CITY OF COVINA CALIFORNIA

Zoning Code

C.M.C Title 17 (2026)



Adopted Date: October 6, 2026
Ordinance No. 26-05
Ordinance No. 26-07 (ADU)

Effective Date: November 20, 2026

Public Meeting and Hearing Dates

Planning Commission Study Sessions and Community Workshops

May 13, 2025 | **June 10, 2025** | **July 22, 2025**

December 9, 2025 | **February 24, 2026** | **March 10, 2026**

City Council Study Session

July 21, 2026

Planning Commission Public Hearing

August 25, 2026

City Council Public Hearing (First Reading)

September 15, 2026

City Council Adoption (Second Reading and Adoption of Ordinance)

October 20, 2026

Title 17 ZONING
Table of Contents

17.02 General Provisions and Administration

17.02.010 Title and Relationship to General Plan
17.02.020 Purpose and Intent
17.02.030 Severability
17.02.040 Administrative Responsibility/Authorities
17.02.050 Rules and Interpretations
17.02.060 General Application, Review Process, and Procedures
17.02.070 Public Hearing and Noticing Requirements
17.02.080 Approval Authority
17.02.090 Appeals
17.02.100 Designation of Zones, Sphere of Influence, and Zone Boundaries
17.02.110 Zoning Map
17.02.120 Compliance and Penalties

17.04 Land Use Entitlements, Permits and Planning Applications

17.04.010 Land Use, Zoning Map and Text Amendments
17.04.020 Administrative Use Permits
17.04.030 Conditional Use Permits
17.04.040 Site Plan Review
17.04.050 Variances and Minor Deviations
17.04.060 Existing Lots
17.04.070 Use Determination
17.04.080 Nonconforming Structures, Uses and Parcels

17.06 Single-Family Residential Zones

17.06.010 Purpose and Intent
17.06.020 Classification of Zones and Density
17.06.030 Permitted Uses and Conditionally Permitted Uses
17.06.040 Property Development Standards
17.06.050 General Site Development Standards
17.06.060 Allowed Projections above Building Height Limit
17.06.060 Projections into the Required Setbacks/Yards, Equipment, and Pools
17.06.070 Allowable Projections above Height Limit
17.06.080 Slopes and Hillside Standards
17.06.090 Keeping of Animals
17.06.100 Design Guidelines
17.06.110 Applications, Submittal Requirements, Review Process, Approval and Appeal Procedures

17.08 Multi-Family Residential Zones

17.08.010 Purpose and Intent
17.08.020 Classification of Zones and Density
17.08.030 Permitted and Conditionally Permitted uses
17.08.040 Property Development Standards

17.08.050 Additions to Existing Buildings
17.08.060 Building Height Exceptions, Permitted Projections above Limit
17.08.070 Small Lot Single-Family Development
17.08.080 Multi-family Residential Supplemental Regulations
17.08.090 Building Types with Specific Building Design and Architectural Standards
17.08.100 Condominium Conversions
17.08.110 Performance Standards
17.08.120 Applications, Submittal Requirements, Review Process, Approval and Appeal Procedures
17.08.130 Findings and Conditions

17.10 Commercial Zones
17.10.010 Purpose and Intent
17.10.020 Classification of Zones
17.10.030 Permitted Uses and Conditionally Permitted Uses
17.10.040 Property Development Standards
17.10.050 General Site Development Standards
17.10.060 Permitted Projections above Building Height Limit
17.10.070 Design Guidelines
17.10.080 Landscaping Requirements
17.10.090 Parking, Access, and Loading Requirements.
17.10.100 Applications, Submittal Requirements, Review Process, Approval and Appeal Procedures

17.12 Industrial Zone
17.12.010 Purpose
17.12.020 Permitted Uses and Conditionally Permitted Uses
17.12.030 Property Development Standards
17.12.040 General Site Development Standards
17.12.050 Permitted Projections above Building Height Limit
17.12.060 Design Guidelines
17.12.070 Landscape Requirements
17.12.080 Parking, Access, and Loading Requirements
17.12.090 Applications, Submittal Requirements, Review Process, Approval and Appeal Procedures

17.14 Specific Plans, Planned Community Development Districts, and Open Space Zones
17.14.010 Specific Plans
17.14.020 Planned Community Development Districts.
17.14.030 Open Space Zones

17.16 Mixed-Use Overlay District
17.16.010 Intent, Purpose, and Applicability
17.16.020 Definitions
17.16.030 Permitted and Conditional Uses
17.16.040 Accessory Uses

17.16.050 Uses Not Listed
17.16.060 Property Development Standards and Special Development Regulations
17.16.070 Statement of Intent for the Objective Design and Architectural Standards
17.16.080 Objective Design and Architectural Standards
17.16.090 Submittal Requirements and Applications
17.16.100 Applications, Submittal Requirements, Review Process, Approval and Appeal Procedures

17.18 Affordable Housing Mixed-Use Overlay District (AHMUOD)
17.18.010 Intent, Purpose, Applicability
17.18.020 Definitions
17.18.030 Mixed-Use Projects
17.18.040 Stand-Alone Residential Projects
17.18.050 By Right Approval Process for AHMUOD.

17.20 Special Housing Regulations
17.20.010 Purpose
17.20.020 Residential Density Bonus
17.20.030 Emergency Shelter Overlay District
17.20.040 Low Barrier Navigation Centers
17.20.050 Reasonable Accommodation
17.20.060 Two-Unit Residential Developments and Urban Lot Splits in Single-Family Zones
17.20.070 Supportive and Transitional Housing
17.20.080 Accessory Dwelling Units and Junior Accessory Dwelling Units

17.22 General Development Standards
17.22.010 Accessory Structures
17.22.020 Conversion of Residential Building
17.22.030 Congestion Demand Management and Transportation Demand Management
17.22.040 Equipment and Trash Enclosure Screening
17.22.050 Historic Preservation
17.22.060 Landscaping Requirements
17.22.070 Measurements
17.22.080 Outdoor storage
17.22.090 Parking and Loading
17.22.100 Performance Standards
17.22.110 Property Maintenance
17.22.120 Public Improvement Standards
17.22.130 Synthetic (artificial) Turf (Reserved)
17.22.140 Street Naming and Addressing
17.22.150 Tree Preservation
17.22.160 Walls, Fences, and Screening
17.22.170 Water-Efficient Landscape Regulations

17.24 Specific Use Regulations

17.24.010 Adult-Oriented Business
17.24.020 Alcohol Sales and Public Convenience or Necessity
17.24.030 Automobile Service Stations
17.24.040 Battery Energy Storage System Facilities
17.24.050 Body Art Facilities
17.24.060 Cannabis Regulations and Prohibitions
17.24.070 Drive-Through Facilities
17.24.080 Drive-up Kiosks
17.24.090 Drop-Off Bins
17.24.100 Gated Community Design Regulations
17.24.110 Hotels and Motels
17.24.120 In-Home Businesses and Cottage Food Operations
17.24.130 Massage Facilities
17.24.140 Mobile Food Truck Facilities
17.24.150 Model Home Sales Office
17.24.160 Outdoor Advertising Structure
17.24.170 Outdoor Dining and Display Within Public Right-of-Way
17.24.180 Public Storage Facilities
17.24.190 Recycling Collection Facilities
17.24.200 R-TP Residential Zone (Trailer and Mobile Home Parks)
17.24.210 Short Term Rentals (Reserved)
17.24.220 Smoke Shop and Tobacco Stores
17.24.230 Temporary Uses
17.24.240 Vehicle Impound Yards
17.24.250 Wireless Communication Facilities

17.26 Sign Regulations
17.26.010 Intent and Purpose
17.26.020 Definitions
17.26.030 Applicability and General Provisions
17.26.040 Permits, Review Process and Procedures, Approval and Appeal
17.26.050 General Requirements and Design Standards for all Signs
17.26.060 Signs for Residential Zones
17.26.070 Signs For Commercial and Industrial Zones
17.26.080 Painted Signs and Murals
17.26.190 Exempt Signs
17.26.100 Prohibited Signs
17.26.110 Temporary Signs
17.26.120 Nonconforming Signs
17.26.130 Enforcement and Violations

17.28 Glossary
17.28.010 Purpose
17.28.020 Universal Definitions

Chapter 17.02
General Provisions and Administration

Sections

17.02.010 Title and Relationship to General Plan
17.02.020 Purpose and Intent
17.02.030 Severability
17.02.040 Administrative Responsibility/Authorities
17.02.050 Rules and Interpretations
17.02.060 General Application, Review Process, and Procedures
17.02.070 Public Hearing and Noticing Requirements
17.02.080 Approval Authority
17.02.090 Appeals
17.02.100 Designation of Zones, Sphere of Influence, and Zone Boundaries
17.02.110 Zoning Map
17.02.120 Compliance and Penalties

17.02.010 Title and Relationship to General Plan.

A. Title.

The ordinance codified in this Title shall be known as the “comprehensive Zoning Code of the City.” The provisions of this Zoning Code (Code) supersede all prior ordinances codified in Title 17 of the Covina Municipal Code and any amendments. No provisions of this Code shall validate any land use or structure established, constructed, or maintained in violation of the prior Code, unless this Code specifically authorizes such validation and is in conformance with all other regulations.

B. Relationship to General Plan.

The Code implements the goals and policies of the Covina General Plan by regulating land use and structures within the City. This Code shall be consistent with the General Plan. Any permit, license, or approval issued under this Code must be consistent with the General Plan and all applicable Specific Plans. In any case where there is a conflict between this Code and the General Plan, the General Plan shall control.

17.02.020 Purpose and Intent.

The Code establishes the standards and guidelines for the City to protect and promote the public health, safety, comfort, convenience, welfare, and to:

A. Implement the goals and objectives of the General Plan and guide and manage the City's future growth in accordance with the General Plan.

B. Protect the physical, social, and economic stability of residential, commercial, industrial, and other land uses within the City to ensure their orderly and beneficial development.

C. Reduce hazards to the public caused by the inappropriate location, use, or design of buildings and other improvements.

D. Attain the physical, social, and economic benefits resulting from comprehensive and orderly land use and resource planning.

17.02.030 Severability.

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

17.02.040 Administrative Responsibility/Authorities.

Government Code § 65100 requires each jurisdiction to establish a planning agency to carry out its land use and planning functions. This section aims to establish and describe the administrative responsibilities of City officials and bodies (e.g., City Council, Planning Commission, Director of Community Development) for carrying out the City's land use and planning functions.

