Between Curb Cuts On The Same Property | Minimum Distance From Curb Cuts To Street Corners | Minimum Distance From Curb Cuts To Property Lines |
|----------------|---|---|---|
| Residential | 24 feet | 20 feet | 5 feet |
| Nonresidential | 24 feet | 50 feet | 5 feet |

FIGURE 8 - CURB CUT AND DRIVEWAY LOCATIONS



3. The Director may approve adjustments to the driveway and curb cut standards as provided in Chapters 22 and 23 of this title.

PO. Corner Clearance and Driveway Visibility: All parking areas must meet the corner clearance and driveway visibility standards as provided in chapter 2, “General Provisions”, of this title.

QP. Drive-Through Facilities:

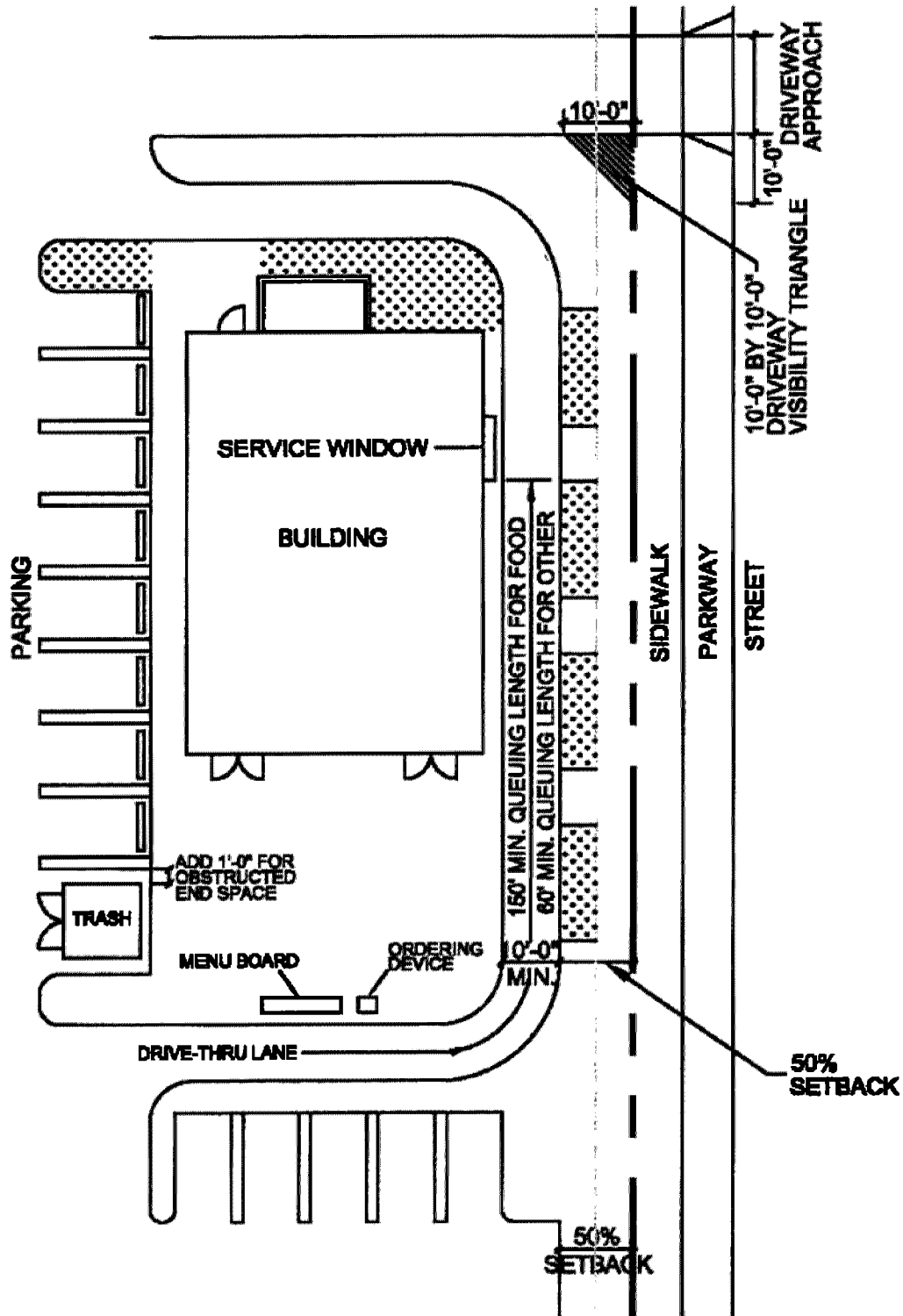
1. Drive-through lanes may encroach into required landscaped setbacks up to a maximum of 50 percent of the required setback area, provided a minimum landscaped setback of five feet is maintained.
2. Drive-through lanes must be located and designed in such a manner as to not interfere with on-site and off-site circulation. The location and design of the drive-through lane is subject to Director review and approval.