A. City Council.

The City Council is the legislative body of the City and shall have the following land use responsibilities:

1. Hear and decide applications for permits and entitlements as listed in Table 17.02.070-A.

2. Hear and decide appeals of Planning Commission decisions.

3. Initiate planning policy amendments and special studies as needed or desired.

4. Approve environmental documents related to legislative actions under the California Environmental Quality Act (CEQA).

5. Exercise other powers and duties prescribed by state law or local ordinance.

B. Planning Commission.

The Planning Commission shall have the following land use responsibilities:

1. Hear and decide applications for entitlements as provided in Table 17.02.070-A.

2. Hear and decide appeals from decisions made by the Director of Community Development.

3. Hear and make recommendations to the City Council on applications for Zoning Code amendment, zone change, General Plan amendment, Specific Plan amendment, and other land use entitlements and related planning studies.

4. Hear and make recommendations to the City Council on environmental determinations for legislative land use applications and entitlements that are subject to environmental review under the California Environmental Quality Act (CEQA).

5. Perform other powers and responsibilities as prescribed by state law and local ordinance or as directed by the City Council.

C. Historic Preservation Commission.

Planning Commission members serve as the City's Historic Preservation Commission. Their responsibilities include making recommendations to the City Council on determining which buildings and/or sites are historic, designating local historic landmarks, and approving alterations to designated local landmarks.

D. The Director of Community Development (Director).

The Director or designee shall have the responsibility and authority to administer and enforce this Title as follows:

1. Administer and enforce the provisions of the General Plan, Zoning Code, Zoning Map, and applicable city ordinances related to land use and development.

2. Review and act on applications for Administrative Permits, including Zoning Clearances, Sign Permits, and Minor Modifications, as authorized by the Covina Municipal Code.

3. Provide recommendations and reports to the Planning Commission and City Council on matters related to planning and development.

4. Act as the City’s environmental coordinator to ensure compliance with the California Environmental Quality Act (CEQA) and other environmental regulations.

5. Interpret and provide determinations on the Zoning Code and other land use regulations.

6. Review and process applications for Conditional Use Permits, Variances, and Subdivisions for consideration by the Planning Commission or City Council.

7. Ensure public notice requirements are met for projects requiring public hearings.

8. Conduct site inspections to ensure compliance with approved plans, permits, and Conditions of Approval.

9. Review and act on applications for wall and fence permits.

10. Maintain and update the General Plan, Zoning Code, and other planning documents as necessary.

11. Oversee the daily operations of the Planning Division, including staff supervision and resource allocation.

12. Perform other duties and responsibilities as assigned by the City Manager or required by law.

17.02.050 Rules and Interpretations.

This section outlines the authority and procedures for clarifying ambiguity in this Title to ensure consistent interpretation and application.

A. General Rules.

1. In the case of conflicts between specifically stated standards and regulations and general statements of intent, specific provisions shall control.

2. This Code provides diagrams to illustrate the requirements of the Zoning Code's text. In the event of conflict between the text of this Code and a figure, diagram, heading, or graphic, the text controls.

3. Sections and section headings contained herein shall not be deemed to govern, limit, modify, or in any manner affect the scope, meaning, or intent of any section.

4. Unless the context clearly indicates the contrary, the following conjunctions shall be interpreted as follows:
   a. “And” indicates that all connected words or provisions shall apply.
   b. “And/or” indicates that the connected words or provisions may apply singularly or in any combination.
   c. “Or” indicates that the connected words or provisions may apply singularly or in any combination.
   d. “Either… or” indicates that the connected words or provisions shall apply singularly but not in combination.

5. The words "shall," "will," "must," and "is to" are always mandatory and not discretionary. "Should" is a regulation that is not mandatory but must be either fulfilled or the applicant must demonstrate an alternative that fulfills the intent of the regulation. "May" is permissive.

6. The present tense includes the past and future tenses, and the future tense includes the past.

7. The singular number includes the plural, and the plural, the singular.

8. Unless otherwise indicated, all references to departments, committees, commissions, or boards are to those of the City of Covina.

9. All references to public officials are to those of the City of Covina and include designated deputies of such officials unless otherwise indicated.

B. Personnel and Documents.

1. "Director" shall refer to the Director of Community Development or the designee.

2. “CMC” shall refer to the Covina Municipal Code.

3. “Code” shall refer to this Zoning Code.

4. "Commission" shall refer to the Covina Planning Commission.

5. “Council” shall refer to the Covina City Council.

6. "Building Official" is responsible for plan checking the structure and safety of, and inspecting all wall and fence plans.

7. "City" means the City of Covina.

8. "General Plan" means the City’s General Plan.

9. “General Plan Land Use Map” means the Land Use Map for the City.

10. “Zoning Map” means the City's official Zoning Map.

11. "Site Plan" means a plan showing the proposed arrangements of buildings and facilities on the land as outlined in CMC Chapter 17.04 and other City ordinances.

C. Calendar Days.

All references to days are to calendar days unless otherwise indicated. If a deadline falls on a weekend, holiday, or a day when the City offices are closed, it shall be extended to

the next working day. The end of a time period shall be the close of business on the last day of the period (5:00 PM).

D. Definitions.

The Director shall interpret any definition not expressly identified in this Code.

E. Rules of Measurement.

For all calculations, the applicant shall be responsible for supplying drawings illustrating the measurements applicable to the project. These drawings shall be drawn to scale and of sufficient detail to allow easy verification upon inspection by the Director.

F. Fractions.

Whenever this Code requires consideration of distances, parking spaces, dwelling units, or other aspects of development or the physical environment expressed in numerical quantities, and the result of a calculation contains a fraction of a whole number, the results will be rounded as follows:

1. General Rounding. Fractions exceeding one-half (0.5) or greater shall be rounded up to the nearest whole number, and fractions equal to or less than one-half (0.5) shall be rounded down to the nearest whole number, except as otherwise provided.

2. Exception for State Affordable Housing Density Bonus. The calculation of fractions related to permitted bonus density units for projects eligible for bonus density under Government Code § 65915 or any successor statute shall be rounded up to the next whole number.

G. Minimum requirements.

All provisions of this Code are considered minimum requirements unless specifically stated otherwise.

17.02.060 General Application, Review Processes, and Procedures

A. Applications and Fees.

1. Applications must be submitted in writing to the Director using the City's application form. Each application must include the signatures of the applicant and the property owner, agent authorization, as appropriate, and all required fees as set by the City Council resolution.

2. The Applicant must prepare and submit plans, materials, studies, and reports according to the city-issued checklists. All plans, including elevations, site plans, design plans, grading plans, utility plans, etc., colors and materials, studies, and

reports must be stamped and signed by licensed professionals. The Applicant is responsible for submitting written materials demonstrating that the project is in conformance with the development standards of the underlying zones, the Design Guidelines, the Objective Design Standards, or any subsequently adopted objective design standards, as applicable, and the City's Municipal Code.

3. The Applicant must submit a complete application, including all required plans, maps, and supporting documentation, to provide the approving authority with sufficient information for decision-making.

B. Review Process.

1. Determination of Completeness. For development projects subject to the Permit Streamlining Act, the Director shall determine whether the application is complete within 30 days of application submittal. The Director shall notify the applicant of the determination that either:

   a. All the submittal requirements have been satisfied, and the application has been accepted as complete; or

      Specific information remains necessary to complete the application. The letter may also include preliminary details about areas where the submitted plans do not meet City standards and requirements.

   b. Incomplete Application. The applicant has 60 calendar days from the date of the incompleteness determination letter to complete the application. The applicant may request a longer period in writing, which the Director will decide. If the application is not completed within 60 days or within a longer period approved by the Director, it will be considered withdrawn, and no action will be taken. If the applicant wishes to pursue the project later, a new application—including fees, plans, exhibits, and other materials—must be filed in accordance with this Title.

   c. Resubmittal. Upon receipt and resubmittal of any incomplete application, a new 30-day period shall begin, during which the Director shall determine the completeness of the application.

   d. Right to Appeal**.** The applicant may appeal the completeness determination in accordance with CMC Section 17.02.090 Appeals.

2. Development Review Team.

   The development review team reviews all applications to ensure proposals meet and exceed the development standards of this Code, the Design Guidelines, and Objective Design Standards. The City’s development review team includes staff from the Community Development, Public Works, Parks and Recreation, and Covina Police departments, as well as external agencies, including, but not limited to, the Los Angeles County Fire Department. The development review team advises the Director on application completeness and compliance with development and design standards, as well as the CEQA process.

3. Application and Report.

After an application is deemed complete and successfully completes the development review process, the Director will prepare a report for the approving authority that includes a project description and a recommendation to approve, conditionally approve, or deny the application. This report will be provided to the applicant before the entitlement request is considered and may be amended or supplemented with new information before the hearing.

4. Hearing and Notice

See provisions in CMC Section 17.02.070 Public Hearing and Noticing Requirements.

C. Approval Authority and Appeal Procedures.

See provisions in CMC Section 17.02.080 Approval Authority, and CMC Section 17.02.090 Appeals.

D. Effective Date, Time Limits, Extensions, and Expirations.

1. Effective Date. The action to approve, conditionally approve, or deny a permit or entitlement authorized by this title becomes effective on the 11th day after the decision date, immediately following the expiration of the ten-day appeal period. Legislative actions by the City Council, such as Zoning Amendments, General Plan Amendments, Specific Plans, and Development Agreements, take effect 30 days after the final action date if adopted by ordinance, and 11 days after the final action date if adopted by resolution. These actions cannot be appealed. Permits shall not be issued until the permit's effective date.

2. Time limits. Unless otherwise specified, any permit not exercised within two years of approval will expire and become void, unless an extension is approved under this section.

3. Exercising permits. A permit is exercised when the property owner performs substantial work, as determined by the Director and the Building Official, and incurs substantial liabilities in good-faith reliance upon such permit(s). A permit may be otherwise exercised pursuant to a condition of the permit or a corresponding legal agreement that specifies that other substantial efforts or expenditures constitute the exercise of the permit. Unless otherwise provided, permits that have not been exercised prior to a Zoning Amendment, which would make the permitted use or structure nonconforming, shall automatically be deemed invalid on the effective date of the Zoning Amendment.

4. Permit extensions. An applicant may request up to a total of three consecutive one-year extensions, subject to the following:

   a. Process. The original approval authority may extend the permit. An application for extension shall be filed at least 30 days prior to the expiration date of the permit, along with the appropriate fees and application materials.

b. Conditions. Permits may be conditioned to comply with any development standards adopted since original approval.

c. Permit extension findings. Extensions may be granted only if the approving authority finds that the original permit findings remain valid, that no circumstances have changed, and that there has been diligent effort to exercise the permit.

d. Expiration. If the time limits are reached without a requested extension, or if a requested extension is denied or expires, the permit will expire.

5. Permit expiration for a closed business. All permits and entitlements expire when a business is closed for more than 180 consecutive calendar days. New permits and entitlements must be approved before resuming business activity on the site.

E. Modifications.

Modifications to an approved Site Plan Review shall be filed with the Planning Division with the required fee set by City Council resolution and shall be subject to the following provisions:

1. Any person holding a permit or approved Site Plan Review granted under this Title may request a modification to that permit or Site Plan Review approval. Modification may include changing the terms of the permit or approved Site Plan, project, or site design, or waiving or altering conditions imposed in granting the permit or Site Plan Review approval.