DRIVE-THROUGH LANE DIMENSIONS

| Use | Minimum Length (Continuous) | Minimum Width |
|------------------------------------|-----------------------------|---------------|
| Eating and drinking establishments | 150 feet | 10 feet |
| Banks, pharmacies, and cleaners | 60 feet | 10 feet |

FIGURE 9 - DRIVE-THROUGH FACILITIES

FIGURE 9 - DRIVE-THROUGH FACILITIES



3. The Director may require wider or longer drive-through lanes, subject to a queuing study.

- The Director may approve adjustments to the drive-through facilities standards as provided in Chapters 22 and 23 of this title.

RQ. Parking Structure Standards:

- The following setback requirements apply to all subterranean parking facilities:

| Zone | Projection Above Grade | Setback |
|----------------|---------------------------------|---|
| Residential | Completely subsurface | Must meet required front setback |
| | | No rear or side setback required |
| | No more than 3 feet above grade | Must meet required setbacks |
| | More than 3 feet above grade | Must meet required setbacks and must be screened from public view |
| Nonresidential | Completely subsurface | No setbacks required ¹ |
| | Above grade | Must meet required setbacks |

Note:

- The parking structure must be designed in such a manner as to maintain sufficient soil above for landscaping (ground cover, shrubs and trees) to grow above grade.
- The Director may approve adjustments to the parking structure standards as provided in Chapters 22 and 23 of this title.

SR. Special Residential Parking Provisions:

- Covered parking: All required parking spaces must be covered and enclosed in the following manner:

| Use | Minimum Parking Enclosure |
|----------------------------------|---------------------------------------|
| Single- and two-family dwellings | Fully enclosed garage |
| Multiple-family dwellings | Covered structure enclosed on 3 sides |
| Guest parking spaces | May be uncovered and unenclosed |

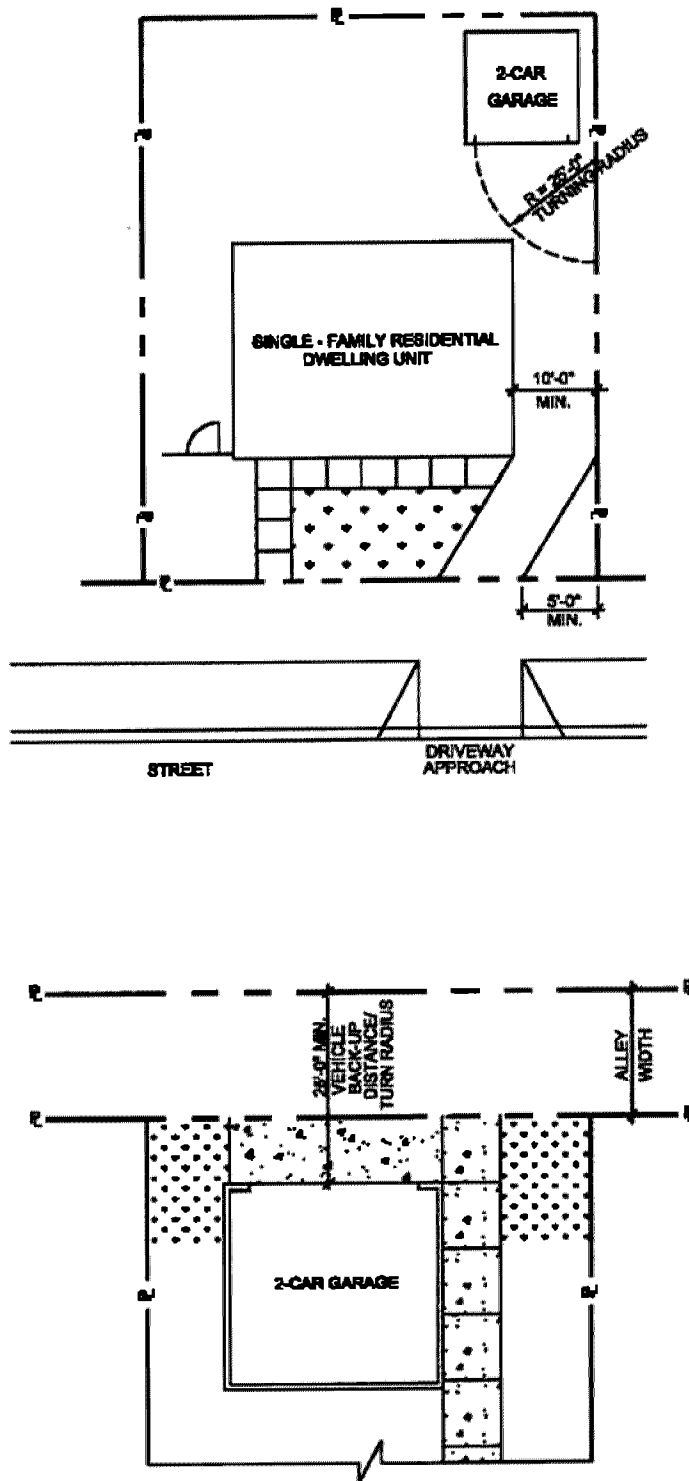
- Residential Garage Openings: All garages must meet the minimum and maximum widths listed below:

| Type Of Garage | Minimum Opening Width | Maximum Opening Width |
|-----------------------------|-----------------------|--|
| Single car | 8 feet | 14 feet |
| 2 Two car | 16 feet | 20 feet |
| Multiple-family residential | 16 feet | Equal to the drive aisle width it serves |

- Residential Turn Radius Requirements:
 - One or two car garages located behind a residence must provide a minimum turning radius of 25 feet.
 - Residential garages that take access directly from an alley may measure the required turn radius to the opposite side of the alley.

FIGURE 10 - RESIDENTIAL TURN RADIUS AND ALLEY ACCESS

FIGURE 10 - RESIDENTIAL TURN RADIUS AND ALLEY ACCESS



4. The Director may approve adjustments to the special residential parking provisions standards as provided in Chapters 22 and 23 of this title.

~~TS.~~ **Vehicle Lifts:** Vehicle lifts may be used by right to provide off street parking spaces on lots in the single-family residential (R-1) zone and the two-family residential (R-2) zone where the vehicle lifts provide parking in excess of the minimum number of required parking spaces subject to the standards in this section and in this chapter.

1. ~~A conditional use permit is required for vehicle lifts providing required off street parking spaces on lots in the R-1 and R-2 zones subject to the following:~~
 - a. ~~The vehicle lift must be located only within a fully enclosed garage.~~
 - b. ~~A vehicle lift may only be used to store two vehicles vertically where a minimum vertical height clearance from the floor to the ceiling plate of the garage is a minimum of 14 feet clear of obstructions.~~
 - c. ~~A vehicle lift must be designed and used as a designated parking space for use only by occupants in the same dwelling unit as the parking space located directly below the vehicle lift.~~
 - d. ~~A vehicle lift must be permitted only if it is operated with an automatic shutoff safety device, and is installed in accordance~~**according** ~~to manufacturer specifications, and is operable at all times.~~
 2. ~~In the R-2 zone, vehicle lifts for required off street parking are subject to the following additional requirements:~~
 - a. ~~The vehicle lift must be used only on a lot less than 45 feet in width.~~
 - b. ~~A vehicle lift must only be used to meet the minimum number of required off street parking spaces in addition to a minimum of two fully accessible parking stalls located on the floor surface within a garage or garages.~~
- 2. In nonresidential zones, vehicle lifts are permitted as tandem spaces, subject to the limitations in ESMC § 15-15-5(K), and may store up to two vehicles vertically.**

SECTION 41: Subsection (A) of § 15-15-6 (Automobile spaces required) is amended as follows:

A. Automobile Spaces Required

| Use | Number Of Parking Spaces Required |
|--|--|
| Use | Number Of Parking Spaces Required |
| Commercial: | |
| | * * * |
| <u>Motion picture/television studio/sound stages (indoor)</u> | <u>1 space for each 500 square feet for the first 25,000 square feet</u> <u>1 space for each 1,000 square feet for the area in excess of 25,000 square feet</u> |
| | * * * |
| Group care: | |
| Daycare (adult and children) | 1 for every 7 adults/children, plus 1 space for each employee and faculty member |

| | |
|---------------------------|--|
| <u>Daycare (children)</u> | <u>1 space for each 1 classroom, plus 1 space for each employee and faculty member</u> |
| * * * | |

SECTION 42: Subsection (B) of § 15-15-6 (Bicycle spaces required) is amended as follows:

B. Bicycle Spaces Required:

| Use | Number Of Bicycle Spaces Required |
|--|--|
| Single-family and two-family dwellings | None |
| Multiple-family residential | 10 percent of the required vehicle parking spaces for projects with 6 or more units |
| Nonresidential | A minimum of 4 spaces for buildings up to 15,000 square feet, plus a minimum of 5 Five percent of the required vehicle spaces for the portion above 15,000 square feet. <u>with a minimum of 4 spaces and a Maximum maximum of 25 spaces</u> |

The Director may approve adjustments to reduce the requirement for bicycle spaces.

SECTION 43: Subsection (A) of ESMC § 15-18-5 regarding Master Sign Programs is amended as follows:

15-18-5: MASTER SIGN PROGRAMS, APPLICATIONS, AND PERMITS:

A. Master Sign Programs: Multi-tenant developments of three (~~3~~) or more commercial tenants require an approved Master Sign Program by the Director or their designee. No permit may be issued for an individual sign requiring a building permit until a required Master Sign Program is approved. A Master Sign Program is not required for a development, lot, or business that has less than three (~~3~~) tenants.

1. ~~Application For Master Sign Program:~~ An application for the Master Sign Program must include:

- a. Accurate plot plan of the lot;
- b. Location of buildings, parking lots, driveways, and landscaped areas;
- c. Computation of the maximum sign area allowed, maximum area allowed for individual signs, height and number of signs, and total building wall area on which signs are proposed;
- d. Proposed location of each sign, present and future, whether requiring a permit or not, shown on both the plot plan and elevations;
- e. On site signs including, but not limited to, building marker signs, directional signs, identification signs and onsite signs used for either ingress or egress,

- identification of facilities or similar features must be submitted as a part of a Master Sign Program;
- f. Optional consistency standards among all signs on the lots affected by the program with regard to:
 - (1) Color scheme;
 - (2) Lettering or graphic style;
 - (3) Lighting;
 - (4) Material; and/or
 - (5) Sign dimensions;
 - g. Payment of the applicable fees established by the City Council.
2. Window Signs: A Master Sign Program may indicate the areas and general types of window signs without specifying the exact dimension or nature of every window sign.
 3. Consent: Master Sign Programs must be signed by the property owner or their authorized agent.
 4. Review Procedure: ~~Within ten (10) working days of~~ **Director decisions on Master Sign Programs shall be ministerial. After** receiving a complete Master Sign Program application, the Director **or designee** must either;
 - a. Approve the proposed program if it conforms with the provisions of this chapter; or
 - b. Deny the proposed program if it fails to conform with the provisions of this chapter. In cases of a denial, the Director will specify in writing the sections of this chapter with which the program is inconsistent. The Director's determination may be appealed pursuant to chapter **2529** of this title.
 5. Modifications: Any new sign locations or the increased size of signs require an application for an amended Master Sign Program that conforms to all requirements of this chapter. Minor changes to signs including, but not limited to, color scheme, material, sign dimensions, location on building face, ~~at the discretion of the Director~~ do not require an amended Master Sign Program.

SECTION 44: ESMC Chapter 15-30 (Enforcement; Penalty) is amended as follows:

**Chapter 30
ENFORCEMENT; PENALTY**

15-30-1: AUTHORITY TO INSPECT
15-30-2: VIOLATIONS; PENALTIES

15-30-1: AUTHORITY TO INSPECT

Whenever necessary to make any inspection to enforce any of the provisions of this Title, the Director ~~of Community, Economic and Development Services~~ or an authorized representative of the Director, is authorized to enter any property, premises, or building at all reasonable times. If such property, premises, or building is occupied, the Director or his/her representative shall first present proper credentials and request entry; and if such building or premises is unoccupied, a reasonable effort shall be made to locate the owner

or other persons having charge or control of the property, premises, or building to request entry. If entry is refused, the Director of Community, Economic and Development Services or his or her authorized representative may seek an administrative inspection warrant and shall have recourse to every remedy provided by law to secure entry.