2. If the Director determines a proposed action does not substantially conform to the original approval, the property owner must submit a modification application to the Planning Division.

3. The Director may approve the modification application if the proposed changes do not result in any of the following:
   a. A change in the character, scope, size, and intensity of the development and use; and
   b. A significant increase in impacts on infrastructure or traffic on roadways adjacent to or external to the proposed development and use; and
   c. A change in the external impacts on the adjacent property; and
   d. A reduction in the originally approved setbacks from property lines or increased building or structure height.

4. If the Director determines subsection 3 does not apply, the original approving authority will review the permit modification application.

5. Modifications may be granted only if the approving authority makes all findings required for the original approval.

F. Revocations.

1. Revocations. If any provision of this Chapter is violated, Conditions of Approval are not met, or property maintenance requirements are not followed, the approved entitlement may be suspended. The Director may also suspend related Building Permits or order corrective actions. A notice of suspension will be sent immediately to the Building Official, the responsible parties, and the decision-making body. Grounds for suspension include, but are not limited to, the following:

   a. The approval was obtained by omission, misrepresentation, or fraud.

   b. The Site Plan is being built, maintained, or executed contrary to the approved plans, conditions, or terms of approval or in violation of any statute, ordinance, law, or regulation.

2. If the applicant, property owner, or project sponsor does not correct the issues leading to suspension within 30 days to the Director's satisfaction, the decision-making body will be notified and must hold a public hearing within 30 days as prescribed by CMC Section 17.02.070 Public Hearings and Noticing requirements.

3. If the decision-making body finds that regulations or Conditions of Approval are not being met, it may revoke the entitlements or take necessary actions to ensure compliance. The City Clerk will notify the applicant in writing of the decision.

G. Reapplications.

1. An application shall not be accepted or acted upon if, within the past 12 months, the City has denied an application for substantially the same project on substantially the same real property unless the Director finds one or more of the following circumstances to exist as listed below.

2. New Evidence. New evidence would support approval of the project that was not presented at the previous hearing and could not have been discovered by the applicant through reasonable diligence.

3. Substantial and Permanent Change of Circumstances. Since the previous hearing, a substantial and material change of circumstances has affected the applicant’s real property.

4. Mistake at a Previous Hearing. A mistake was made at the previous hearing that was a material factor in denying the previous application.

17.02.070 Public Hearings and Noticing Requirements.

The following procedures shall govern the notice and hearing where required under this Title. The designated approving authority shall hold a public hearing to consider all applications for Conditional Use Permits, Variances, Major Site Plan Reviews, Tentative Subdivision Maps, Specific Plans, planned community development, Zoning Code/Map Amendments,

Development Agreements, and Specific Plan and General Plan Amendments considered by the Planning Commission or City Council.

A. Notice of hearing.

Under Government Code § 65090 to 65096, public notice of such hearing shall be given in the manner listed below not less than 10 days before the scheduled date of the public hearing, unless a greater number is required by state law.

1. The notice shall state the date, time, and place of hearing, identify the hearing body, and provide a general description of the matter to be considered and the real property that is the subject of the hearing.

2. Notice of public hearing shall be published in at least one newspaper of general circulation in the City.

3. Notice of the public hearing shall be mailed, postage prepaid, to the owner of the subject real property or the owner's authorized agent and to each local agency expected to provide water, sewerage, streets, roads, schools, or other essential facilities or services to the proposed project.

4. Notice of the public hearing shall be mailed, postage prepaid, to property owners of record within a minimum 300-foot radius of the subject property as shown on the latest available assessment roll or a larger radius of 1,000 feet or more if the Director deems it necessary to provide adequate public notification.

5. Notice of public hearing shall be posted in the city hall.

6. The public hearing notice will be sent to any person or group that has filed a written request for notice regarding the specific application.

7. In addition to the notice required by this section, the City may give notice of the hearing in any other manner it deems necessary or desirable.

B. Alternative Method for Large Mailings.

If the number of owners to whom notice would be mailed or delivered is greater than 1,000, instead of a mailed notice, the Director (or City Clerk for City Council hearings) may provide notice by placing a display advertisement of at least one-eighth of a page in at least one newspaper of general circulation in the City, at least 10 days prior to the hearing not including the hearing date.

C. Supplemental noticing requirements.

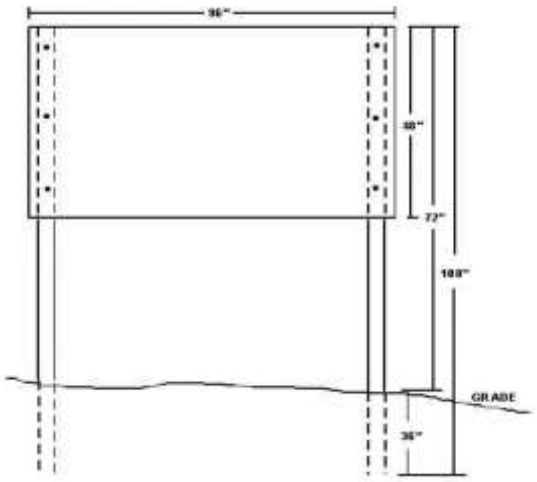
1. Any development projects that include a General Plan Amendment, a new Specific Plan or an amendment to a Specific Plan, an Environmental Impact Report (EIR), or as determined to be necessary and desirable by the Director based on the nature and complexity of the project will require the following additional noticing:

a. Post one large notification sign with the minimum dimensions of four feet by eight feet in a conspicuous place on the project site abutting a street not more

than 10 feet inside the property line but no closer than five feet to a property line.

b. The large notification sign shall have a maximum height of 6 feet, and shall have support elements made of four-inch by four-inch wood posts.

c. Post the large notification sign at least 20 days from the scheduled hearing date. Remove such notice sign within 10 days of the final decision.



CITY OF COVINA (6-INCH)
NOTICE OF PUBLIC HEARING (6-inch)

FILE NO.: _____ (2-inch)
APPLICANT: _____ (2-inch)
PROPOSAL: _____
_____ (brief; 2-inch)_____

DATE: _____
AT: Covina City Council Chambers
125 E. College Street

For further information contact City of Covina, Planning Division, 626-384-5450, 8:00 am to 5:00 pm Monday through Thursday. (2-inch)

Figure 17.02.007-1 On-Site Hearing Notice

2. Conditional Use Permit (non-development types) Notice. Post one public hearing notice window sign with the minimum dimensions of 11 inches by 17 inches to the inside of the storefront window at least 10 days from the scheduled date of the hearing. The Director shall prescribe the format and content of the public hearing notice. Such notice shall be removed within 10 days of the final decision.

3. Single-Family Residential Notice.

a. Any single-family residential projects involving the construction of a new single-family house, additions that increase the total square footage of the existing house by more than fifty percent (50%), or a second-story addition will require a notice to be mailed by the Director to adjacent properties within a one-hundred-foot radius of the project site at the time the planning application submittal is deemed complete for processing.

a. The noticing contents shall be consistent with this Chapter and as prescribed by the Director.

D. Failure to Notify Individual Properties.

The validity of the proceedings shall not be affected by the failure of any property owner, resident, or community organization to receive mailed notice.

E. Public Hearing Procedures.

a. The City Council or Planning Commission shall hold a public hearing on the date, time, and location specified in the notice. The appellant shall present relevant information and supporting data for the appeal.

b. The approving authority shall conduct the public hearing and hear testimony from interested persons. The summary minutes shall be prepared and made part of the case's permanent file.

c. Any hearing may be continued to a specific date. If the hearing is not continued to a specific date and time, then the hearing shall be re-noticed.

d. Notification of the decision shall be mailed to the applicant at the address provided on the application within 30 days of hearing. The decision shall approve, approve with conditions, or deny the application and shall set for the findings of the commission and any such conditions.

17.02.080 Approval Authority

A. Designated Approving Authority.

The following table 17.02.080-1 outlines the authority responsible for reviews, appeals, and decisions, for the following actions within Title 17.

Table 17.02.080-1 Approval Authority
NA = Not Applicable

Type of Action	Role of Review Authority			
	Director	Historic Preservation Commission	Planning Commission	City Council
Legislative Action				
Development Agreements and Amendments	Recommend	NA	Recommend	Decision

Zoning Code and Map Amendments	Recommend	NA	Recommend	Decision
General Plan and Specific Plan Amendments	Recommend	NA	Recommend	Decision
Planned Community Development Districts	NA	NA	Recommend	Decision
Discretionary Actions				
Historic Designations and Local Historic Landmarks	NA	Recommend	NA	Decision
Conditional Use Permits	Recommend	NA	Decision	Appeal
Variance	Recommend	NA	Decision	Appeal
Nonconforming Uses, Structures, and Sites	Recommend	NA	Decision	Appeal
Use Determination	Decision	NA	Appeal	Appeal
Subdivision (Tentative Tract or Parcel map)	Recommend	NA	Recommend	Decision
Planning Permits, Approvals, and Administrative Actions				
Administrative Use Permit	Decision	NA	Appeal	Appeal
Building Permits (including ADUs)	Decision	NA	Appeal	Appeal
In-home Business	Decision	NA	Appeal	Appeal
Interpretations of Zoning Code and Zoning District Boundary	Decision	NA	Appeal	Appeal
Modification and Revocation of Permits	Decision	NA	Appeal	Appeal
Minor Deviation	Decision	NA	Appeal	Appeal
Time Extension of Subdivision Maps	Recommend	NA	Decision	Appeal
Reasonable Accommodation	Decision	NA	Appeal	Appeal
Site Plan Review (Major) and Time Extension	NA	NA	Decision	Appeal
Site Plan Review (Minor)	Decision	NA	Appeal	Appeal
Urban Lot Split and Two-Unit Development	Decision	NA	Appeal	Appeal
Zoning Clearances	Decision	NA	Appeal	Appeal

B. Multiple Applications and Entitlements. When a proposed project requires multiple land use entitlements, planning applications, and permits, they shall be processed concurrently, and final action shall be taken by the highest-level designated approving authority (i.e., City Council) for all such requested land use entitlements, permits, and planning applications. In such cases, the Planning Commission shall serve as the recommending body.

C. Referral to the Planning Commission. At any stage of the application review process, except where prohibited by law (such as ADU or two-unit development and urban lot split), the Director may choose to transfer decision-making authority to the Planning Commission at their discretion. Decisions referred to the Planning Commission will be considered during a regular public meeting. A referral to another decision-maker is not an appeal and does not require an appeal application or fee.