15-30-2: VIOLATIONS; PENALTIES

A. ~~Failure To Comply With Provisions~~ **to comply with provisions**: It shall be unlawful for any person to violate any provisions of this Title or fail to comply with any requirements of this Title. It shall further be unlawful for any person to operate, erect, move, alter, enlarge or maintain any use which is contrary to the provisions of any permit, approval, or condition of approval obtained pursuant to this Title. A violation or failure to comply with any of the provisions of this Title, or any permits, approvals or conditions of approval issued pursuant to this Title shall constitute an infraction; except that any such violation may, at the discretion of the City, be charged and prosecuted as a misdemeanor.

B. ~~Penalty, Infraction~~ **infraction**: Any person violating provisions of this Title may be deemed guilty on an infraction and, upon conviction thereof, shall be punishable by a fine as set forth in Section 1-2-1 of this Code.

C. ~~Penalty, Misdemeanor~~ **misdemeanor**: Any person violating provisions of this Title may be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punishable as provided in Section 1-2-1 of this Code.

D. ~~Each Day A Separate Offense~~ **day a separate offense**: Each person found guilty of a violation shall be deemed guilty of a separate offense for every day during any portion of which any violation of any provision of this Title is committed, continued or permitted by such person and shall be punishable therefor as provided for in subsection C of this Section. Any use, occupation or building or structure maintained contrary to the provisions hereof shall constitute a public nuisance.

SECTION 45: ESMC §§ 15-31-3 through 15-31-6, inclusive, of ESMC Chapter 15-31 (Right of way Dedications and Improvements) are amended as follows:

15-31-3: DEDICATION

A. **Dedication:** Unless otherwise provided, any development requiring an environmental assessment located on a lot abutting public rights of way, must dedicate a portion of that lot to widen the public rights of way in accordance with the standards in exhibit C-8 of the general plan circulation element. Property dedications must be noted on building plans before the city issues a building permit and the dedications must be made before the city approves a final inspection for a building permit or issues a certificate of occupancy for a proposed project. The director is authorized to substitute an irrevocable offer to dedicate or to substitute a combination of a dedication and an irrevocable offer to dedicate for public rights of way in compliance with the standards in exhibit C-8 of the general plan circulation element and subject to section 15-24A-4 of this chapter.

B. Width: Table 1 of this section, is based on exhibit C-8 of the general plan circulation element and establishes the standard right of way widths for the various classifications for public rights of way. The right of way dedication on an individual lot is that portion of private property necessary to provide one-half (1/2) of the required standard width, measured from the centerline of the street.

TABLE 1

| Right Of Way Classification | Minimum Width (Feet) |
|-----------------------------|--|
| Major arterial | 142 - 150 (varies based on lane configuration) |
| Secondary arterial | 98 - 120 (varies based on lane configuration) |
| Collector (divided) | 80 |
| Collector | 64 |
| Local: | |
| Commercial | 60 - 64 (varies based on lane configuration) |
| Residential | 60 |
| Alley | 20 |

1. Greater Widths: Greater widths may be required as by the director of public works or designee conditions of subdivision maps, site plan review, conditional use permits or standards variances.
2. Reduced Widths: The required standard width may be reduced at specific locations on specific streets due to unusual conditions, as authorized by the director of public works or designee.

C. ~~Effect On Required Yard Areas And Building Area~~ **on required yard areas and building area ratios**: All required yard areas, lot coverage and floor area ratio calculations must be measured after the dedication or reservation. If the director of public works requires an irrevocable offer to dedicate, the required yard areas, lot coverage and floor area ratio calculations may be measured not including the area of dedication or reservation.

15-31-4: IMPROVEMENTS

A. Applicability: Before the city approves a final inspection for a building permit or issues a certificate of occupancy for any development or change of use, a property owner must make all required improvements and repairs to abutting public rights of way. The improvements and repairs must extend along the width and depth of the property and for a reasonable distance beyond the property as is necessary to complete the improvement or repair. Existing improvements that are damaged and that may have been damaged during construction of the building must also be repaired.

B. Required Improvements **improvements**: All Development: Development or a change of use is required to provide the following right of way improvements that the director determines to be required and applicable:

1. ~~Sidewalk/Wheelchair Ramps And Parkway~~**wheelchair ramps and parkway:** Construction or repair of a sidewalk/wheelchair ramp and parkway adjoining the site. The sidewalk/wheelchair ramp must have a minimum clear width of five feet (5') and a parkway, or six feet (6') if the sidewalk adjoins the curb.
2. ~~Curb And Gutter~~**and gutter:** Construction or repair of curbs and gutters adjoining the site. All unused curb cuts must be replaced with a full height curb and gutter.
3. ~~Parkway Trees~~**trees:** Any missing or damaged parkway trees must be replaced with a minimum ~~twenty four inch (24")~~**24-inch** size box tree in accordance with title 9, chapter 3 of this code and administrative policies and procedures promulgated by the city manager.
4. ~~Alley Paving~~**paving:** Construction, replacement, repair or extension of alley paving up to standard width. The alley must be paved the length of the site. If vehicle access is taken from the alley, the director may also require that the alley be paved to a point where the alley intersects a paved public right of way, and curb returns must be relocated as necessary.
5. ~~Roadway Paving~~**paving:** Repair or replacement of roadway paving to standard street width as required in exhibit C-8 of the general plan circulation element.

C. ~~Required Improvements~~**improvements;** ~~New Development Requiring an Environmental Assessment~~**new development requiring an environmental assessment:** In addition to the improvements required by this section for development, the following right of way improvements must be provided:

1. ~~Alley Lighting~~**lighting:** Construct or install on site alley lighting.
2. ~~Roadway Paving~~**paving:** Construction or extension of roadway paving to standard street width as required in exhibit C-8 of the general plan circulation element.
3. ~~Traffic Signals And Street Signs~~**signals and street signs:** Provide a prorated share of the cost of all roadway signal and street sign modifications attributable or partly attributable to the development.
4. ~~Streetlights:~~ Install or relocate streetlights. This may include widening the right of way as necessary.
5. ~~Utilities Relocation~~**relocation:** Relocate utilities as necessary to provide for the improvements set forth above.

D. Standards: All improvements within public rights of way must be installed in conformance with the specifications on file with the city engineer's office.

15-31-5: RELIEF FROM REQUIREMENTS:

The director may waive requirements of this chapter if the director determines that such improvements are unnecessary for a public purpose or that the cost of the improvement is proportionally excessive when compared to the scale of the project or the demand generated by the project subject to the findings set forth below. The determination of the director may be appealed to the planning commission in accordance with chapter ~~25~~9 of this title.

A. ~~Proposed Waiver~~**waiver:** To waive the need for improvements and dedications otherwise required by this chapter, the director must find upon substantial evidence that:

1. The proposed waiver maintains the minimum roadway width necessary for emergency vehicle access as determined by the fire chief;
2. The proposed waiver maintains the minimum roadway width and lane widths deemed necessary for safe two-directional vehicular passage. The minimum lane width cannot be less than ~~ten feet (10')~~ **10 feet** in width for a travel lane and eight feet (8') in width for a parking lane;
3. The proposed waiver will maintain the necessary roadway width for the traffic volumes projected during the general plan buildout as determined by the director of planning and building safety unless the director determines that the dedication or irrevocable offer to dedicate will require the removal of all or a portion of an existing building;
4. The proposed waiver complies with any requirements of state and federal regulations, including, without limitation, disabled access requirements for public sidewalks;
5. The proposed waiver would not be detrimental to the neighborhood or district in which the property is located;
6. That the proposed waiver is necessary in order that the applicant is not unreasonably deprived the use or enjoyment of his property; and
7. The proposed waiver is consistent with the legislative intent of this title.

B. Conditions: If the director grants a waiver, the director may impose such conditions necessary to safeguard public health, safety, and welfare. In all instances the director must impose the following conditions:

1. Establish a term during which the irrevocable offer to dedicate is effective.
2. The waiver does not become effective for ~~ten (10)~~ days from when it is granted or, if an appeal is filed, there is a final determination.
3. The waiver becomes null and void if it is unused for ~~one hundred eighty (180)~~ days from its effective date.