D. Ministerial Review and Approval for Qualifying Projects Under Government Code § 65913.4 (SB 35). A by-right or ministerial project does not require discretionary review by the City. The ministerial project may involve administrative approvals to verify compliance with zoning regulations, development standards, and objective design standards from City Staff. Sign-off for these approvals is nondiscretionary and can be conducted by the Planning Division before the applicant submits the plans for building plan checks and requests Building Permit(s).

17.02.090 Appeals

A. Appeal authority.

Any interested person may appeal any action of the Director, Historic Preservation Commission, or Planning Commission made pursuant to this section.

B. Filing

Appeals must be filed in writing during business hours within 10 days of the determination. All appeals shall identify the determination or action being appealed and explicitly state the basis or grounds of the appeal. The appeal request must be accompanied by a filing fee established by City Council resolution and submitted to the City Clerk.

The filing of an appeal shall stay the order of the Commission and the issuance of any permits predicated thereon until the Council has either acted thereon or until a majority of the Council has failed to approve an appeal by a member of the Council, whichever occurs first.

C. Council-Initiated Appeals.

If the appeal is initiated by a member of the Council, such initiation of appeal shall not be effective unless approved by a majority of the elected members of the Council acting at the next regular meeting of the Council following the date of filing of such appeal. Such initiation of appeal shall be considered without public hearing or discussion of the

merits of the matter by the council. No appeal fee shall be required. There shall be no presumption or inference of bias shall be made because of such an appeal.

D. Notice, Appeal Hearing, and Action.

1. Notice of the hearing for the appeal shall be provided in accordance with the noticing requirements of CMC Section 17.02.060. The City Council shall hold a public hearing on the date, time, and place specified in the notice.

2. Each appeal hearing shall be considered a de novo (new) hearing.

3. The Council shall state the basis for its action on an appeal. The Council may confirm, modify, or reverse the action of the approving authority, in whole or in part, or add or amend such conditions as it deems necessary. The City Council's action is final as of the date of the decision and may not be appealed further beyond the Council level.

4. Notification of the Council action shall be mailed to the petitioner at the address shown on the petition.

17.02.100 Designation of Zones, Sphere of Influence, and Zone Boundaries.

A. Designation of Zones.

Zones are established to classify, regulate, designate, and distribute the uses of land and buildings; regulate and restrict the height, setbacks, and bulk of buildings; regulate the area of yards and other open spaces around buildings; and regulate the density of population. For purposes related to the orderly development of the City and to carry out the provisions of this Title, the City is divided into the following zones:

	<u>Residential Zones</u>
E-1 estate	Residential zone (single-family estate)
E-1/2 estate	Residential zone (single-family estate)
R-1-20,000	Residential zone (single-family)
R-1-10,000	Residential zone (single-family)
R-1-8500	Residential zone (single-family)
R-1-7500	Residential zone (single-family)
MDR and HDR	Residential zone (multiple-family)
RTP	Residential zone (Trailer and Mobile Home Parks)
	<u>Commercial Zones</u>
NCO	Neighborhood Commercial Office Zone
CC	Community Commercial Zone
RC	Regional Commercial Zone
	<u>Industrial Zone</u>
I	Industrial Zone

Open Space Zones

OS	Open Space Zone
P	Park Zone

B. Prezoning and Zoning of Annexed Territory.

1. Sphere of Influence and LAFCO Compliance. The City shall ensure that all zoning or prezoning actions for areas within its Sphere of Influence (SOI) comply with the requirements of the Los Angeles County Local Agency Formation Commission (LAFCO). Zoning designations for areas proposed for annexation must be consistent with the City's General Plan and adopted in accordance with Government Code § 65859 and § 56375.
2. Prezoning Process. The Planning Commission, when directed by the City Council, shall recommend Prezoning classifications for areas proposed for annexation. The City Council may adopt Prezoning through ordinance prior to or concurrent with adoption of an annexation resolution. The adopted Prezoning shall become effective upon annexation.

3. Public Hearings and Early Action. The City may initiate Prezoning and conduct public hearings on zoning changes for territory proposed for annexation in advance of LAFCO action, as permitted by State law. The City shall coordinate with LAFCO throughout the annexation process to ensure procedural compliance and alignment with regional policies.

C. Determining Boundaries.

1. Boundaries indicated as approximately following lot lines, City limits, or extraterritorial boundary lines shall be construed as following such lines, limits, or boundaries.

2. Boundaries indicated as approximately following the centerlines of alleys, lanes, streets, highways, streams, or railroads shall be construed to follow such centerlines.
   a. In the event that a vacated street, alley, right-of-way, or easement was the boundary between two zones, the new zone boundaries shall be at the new property line or at a line established at or within 50 feet of the centerline of the street, alley, right-of-way or easement that has been vacated.
   b. Where uncertainties exist, the Director shall, by written decision, determine the location of the zone boundary.

17.02.110 Zoning Map

The boundaries of each zone are shown on the "official zoning map," which is incorporated into this Title as if fully described herein. The official zoning map shall be kept on file with the City Clerk and shall constitute the original record.

17.02.120 Compliance and Penalties

A. Interpretation – Purpose – Conflict.

In interpreting and applying the provisions of this Title, they shall be regarded as the minimum requirements for promoting public health, safety, comfort, convenience, and the general welfare. This Title does not aim to interfere with the nullification or cancellation of any easement, covenant, or other agreement between parties. When this Title imposes a stricter restriction on the use of buildings or land, or the height of buildings, or requires larger open spaces than those mandated by other ordinances, rules, regulations, or by easements, covenants, or agreements, the provisions of this Title shall take precedence.

B. Permits and Licenses – Compliance.

All departments, officials, or public employees vested with the duty of authority to issue permits or licenses, where required by law, shall conform to the provisions of this Title. No license or permit for uses, buildings, or purposes where the same would conflict with the provisions of this Title shall be issued. Any such license or permit, if issued in conflict with the provisions hereof, shall be null and void.
No premises shall be occupied or used, and no building hereafter erected or altered shall be occupied or used until a certificate of compliance has been issued by the Director or their designee, provided that such Certificate of Compliance shall be required only within those areas mapped under the provisions of this Title.

C. Violation - Penalty.

Any person, firm, or corporation violating any of the provisions of this Title is guilty of a misdemeanor unless otherwise specifically provided, and upon conviction thereof, is punishable as provided in CMC Section 1.16.010. Each such person, firm, or corporation is guilty of a separate offense for every day during any portion of which any violation of any provisions of this Title is committed, continued, or permitted by such person, firm, or corporation and is punishable, therefore as provided for in this Title. Any use, occupation building, or structure maintained contrary to the provisions hereof constitutes a public nuisance.

Chapter 17.04
Land Use Entitlements, Permits, and Planning Applications

17.04.010 Land Use, Zoning Map, and Text Amendments
17.04.020 Administrative Use Permits
17.04.030 Conditional Use Permits
17.04.040 Site Plan Review
17.04.050 Variances and Minor Deviations
17.04.060 Existing Lots
17.04.070 Use Determination
17.04.080 Nonconforming Structures, Uses and Parcels

17.04.010 Land Use, Zoning Map, and Text Amendments

A. General Plan Text or Map Amendment.

The purpose of a General Plan Amendment is to modify the General Plan text or map. For example, it involves changing goals, policies, or implementation programs, or altering the land use designation on any parcel or lot.

1. Review Process. A General Plan Amendment shall be evaluated according to the procedures outlined in CMC Chapter 17.02, including required public hearings, staff analysis, environmental review when mandated by CEQA, and a final decision by the review authority as specified in this Title.

2. Frequency of Amendment. All amendments to the General Plan shall comply with the provisions of California Government Code § 65358. Specifically, California Government Code § 65358(b) states that: “no mandatory element of the General Plan shall be amended more frequently than four times during any calendar year.”

   Subject to that limitation, an amendment may be made at any time, as determined by the legislative body, and the following shall apply:

   a. Each amendment may include more than one change to the General Plan;

   b. There is no limit to the number of times per year that a non-mandatory element of the General Plan can be amended;

   c. There is no limitation applied to amendments required to comply with a court order; and,

   d. There is no limitation applied to amendments requested and necessary for a single development of residential units, at least twenty-five percent (25%) of which will be occupied by or available to low- or moderate-income households.

3. Initiation of Amendment. A General Plan amendment may be initiated by the City Council, the Planning Commission, the Director, or by a property owner or

authorized agent by submitting a complete application in accordance with the requirements of this title.

4. Findings. The City Council may approve a General Plan Amendment upon finding that the amendment is in public interest and that the General Plan as amended will remain internally consistent. In the event that a General Plan Amendment is requested by a private property owner, the applicant shall demonstrate to the City Council that there is a substantial public benefit to be derived from such amendment and how the proposed amendment furthers the goals of the General Plan.

B. Zoning Code (Text) or Zoning Map Amendment

The purpose of a Zoning Code Amendment or Zoning Map Amendment is to allow modification to any provision of this Title including the adoption of new regulations, or deletion and revision of existing regulations, or change the zoning classification on the Zoning Map for any parcel(s) or lot(s).

1. Review process. A Zoning Code or Map Amendment shall be reviewed in accordance with the procedures established in CMC Chapter 17.02, including required public hearings, staff analysis, environmental review when required by CEQA, and final action by the review authority as designated in this title.

2. Initiation of Amendment. A Zoning Code or Map Amendment may be initiated by the City Council, the Planning Commission, the Director, or by a property owner or authorized agent by submitting a complete application in accordance with the requirements of this title.

3. Findings. The Zoning Code or the Zoning Map Amendment may be approved when the City Council finds that the amendment is consistent with the General Plan goals, policies and implementation programs.

C. Development Agreement.

1. Applicability. A Development Agreement may be utilized for projects including but not limited to long-term development phasing, vested rights, or public benefit obligations warrant contractual assurance, or where a project spans multiple stages requiring regulatory certainty over time.

2. Review process. A proposed Development Agreement shall be processed and reviewed in accordance with the procedures set forth in this title, including public notice, at least one public hearing before the Planning Commission, with a public hearing and final action by the City Council.

3. Findings. Approval of a Development Agreement shall require findings that the agreement:

   a. Is consistent with the General Plan and any applicable specific or area plan;

   b. Promotes orderly and beneficial development;

   c. Provides public benefits or community improvements that justify the vested rights granted; and

d. Will not be detrimental to the public health, safety, or welfare.

4. Amendment or cancellation of agreement. A Development Agreement may be amended or canceled, in whole or in part, by mutual consent of the parties or as otherwise provided within the agreement, subject to state law.

5. Recordation. Upon execution, the Development Agreement shall be recorded in the office of the County Recorder.

6. Periodic review. The review authority shall conduct periodic reviews at intervals specified in the agreement, but not less than every 12 months, to determine compliance with the terms. Failure to comply may result in modification or termination of vested rights as provided by law.

17.04.020 Administrative Use Permits

The purpose of the Administrative Use Permit (AUP) is to establish a process for the Director or designee to review and evaluate uses and activities that generally align with the purpose of the relevant zone but may require special consideration in their design or operation to ensure they are compatible with surrounding or potential future uses. The Director may make a decision without publishing, posting, mailing notice, or holding a public hearing.

A. Applicability.

This section applies to all temporary uses, as well as permanent uses identified in the land use tables as “A” contained in CMC Chapters 17.06 Residential Zones Single-Family Residential, 17.08 Multi-Family Residential, 17.10 Commercial, and 17.12 Industrial.

B. Review process.

1. Application Submittal. The applicant shall submit a complete Administrative Use Permit application, including all required forms, fees, and supporting materials, to the Planning Division.

2. Director Review. The Director shall review the application for completeness and compliance with applicable zoning, development, and operational standards. The Director may request additional information or revisions if necessary to complete the review.

3. Decision. Upon completion, the Director shall approve, conditionally approve, or deny the Administrative Use Permit and shall issue a written Notice of Decision to the applicant stating the determination and any Conditions of Approval.

C. Findings.

The Director shall make the following findings:

1. The proposed use complies with applicable zoning regulations, development standards, and operational requirements.

2. Conditions of Approval may be imposed as necessary to ensure the use will not adversely impact surrounding properties or public health, safety, or welfare.

3. All Conditions of Approval shall be stated in the approval letter and must be continuously complied with for the permit to remain valid.

D. Conditions.

In approving an AUP, the Director may impose reasonable conditions to ensure that the approval complies with the required findings, any performance criteria, and the development standards of this code.

17.04.030 Conditional Use Permits

The purpose of the Conditional Use Permit (CUP) is to provide a public review process for the discretionary review of proposed uses and activities that require special consideration to ensure compatibility with neighboring properties and the community. The process provides a means to evaluate the location, design, and operation of such uses to prevent adverse impacts on the community, protect public health, safety, and welfare, and ensure development that contributes positively to the city's orderly and balanced growth.

A. Applicability.

This section applies to any land use that requires a Conditional Use Permit, as designated with a "C" in the allowed use tables (Table 17.06.030, 17.08.030, 17.10.030, and 17.12.020). Existing uses listed as conditionally permitted on the ordinance's effective date may continue without a new Conditional Use Permit but are subject to a CUP for any expansion or extension. Conditional Use Permits shall not be granted for uses explicitly prohibited in the Zone where the use is proposed. For uses "permitted subject to a Conditional Use Permit," additional regulations in CMC Chapter 17.24 Specific Use Regulations shall apply.

B. Application.

1. Application Submittal. The applicant shall submit a complete Conditional Use Permit application, including all required forms, fees, plans, and supporting materials, to the Planning Division.

2. Staff Review. Planning staff shall review the application for completeness and compliance with applicable zoning, development, and environmental standards. Staff may request additional information or revisions as needed to complete the review.

3. Public Hearing. A public hearing shall be scheduled before the designated review authority in accordance with public-noticing requirements. Staff shall prepare a report and recommendation for the review authority.

C. Approval authority.

Refer to CMC Section 17.02.040, Administrative Responsibility/Authorities, Table 17.02.040.

D. Findings.

The review authority shall make the following findings before approving a Conditional Use Permit application:

1. The proposed use is consistent with the General Plan, the purpose of the Zoning Code, and the purpose of the applicable Zone and any applicable Specific Plans or city regulations and standards.
2. The site is adequate in size, shape, and design to accommodate the proposed use, including required yards, parking, loading, landscaping, and other features necessary for compatibility with surrounding land uses.
3. Adjacent streets and highways are sufficient in width and design to handle traffic generated by the use.
4. The proposed use will not adversely affect neighboring properties or their permitted uses.
5. Conditions necessary to protect public health, safety, and welfare are included in the decision. Such conditions may address use regulations, setbacks and buffers, fences and walls, parking and street improvements, access, signage, landscaping and maintenance, noise and operational limits, development timelines, duration of use, and other measures ensuring orderly and consistent development

E. Conditions of approval.

1. Conditions imposed as part of a Conditional Use Permit shall be incorporated into the approval letter and shall remain in effect for the life of the permit. The permit holder shall at all times maintain compliance with all conditions imposed.
2. Conditions may address operational limits, mitigation measures, development standards, reporting or monitoring requirements, and any other provisions deemed necessary to ensure compatibility with surrounding uses. Such conditions are in addition to, and do not replace or modify, any conditions required to satisfy the findings set forth above.

F. Approval applies to the land.

An approved Conditional Use Permit shall run with the land and shall be binding on all subsequent owners, operators, tenants, and occupants of the subject property.

G. Revocation and Voiding of Conditional Use Permits.

1. The permittee shall receive written notice stating the hearing details at least 20 days in advance. Public notice shall comply with CMC Section 17.02.060.
2. Notice of the review authority’s action, including the resolution and reasons for revoking the permit, shall be mailed to the petitioner.

3. A permit is deemed void if the approved development timeline expires without a time extension under CMC Section 17.02.060 E; or, if the approved use is discontinued or replaced for 180 days.

17.04.040 Site Plan Review

The purpose of the Site Plan Review (SPR) process is to implement the General Plan's goals, policies, and objectives to achieve high-quality land planning and design; ensure compliance with adopted development standards, objective design standards, and design guidelines to protect public health, safety, welfare, and community interests; confirm that new development and redevelopment do not create public service or facility demands exceeding the capacity of existing or planned infrastructure; and provide clear, consistent, and efficient procedures for processing planning and development applications.

A. Applicability.

Site Plan Review and approval shall apply to all zoning districts for any new development, redevelopment, or new construction, including remodeling, alteration, relocation, rebuilding, or expansion of any building, dwelling, parking or storage lot, or other developed area of the city. Development plans shall be submitted for plan check and building permit issuance only after site plan review approval by the Director, Planning Commission, or City Council.

1. Zoning Clearance. A Zoning Clearance is a streamlined review process used to verify that a proposed project or use complies with applicable zoning regulations, such as permitted uses, setbacks, height limits, and other development standards. Zoning Clearances are typically applied to minor projects that do not require a site plan review or other discretionary approvals, see CMC Section 17.02.040(D). Projects that qualify for a Zoning Clearance include:

    a. Construction of accessory dwelling unit (ADU) or junior accessory dwelling unit (JADU) 800 square feet or less that otherwise complies with Government Code § 66323. The provisions of CMC Section 17.24.080 shall apply.

    b. Exterior additions to single-family residential structures comprising less than 25 percent of the square footage of the main or primary dwelling or up to 500 square feet, whichever is less.

    c. Other minor exterior or interior improvements that the director deems to be similar in nature and intensity to the above criteria.

    d. Reroofing of a structure

    e. Windows and doors change out for existing single-family residential structures.

    f. New or change out of existing ground-mounted air conditioning (HVAC) units for single-family residential structures.

    g. Installation of small residential rooftop solar energy systems within single-family zoning districts.

h. Installation of electric vehicle charging stations within residential zoning districts, subject to the provisions of Government Code § 65850.7.

i. New Business License applications.

j. Accessory structures as defined in CMC Chapter 17.22.010.

2. Minor Site Plan Review. Minor Site Plan Review applications are subject to the Director's Review. Prior to approval, the Director shall make findings that the project is consistent with the General Plan, Zoning Code, applicable Specific Plans, and design guidelines. Eligible projects for Minor Site Plan Review are:

a. Residential Development and Additions:

i. Construction of an ADU, except where prohibited by Government Code § 66323, is subject to CMC Section 17.20.080

ii. Additions to single-family residences increasing floor area by 50 percent or more, or garage conversions to non-ADU/JADU uses.

iii. Exterior and interior remodeling of primary dwelling.

iv. Construction of up to four new single-family residential structures.

v. Construction of up to 10 multifamily units.

vi. Two-unit development and urban lot splits in a single-family residential zone, subject to the provisions of CMC Section 17.20.060.

vii. Multifamily projects processed under Government Code § 65913.4 (SB 35).

b. Minor Renovations and Alterations

i. Expansions increasing total floor area by no more than 10 percent or 2,000 square feet, whichever is less.

ii. Parking expansions by no more than 15 percent or 10 stalls, whichever is less.

iii. Multi-family additions that do not increase total floor area by more than 10 percent and do not create new dwelling units.

iv. Facade improvements or remodeling of commercial buildings and nonresidential structures.

v. Revisions to approved landscape or irrigation plans that change plant materials, quantities, or irrigation systems.

vi. Installation of electric vehicle charging stations within nonresidential districts.

c. Other Minor Projects

i. Resurfacing or restriping of existing parking or storage lots without design or layout changes, or for compliance with ADA regulations.

ii. The conversion of a legal nonconforming residence to a permitted non-residential use in commercial or industrial zones shall comply with Government Code §66300.6.

iii. Other projects the Director deems similar in nature and intensity or otherwise required to be reviewed administratively by law.

3. Major Site Plan Review. Major Site Plan Review applications are subject to Planning Commission review and include:

   a. Construction of five or more single-family houses.

   b. Construction of 11 or more multi-family units.

   c. Any new commercial, industrial, and nonresidential development.

   d. Major remodeling, alteration, relocation, rebuilding, or expansion of commercial centers, nonresidential buildings, multifamily complexes, or parking and storage lots.

   e. Any proposal exceeding the criteria for a Minor Site Plan Review.

B. Preliminary Review application.

A preliminary review application provides an optional opportunity for applicants to meet with city staff to review a project in its conceptual stage and receive an initial assessment of potential issues before submitting a formal Site Plan Review application or other related planning applications. This process helps reduce review times and streamline project processing by identifying key concerns early.

This preliminary application is an informal review process and is not the same as, nor intended to substitute for, a “Preliminary Application” under Government Code § 65941.1, which is intended to vest development rights at an early stage rather than to facilitate a conceptual project discussion.

1. The preliminary review allows staff to advise on the following:

   a. Applicants on applicable city standards, requirements, and permitting procedures; and

   b. Evaluate whether a proposal meets these standards before significant investment; and

   c. Identify necessary studies, analyses, or mitigation measures; and

   d. Offer design recommendations to minimize neighborhood and environmental impacts.

2. Although not mandatory, preliminary review applications are encouraged for complex projects such as:

   a. General Plan Amendments,

   b. Rezonings,

c. Specific plans,

d. Mixed-use developments,

e. Single-family projects with five or more units or lots,

f. Multifamily projects with eleven or more units, and

g. Commercial, industrial, or other nonresidential developments.

3. Application, fees, and review procedures.

a. The applicant shall submit a complete Preliminary Review application, including required forms, preliminary plans or conceptual drawings, applicable fees, and any supporting documentation, to the Planning Division.

b. Planning staff shall conduct a preliminary review of the application for completeness and general consistency with applicable zoning, development, and environmental criteria, and may request conceptual clarifications, supplemental information, or plan refinements to facilitate further processing and feedback.

c. Planning staff shall evaluate whether the submitted materials meet the requirements to proceed into formal entitlement, site plan review, or other permitting review processes.