15-31-6: NOTIFICATION:

A. Copies of the findings and decision of the director must be mailed to the applicant and all ~~persons~~ **property owners** within ~~three hundred feet (300')~~ **300 feet and occupants within 150 feet** of the proposed project site.

SECTION 46: ESMC § 15-32-9 regarding Development Impact Fee Refunds is amended as follows:

15-32-9: REFUNDS

A. Except as described in this section, upon application of the property owner, the city must refund that portion of any impact fee which has been on deposit over five (5) years and which is unexpended and uncommitted. The refund will be made to the then current owner or owners of lots or units of the development project or projects, provided that the then current owner submits an application for a refund to the city within ~~one hundred eighty (180)~~ days before the five (5) year period expires. **The Community Development Director, the Public Works Director, or their designee must review and approve refund applications.**

B. If fees in any impact fee account are unexpended or uncommitted, starting with the fifth fiscal year after the first deposit into the account or fund, and every subsequent five ~~(5)~~ years, the city council must make the findings required by Government Code section 66001(d) for maintaining funds on deposit. If the council makes such findings, the fees are exempt from the refund requirement.

C. The city may issue refunds through direct payment; offsetting the refund against other impact fees due for development projects by the owner on the same or other property; or otherwise by agreement with the owner. If the costs of refunding the impact fees would exceed the amount refunded, the city may instead comply with Government Code section 66001(f).

SECTION 47: *Construction.* This Ordinance must be broadly construed to achieve the purposes stated in this Ordinance. It is the City Council's intent that the provisions of this Ordinance be interpreted or implemented by the City and others in a manner that facilitates the purposes set forth in this Ordinance.

SECTION 48: *Enforceability.* Repeal of any provision of the ESMC does not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before this Ordinance's effective date. Any such repealed part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Ordinance.

SECTION 49: *Validity of Previous Code Sections.* If this entire Ordinance or its application is deemed invalid by a court of competent jurisdiction, any repeal or amendment of the ESMC or other city ordinance by this Ordinance will be rendered void and cause such previous ESMC provision or other the city ordinance to remain in full force and effect for all purposes.

SECTION 50: *Severability.* If any part of this Ordinance or its application is deemed invalid by a court of competent jurisdiction, the City Council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Ordinance are severable.

SECTION 51: *Recordation.* The City Clerk, or designee, is directed to certify the passage and adoption of this Ordinance; cause it to be entered into the City of El Segundo's book of original ordinances; make a note of the passage and adoption in the records of this meeting; and, within 15 days after the passage and adoption of this Ordinance, cause it to be published or posted in accordance with California law.

SECTION 52: This Ordinance will go into effect and be in full force and effect 30 days after its passage and adoption.

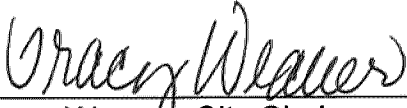
PASSED AND ADOPTED this 6th day of June, 2023.



Drew Boyles, Mayor

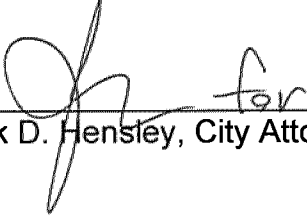
By Direction

ATTEST:



Tracy Weaver, City Clerk

APPROVED AS TO FORM:



Mark D. Hensley, City Attorney


CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF EL SEGUNDO)

I, Tracy Weaver, City Clerk of the City of El Segundo, California, do hereby certify that the whole number of members of the City Council of said City is five; that the foregoing Ordinance No. 1648 was duly introduced by said City Council at a regular meeting held on the 16th day of May, 2023, and was duly passed, and adopted by said City Council, approved and signed by the Mayor Pro Tem, and attested to by the City Clerk, all at a regular meeting of said Council held on the 6th day of June, 2023, and the same was so passed and adopted by the following vote:

- AYES: Mayor Pro Tem Pimentel, Council Member Pirsztuk, Council Member Giroux and Council Member Baldino
- NOES: None
- ABSENT: Mayor Boyles
- ABSTAIN: None

WITNESS MY HAND THE OFFICIAL SEAL OF SAID CITY this 6th day of June, 2023.



Tracy Weaver, City Clerk
of the City of El Segundo,
California