C. Site Plan Review Application, Fees, Review Process, and Procedures.

The application submittal, fees, review process, and procedures shall comply with CMC Section 17.02.060 General Application, Review Process, and Procedures.

D. Approval Authority and Appeal Procedures.

1. CMC Sections 17.02.070 A, B, and C, and Table 17.02.070A shall govern the designated approving authority.

2. CMC Section 17.02.080, shall govern all policies and requirements regarding completeness review, appeals, resubmittals, and related processes.

3. The review process and procedures for qualified SB 35 multi-family housing projects shall follow Government Code § 65913.4.

E. Findings and conditions of approval.

1. Findings. The Planning Commission shall approve, or approve with conditions, an application for a Major Site Plan Review only after making the following findings:

a. The project complies with all provisions of the General Plan, Zoning Code, and any applicable Specific Plan, Design Guidelines, and Objective Design Standards; and

b. The design of the proposed development will not interfere with the use and enjoyment of the existing neighborhood and future development, and will not create traffic or pedestrian hazards; and

c. The proposed development has been reviewed in compliance with the provisions of the California Environmental Quality Act (CEQA); and

d. The proposed development will not be detrimental to the public health, safety or welfare or materially injurious to the properties in the vicinity; and

e. The development complies with the provisions for dedications, public improvements and undergrounding utilities pursuant to CMC Section 17.04.030(J) and congestion management and transportation demand management requirements pursuant to CMC Section 17.22.050.

2. Conditions. The Director or the Planning Commission may impose such conditions as are needed to:

a. Protect public health, safety, and general welfare; and

b. Achieve the general purpose of this chapter or the specific purpose of the zoning district in which the project is located, or for General Plan compliance; and

c. Minimize all undesirable or unsightly appearances that do not comply with design guidelines; and

d. Provide an orderly and visually aesthetic development within the intent of this Title.

F. Modifications.

Requests to modify an approved Site Plan or permit shall be filed with the Planning Division, accompanied by the fee established by City Council resolution. A modification may include changes to project design, permit terms, or Conditions of Approval. If the Director determines a proposed action does not substantially conform to the original approval, the applicant shall submit a modification application. The Director may approve a modification if it does not:

1. Change the character, scope, size, or intensity of the development; and

2. Significantly increase impacts on infrastructure or traffic; and

3. Alter external impacts on adjacent properties; and

4. Reduce approved setbacks or increase building height.

If these criteria are not met, the modification shall be reviewed by the original approving authority. A modification may be granted only if all findings required for the original approval are made.

G. Revocation and Reapplications.

The procedures governing revocation of approvals and eligibility for reapplication following revocation shall be in accordance with the provisions of Chapter 17.02 Section 17.02.060 General Application, Review Process, and Procedures.

17.04.050 Variances and Minor Deviations.

The purpose of the Variance and Minor Deviation process is to provide a mechanism for granting limited relief from the strict application of zoning regulations when, due to special circumstances applicable to a property, the literal enforcement of such regulations would result in practical difficulties or unnecessary hardship. This process ensures that any deviation from development standards remains consistent with the intent and purpose of the Zoning Code, maintains the integrity of the General Plan, and does not grant special privileges inconsistent with limitations on other properties in the same zoning district. Variances and Minor Deviations are intended to accommodate unique physical site conditions while preserving neighborhood character, protecting the public health, safety, and welfare, and ensuring equitable application of land use regulations. Any Variance granted pursuant to any Zoning Ordinance enacted prior to the effective date of this ordinance shall be construed to be a Variance under this title, subject to all conditions imposed in such Variance.

A. Minor Deviations.

1. The Director may review and decide on Minor Deviations through ministerial approval.

Table 17.04.050-1 Minor Deviations

Standard	Maximum Reduction or Increase
Lot area	10% reduction
Minimum setbacks	20% reduction but must maintain a) minimum 3 feet interior side yard b) minimum 20 feet front yard c) minimum 10 feet street side yard d) minimum 15 feet rear yard
Maximum lot coverage	10% increase
Building height (including accessory structures, flag poles, signs)	5 feet or 10% increase, whichever is less, including the ground floor height
Maximum fence/wall height	1.5 feet increase (except within the front yard area)
Front Yard landscape coverage	reduction from the required 50% to 40%
Parking Reduction	10% reduction of total requirement

2. In granting a Minor Deviation, the Director shall find that all of the conditions listed in subsection (1) of this section exist in reference to the subject property. The Director may impose reasonable conditions and requirements as terms of approval.

B. Variances.

When practical difficulties, unnecessary hardships or results inconsistent with the general intent and purpose of this title occur by reason of the strict interpretation of any of its provisions, any property owner may initiate proceedings for consideration of a

Variance from the provisions of this title. A Variance will not be granted to permit a use not permitted in the zone by this title.

1. Department Investigation. The Director shall investigate the facts bearing on each case to provide information necessary to assure action consistent with the intent and purpose of this title. In cases where the Planning Division considers the reasons as set forth on the application not all within the scope of the Variance or that the application is incomplete, the applicant shall be so informed; whereupon, if the application is filed and the fees are accepted, the application shall be signed by the applicant to the effect that he was so informed. Acceptance of an application does not constitute an indication of approval.

2. Commission Public Hearing. After an application for a Variance is deemed complete, the Director shall set the matter for a public hearing to be held by the Planning Commission. Notice of the public hearing shall be given pursuant to CMC Section 17.02.060.

3. Findings. The Commission, before it may grant a Variance, shall make a finding that in the evidence presented that the following conditions exist in reference to the property being considered:

    a. There are exceptional or extraordinary circumstances or conditions (including size, shape, topography, location or surroundings) that do not apply to other properties in the same vicinity and zone; and

    b. The variance is necessary to preserve and enjoy the property rights of the applicant, which other property owners in the same vicinity and zone enjoy, and therefor shall not constitute a grant of special privilege; and

    c. The granting of the variance will not be detrimental to the public health, safety, convenience, and welfare or injurious to property and improvement in the same vicinity and zone in which the property is located; and

    d. The granting of such a variance will not be contrary to the objectives of the General Plan.

4. Planning Commission Decision. The Planning Commission shall announce its decision at a regular meeting or scheduled a special meeting within 30 days after the conclusion of the hearing. The decision shall approve, conditionally approve or disapprove the application, and shall set forth findings in support of the decision, and shall be filed with the Council within 20 days of the decision. A copy thereof shall be mailed to the applicant at the address shown on the application.

5. Revocation of Variances. The procedures governing revocation of approvals and eligibility for reapplication following revocation shall be in accordance with the provisions of CMC Section 17.02.090. Time limits for the Variance shall be in accordance with CMC Section 17.02.080(C).

17.04.060 Existing Lots.

A. Every parcel of land existing on the effective date of the ordinance codified in this Title shall be deemed to be one lot and shall be subject to all property development standards stated in the zone which it is located.

B. No parcel of land existing on the effective date of the ordinance may be reduced below the minimum standards for lot area for the zone in which the lot is located.

C. No lot area may be reduced or diminished in size in such a way that the yards, open spaces, or occupancy will be less than the requirements of the zone it's located.

17.04.070 Use Determination.

A. Purpose.

The land use table may not include all possible uses. When a specific use is not listed and it is unclear whether the use is permitted, conditionally permitted, or not permitted, the use determination section allows the Director to determine whether or not a proposed use is similar to a listed use and whether it may be permitted or conditionally permitted in a particular zone.

B. Applicability.

A similar use determination is required when a use is not specifically listed in this code but may be permitted if it is determined to be similar in nature to a use that is permitted or conditionally permitted.

C. Review process.

1. A use determination can be initiated by staff or the public using an application provided by the Director.
2. The Director or the designee shall prepare a use determination.
3. The issuance of a use determination is an administrative function of the Director and a public hearing or notice is not required.

D. Findings.

The Director shall first make a finding that all of the following conditions exist:

1. That field investigations have determined the use and operation are compatible with the uses permitted in the zones wherein it is proposed to be located; and
2. That the subject use is similar to one or more uses permitted in the zone which it is proposed to be located; and
3. That the subject use will not cause substantial injury to the values of property in the zone which it is proposed to be located; and
4. That the subject will be designed, located and operated so that the public health, safety and general welfare will be protected.

E. Director Determinations.

The Director shall have the authority to make use determinations for proposed uses not explicitly identified in the zoning code, and is further authorized to make interpretations of zoning provisions as expressly provided in CMC Chapter 17.02.040(D), provided that the following criteria are met:

1. The proposed use is consistent with the intent and purpose of the zoning district in which it is proposed.
2. The proposed use is similar in nature, function, and potential impact to other uses permitted in the same zoning district.
3. The proposed use will not adversely affect adjacent properties, the environment, or the public health, safety, and welfare.
4. Once approved, the Director shall prepare a brief report for the Planning Commission that summarizes the proposed project and includes the required findings. The report will outline the project's key components, highlight any potential issues, conditions of approval, along with relevant supporting documents.
5. If the Director determines that the proposed use may warrant additional review or is of significant public interest, the Director shall have the authority to forward the use determination request to the Planning Commission for consideration and final determination.

17.04.080 Nonconforming Structures, Uses, and Parcels

A. Purpose and Intent.

1. This section is designed to ensure fairness by limiting the number and extent of nonconforming uses. It does so by regulating their enlargement, reestablishment after abandonment, and alteration or restoration after destruction of the structures they occupy.
2. This section also intends to limit the number of and extent of nonconforming structures by prohibiting their movement, alteration, or enlargement in a manner that would increase the discrepancy between existing conditions and the standards currently prescribed in this Zoning Code.

B. Applicability.

The provisions of this section apply to structures, lots, and uses that have become nonconforming by adoption of this Zoning Code, as well as structures, lots, and uses that become nonconforming due to subsequent amendments to this Zoning Code or to the Zoning Map.

C. General Provisions.

1. Nonconforming Uses of Land. A nonconforming use of land may be continued, transferred, or sold, provided that there is no enlargement, intensification, or expansion to occupy a greater area than it lawfully occupied before the use became nonconforming.

2. Change in Tenancy, Ownership, or Management. Any nonconforming use may change ownership, tenancy, or management where the new use is of the same use classification as the previous use.

3. Change from Nonconforming to Permitted Use. Any nonconforming use may change to a use allowed by right in the zoning district in which it is located, provided that the use complies with all applicable standards. Once a nonconforming use has been changed, it shall not be reestablished.

4. Absence of Permit. Any use that is nonconforming solely by reason of the absence of a permit or approval may be changed to a conforming use by obtaining the appropriate permit or approval.

D. Continuation and Maintenance.

1. A use lawfully occupying a structure or a site, that does not conform with the use regulations or the development standards for the zoning designation in which the use is located shall be deemed to be a nonconforming use. It may be continued, except as otherwise provided in this chapter.

2. A structure, lawfully occupying a site, that does not conform with the development standards for front yards, rear yards, height, coverage, or distances between structures, for the zoning designation in which the structure is located, shall be deemed to be a nonconforming use and may be continued, except as otherwise provided in this chapter.

3. Routine maintenance and repairs that do not constitute an alteration or addition may be performed on a structure or site when the use is nonconforming, and on a nonconforming structure.

E. Alterations and Additions to Nonconforming Uses and Structures.

1. A nonconforming structure, which is nonconforming by reason of its use, shall not be moved, altered, or enlarged unless required by law, or the moving, alteration, or enlargement will result in the elimination of the nonconformity, except as otherwise provided in this section.

2. A nonconforming use shall not be enlarged, intensified, or extended in such a way as to occupy any part of the structure or site or enlarged or another structure or site which it did not occupy at the time it became a nonconforming use or in such a way as to displace any conforming use occupying a structure or site, except as otherwise provide in this section.

3. A nonconforming structure shall not be altered or reconstructed to increase the discrepancy between existing conditions and the development standards for front yards, side yards, rear yards, height of structures, or usable open space prescribed in the development standards for the zoning designation in which the structure is located. A nonconforming structure shall not be moved or enlarged unless the new location or enlargement conforms to the development standards or usable open space prescribed in the development standards for the zoning designation in which the structure is located.

4. A use which fails to meet the development standards of the zoning designation in which it is located shall not be enlarged or extended, or shall not have equipment replaced that results in failure to meet development standards, unless the enlargement, extension, or replacement will result in elimination of nonconformity with development standards for that zoning designation.

F. Discontinuation of Nonconforming Use.

Whenever a nonconforming use has been discontinued, or changed to a conforming use for a continuous period of 180 days or more, the nonconforming use shall not be reestablished, and the structure or site thereafter shall be in conformity with the development standards for the zoning designation in which it is located. Discontinuance of a use shall include cessation of the existing nonconforming use, regardless of intent to resume said nonconforming use**.** The Planning Director shall base a determination of discontinuance on evidence, including the removal of equipment, furniture, machinery, structures, or other components of the nonconforming use, disconnected or discontinued utilities, or no business records to document continued operation. Without further action by the City, any further use of the site or structure shall comply with all of the regulations of the applicable zoning district and all other applicable provisions of this Zoning Code.

G. Change of nonconforming use.

The Planning Commission may consider and approve, or conditionally approve, a request to change a nonconforming use to a different nonconforming use, provided that:

1. There is no new building/structure proposed beyond any existing building/structure on the property; and

2. The different nonconforming use is not of greater intensity or type resulting in an increase in: traffic, noise, odor, lighting, residential dwelling units, the need for additional parking, and improvements required to ensure compliance with building and fire codes; and

3. A Conditional Use Permit is obtained.

H. Restoration of Damaged Structure.

1. Whenever a structure which does not comply with the standards for front, side, and rear yards; height of structures; distances between structures; and parking facilities as prescribed in the regulations for the zoning designation in which the structure is located, or for the use which does not conform with the regulations for the district in which it is located, is destroyed by fire or other calamity, by act of God, or by the public enemy to the extent of 50% or less, the structure may be restored and the nonconforming use may be resumed, provided that restoration is started within one year and diligently pursued to completion. When the destruction exceeds 50% or the structure is voluntarily razed or is required by law to be razed, the structure shall not be restored except in full conformity with the regulations for the district in which it is located, and the nonconforming use shall not be resumed.

2. The extent of damage or partial destruction shall be based upon the ratio of the estimated cost of restoring the structure to its condition prior to such damage or partial destruction to the estimated cost of duplicating the entire structure, as it existed prior thereto. Estimates for this purpose shall be prepared by, or reviewed and approved by, the building official and shall be based on the minimum cost of construction in compliance with the building code.

3. Restoration of a nonconforming use or structure shall require the issuance of a Site Plan Review, CMC Section 17.04.030.

I. Nonconforming Parcels or Lots.

A nonconforming parcel or lot may be used, developed, or improved subject to the following:

1. A nonconforming parcel or lot shall only be allowed those uses that are permitted by the underlying zone, and such uses shall be subject to all other provisions of this title. For exceptions, see nonconforming uses in CMC Section 17.04.090 E alterations and additions to nonconforming uses and structures.

2. A nonconforming parcel or lot may be developed or improved, provided that the nonconforming lot was legally created and the development or improvement and uses conform to all provisions of the Zoning Code, including the standards of the applicable zone, with the exception of the nonconforming lot size, dimension, or configuration.

3. Nonconforming parcels or lots may be merged and/or reconfigured with conforming or nonconforming lots to create the same or fewer number of lots, but which conform more closely to the applicable standards of the underlying zone, subject to all other provisions of this title.

Chapter 17.06
Single-Family Residential Zones

Sections

17.06.010 Purpose and Intent
17.06.020 Classification of Zones and Density
17.06.030 Permitted Uses and Conditionally Permitted Uses
17.06.040 Property Development Standards
17.06.050 General Development Standards
17.06.060 Allowed Projections Above Building Height Limit
17.06.070 Projections into the Required Setbacks/Yards, Equipment, and Pools
17.06.080 Slopes and Hillside Standards
17.06.090 Keeping of Animals
17.06.100 Design Guidelines
17.06.110 Applications, Submittal Requirements, Review Process, Approval and Appeal Procedures

17.06.010 Purpose and Intent.

The purpose and intent of the single-family residential zones are as follows:

A. Provide a full range of housing types consistent with the General Plan.

B. To preserve, protect, and enhance the character of the City's residential neighborhoods, while also allowing for necessary development.

C. Maintain a proper and proportionate scale and design for new construction or alterations to existing structures, aligning with the character and physical attributes of the established neighborhoods.

D. Create a high-quality living environment that enhances residents' well-being and lifestyle through spacious, well-designed homesites.

E. Requiring a minimum lot area and restricting the development to one dwelling unit per lot will ensure ample light, air, privacy, and open space for each dwelling.

17.06.020 Classification of Zones and Density.

A. The following are the classifications of six single-family residential zones as established by the General Plan. All development shall follow the City’s General Plan Land Use goals and policies and the development standards set forth in this chapter.

1. Estate Residential Zone (E-1). The development of single-family homes on large estate-style properties, with a minimum lot area of one acre.

2. Estate Residential Zone (E-1/2). The development of single-family homes on large estate-type homesites, with a minimum lot area of one-half acre.

3. Single Family (R-1-20,000). The development of single-family homes on large estate-type homesites, with a minimum lot area of 20,000 square feet.

4. Single Family (R-1-10,000). The development of single-family homes on spacious lots, with a minimum lot area of 10,000 square feet.

5. Single Family (R-1-8500). The development of single-family residential homes on lots with a minimum lot area of 8,500 square feet.

6. Single Family (R-1-7500). The development of single-family residential homes on lots with a minimum lot area of 7,500 square feet.

7. RTP Residential Zone (Trailer and Mobile Home Parks). Comply with regulations under Chapter 17.24 Section 17.24.200 RTP Residential Zone (Trailer and Mobile Home Parks)

B. Density. Development density is not solely determined by the maximum General Plan density. It is also influenced by factors such as lot configuration, topography, unit size, and most importantly, neighborhood context.

17.06.030 Permitted Uses and Conditionally Permitted Uses.

Table 17.06.030 outlines land-use regulations for permitted and conditionally permitted uses in the Single-Family Residential Zones. Uses not specifically listed in the table are deemed prohibited. When a particular land use or activity is not defined, the Community Development Director shall assign it to a classification that is substantially similar in character and operation, in accordance with CMC Section 17.04.080 Use Determination.

Table 17.06.030-1 Land Use Regulations for Single-Family Residential Zones

Definitions:
P- Permitted by Right
C- Conditional Use Permit
N- Not Permitted
A- Administrative Conditional Use Permit

Land Use Classifications	E-1	E-1/2 and R-1-20,000	R-1-10,000	R-1-8500 and R-1-7500	Additional Regulations
Accessory Uses					
Domestic pets	P	P	P	P	Section 17.06.090
Noncommercial animal-keeping	P	P (E-1/2) N (R-1-20,000)	N	N	Section 17.06.090
Pool and Spa	P	P	P	P	CMC Chapter 17.06.060

Table 17.06.030-1 Land Use Regulations for Single-Family Residential Zones					
Definitions: **P- Permitted by Right** **C- Conditional Use Permit** **N- Not Permitted** **A- Administrative Conditional Use Permit**					
Land Use Classifications	**E-1**	**E-1/2 and R-1-20,000**	**R-1-10,000**	**R-1-8500 and R-1-7500**	**Additional Regulations**
Pool house	P	P	P	P	CMC Chapter 17.22.010
Private recreation courts (tennis, pickleball, and basketball)	A	A	N	N	CMC Chapter 17.22.100
Private horse stables or barns	P	P	N	N	CMC Section 17.06.090
Private EV home chargers and (noncommercial) battery storage units	P	P	P	P	CMC Section 17.06.070
Freestanding flagpole	P	P	P	P	Maximum 35 feet height
Assembly Uses					
Places of Assembly	C	C	C	C	
Banquet facilities	C	C	N	N	
Day Care Faculties					
Pre-school and childcare centers	C	C	C	C	
Day nurseries	C	C	C	C	
Education Services					
Kindergarten, Transitional Kindergarten, primary, junior, and high school (public)	P	P	P	P	
Kindergarten, Transitional Kindergarten, primary, junior, and high school (private)	C	C	C	C	
Colleges and universities (public)	P	P	P	P	
Colleges and universities (private)	C	C	C	C	
Public and Quasi-Public Uses					
Public parks	P	P	P	P	
Community centers	P	P	P	P	

Table 17.06.030-1 Land Use Regulations for Single-Family Residential Zones					
Definitions: **P- Permitted by Right** **C- Conditional Use Permit** **N- Not Permitted** **A- Administrative Conditional Use Permit**					
Land Use Classifications	**E-1**	**E-1/2 and R-1-20,000**	**R-1-10,000**	**R-1-8500 and R-1-7500**	**Additional Regulations**
Libraries	P	P	P	P	
Museums	P	P	P	P	
Residential Uses					
Single-family houses, detached	P	P	P	P	
Accessory Dwelling Unit (ADU) and Junior Accessory Dwelling Unit (JADU)	P	P	P	P	CMC Chapter 17.20.080
Family daycare (small) 8 or fewer children	P	P	P	P	
Family daycare (large) up to 14 children	P	P	P	P	
Group homes (6 or fewer residents)	P	P	P	P	
Group homes (7 or more residents)	C	C	C	C	
Guest houses (detached)	P	P	P	P	Short term rentals are prohibited
In Home businesses and Cottage food operations	P	P	P	P	CMC Chapter 17.24.120
Residential care facilities (small, with 6 or fewer residents)	P	P	P	P	
Residential care facilities (large with 7 or more residents)	C	C	C	C	
Senior housing, assisted living facility, and memory care facility	C	C	C	C	
Urban lot splits (SB 9) and two units	P	P	P	P	CMC Chapter 17.20.060
Transitional housing	P	P	P	P	

Table 17.06.030-1 Land Use Regulations for Single-Family Residential Zones					
Definitions: **P- Permitted by Right** **C- Conditional Use Permit** **N- Not Permitted** **A- Administrative Conditional Use Permit**					
Land Use Classifications	**E-1**	**E-1/2 and R-1-20,000**	**R-1-10,000**	**R-1-8500 and R-1-7500**	**Additional Regulations**
Short term rental	C	C	C	C	
Utilities, Wireless Communication Uses and Extraction					
Electrical distribution and public utility substations	C	C	N	N	
Wireless communication facilities on private property (stealth only)	C	C	N	N	CMC Chapter 17.24.250

17.06.040 Property Development Standards.

Subdivisions, new land uses, new construction and structures, and alterations to existing land uses and structures must comply with the property development standards under Table 17.06.040, including all applicable zoning code provisions of CMC Title 17 and Design Guidelines.

Table 17.06.040-1 Property Development Standards—Single Family Residential Zones				
Property Development Standards	**E -1**	**E-1/2 R-1-20,000**	**R-1-10,000**	**R-1-8,500 R-1-7,500**
Minimum Lot Size (acre/square feet)				
New lots	1 acre	½ acre (E-1/2) 20,000 (R-1-20,000)	10,000	8,500 (R-1-8,500) 7,500 (R-1-7,500)
Minimum Lot Width (feet)				
Interior	100	100	80	70 (R-1-8,500) 60 (R-1-7,500)
Corner/Street side	- No requirement (NR)	105	85	77.5 (R-1-8,500) 67.5 (R-1-7,500)
Cul-de-sacs	45 at front lot line, 100 at building setback	45 at front lot line, 100 at the building setback	45 at front lot line; 80 feet front setback	45 at front lot line; 70 feet front setback (R-1-8,500) 45 at front lot line; 60 feet front setback (R-1-7,500)
Minimum Lot Depth (feet)				
Lot depth	150	150	110	105 (R-1-8,500) 100 (R-1-7,500)
Minimum Setbacks and Yards Measured from Ultimate Property Lines (feet)				
Front	60	25	25	25
Interior side	30	15 (E-1/2) 10 (R-1-20,000)	10	5
Corner street side	60	15 (E-1/2) 12.5 (R-1-20,000)	12.5	12.5
Reverse corner	60	15	15	15
Rear	30(1)	25	25	25
Alley	5	5	5	5
Garage setback	25	25	25	25
Additional Building Step-back (feet) for Second Story from Property Line				

Table 17.06.040-1 Property Development Standards—Single Family Residential Zones				
Property Development Standards	**E -1**	**E-1/2 R-1-20,000**	**R-1-10,000**	**R-1-8,500 R-1-7,500**
Interior side and corner street side	30 + 2.5	15 + 2.5 (E-1/2) 10 + 2.5 (R-1-20,000)	10 + 2.5	5 + 2.5
Coverage (PERCENTAGE)				
Maximum lot coverage (2)	50	50	50	40
Front yard coverage (4)	50	50	50	50
Building height (feet)				
Maximum building height	35	35	35	35
Floor Area (3) (square feet)				
Minimum floor area for main dwelling	1,100	1,100	1,100	1,100
Maximum floor area for detached accessory building	50% of main dwelling	50% of main dwelling	50% of main dwelling	50% of main dwelling
Distance Between Buildings (feet)				
Between main house and accessory building (feet) (5)	6	6	6	6
Between main house and detached garage (feet)	25	25	25	25
Between two accessory buildings (feet) (5)	6	6	6	6

Notes:

(1) For through-lots, the yard designating as the rear yard shall be 60 feet.

(2) Lot coverage includes main dwelling, accessory structures, garages, carports, covered patios and porches, gazebos and pergolas, and decks over 36-inch high.

(3) Minimum floor area for a main dwelling does not include a garage, carport, patios, or open porches.

(4) Front yard coverage exclude the paved access to garage, but include hardscape such as concrete, stamped concrete, pavers, gravel or landscape rocks.

(5) Distance between buildings are measured from eaves to eaves.

17.06.050 General Development Standards.

New development, construction, additions, and alterations to existing sites, structures, and accessory structures must comply with all provisions of Chapter 17.22, General Development Standards. These standards include, but are not limited to, accessory structures, fences, walls, corner cutbacks, ground-mounted and roof-mounted equipment and projections, screening, outdoor storage screening, signs, performance standards, water-efficient landscape requirements, transportation demand management, property maintenance, historic preservation, tree preservation and dedication, public improvements, and underground utilities.

17.06.060 Allowed Projections above Building Height Limit.

Architectural features and building elements may extend beyond the maximum building height limit as outlined in the table below. Such extensions are only allowed to the extent and under the conditions explicitly specified therein. The table below lists the various architectural features that may protrude above the building height and sets forth the regulations for these projections in residential zones.

Table 17.06.060-1 Allowed Projections above Building Height Limits in Residential Zones

Structures Allowed Above Height Limit	Maximum Coverage	Maximum Projection Above Height Limit (feet)
Non-habitable decorative features, including spires, belfries, cupolas, domes, and other similar architectural elements	10% of roof area	3
Skylights	20% of roof area	1
Chimneys not over 6 feet in width	10% of roof area	3
Building-mounted telecommunications facilities	See CMC Chapter 17.24.160	

17.06.070 Projections into the Required Setbacks and Yards.

The following table identifies structures, building elements, equipment, and pools that are permitted to project into or be located within required setbacks and yard areas. All such projections and encroachments shall comply with the standards and limitations set forth in the table below.

Table 17.06.070-1 Projections into the Required Setbacks and Yards					
	Front	**Rear**	**Interior Side**	**Corner/ Street Side**	**Minimum Distances from Property Lines**
Maximum Roof Projections (feet) into Required Yards					
Cornices, eaves, canopies, and similar roof projections	2	2	2	2	3 ft interior side 8 ft street side 10 ft reverse corner
Maximum Building Wall Projections					
Bay windows, sills, fireplaces, chimneys, and similar wall projections	2	2	2	2	3 ft interior side 8 ft street side 10 ft reverse corner
Stairways and fire escapes or similar features	Not allowed	4	4,	Not allowed	3 ft interior side 5 ft rear
Landing places, patios, and decks 18 inches or less above grade	No maximum	No Maximum	3	5	3 ft interior side 8 ft street side 10 ft reverse corner
Open and unenclosed entry porches and decks 19 to 30 inches above grade	4	6	Not allowed	4	8 ft street side 10 ft reverse corner
Covered entry porch and decks 19 to 30 inches above grade, including roof and roof overhang	4	6	Not allowed	4	8 ft street side 10 ft reverse corner
Wall Mounted and Ground Mounted Equipment (feet)					
AC Compressor, pool equipment	Not allowed	4	4	Not allowed	5 ft interior side 5 ft rear

Table 17.06.070-1 Projections into the Required Setbacks and Yards					
	Front	**Rear**	**Interior Side**	**Corner/ Street Side**	**Minimum Distances from Property Lines**
Private EV home chargers	Allowed	Not allowed	Not Allowed	Not allowed	Not allowed
New or replacement Water heater tanks	Not allowed	5	5	Not allowed	5
Pools and Spas					
Swimming pools and spas	Not allowed	Maintain 5 feet from property line	Maintain 5 feet from property line	Maintain 10 feet from property line	5

17.06.080 Slopes and Hillside Standards.

A. For downhill sloping lots with a slope of 4 to 1 or greater, the height of a second-story building shall not exceed 16 feet measured from the existing street grade at the front yard setback line.

B. Driveway grades.

1. Driveway length (landing) in front of a garage and less than 25 feet shall not exceed a maximum 6 percent grade.

2. Driveway grades for uphill or downhill lots must meet the following minimum dimensions and maximum percent grades: a 6-percent grade at 6-feet from the front property line; a segment of up to 10-feet of the driveway may exceed 6-percent and reach a maximum of 20-percent; and a 6-percent grade at 20-feet (landing) in front of the garage. The portion of the driveway with a grade greater than 15-percent should include coarse paving materials or grooves for traction.

C. Slopes with a ratio of 4 to 1 or steeper shall not be included as lot area or as part of the required yard.

D. Slope protection and landscaping.

1. To protect slopes from soil erosion and slippage and to facilitate significant revegetation, a permanent irrigation system shall be installed on all slopes requiring planting. The design shall emphasize the use of plant materials that will not eventually require irrigation. Water and energy conservation

techniques shall be used, including, but not limited to, drip irrigation and alluvial rockscape.

2. Where slopes are 3 to 1 or steeper and at least 5 feet high, jute netting or similar material approved by the Director shall be used to stabilize planting and reduce soil erosion.

E. Lot lines shall be at the top of terraced pads on the uphill lots or pads, and before a two-foot bench area on the downhill lots and pads.

F. Fences and wall heights shall comply with CMC Chapter 17.22, Section 17.22.160. The maximum height for fences and walls, including retaining walls, shall be 8 feet for interior side or rear yards. For areas with extreme slopes, use terraced retaining walls. Each retaining wall shall be separated by at least 3 feet. Include landscape materials between the terraced walls.

G. Retaining walls used to create lot pads, including pads for detached accessory structures, shall not exceed 4 feet in height. Terraced retaining structures are required to accommodate additional retained areas caused by unusual or extreme conditions (e.g., lot layout, steep slope, or road design). A minimum of 3 feet shall separate terraced walls, with suitable landscaping.

I. Open decks may encroach into the slope areas up to a maximum vertical height of 6 feet.

J. Swimming pools and sports courts are prohibited on slopes greater than 30 percent.

17.06.090 Keeping of Animals.

The keeping of domestic pets, small or large animals, fowls, etc., shall comply with CMC Title 7.

A. The noncommercial keeping of domestic pets shall not exceed a maximum of three of any animals and up to a maximum of nine total of any combination of the following animals: parrots, parakeets, hamsters, guinea pigs, dogs, cats, ducks, geese, pigeons, turkeys, doves, and turtles. There is no limit for tropical fish.

B One horse per one-half acre up to a maximum of two. One swine, miniature pig, or pot-bellied pig per lot or parcel.

C. Detached accessory structures, such as horse stables or barns, must maintain a 70-foot setback from any habitable buildings, including those on neighboring properties.

17.06.100 Design Guidelines.

New development, construction, additions, and alterations to existing sites, structures, and accessory structures shall comply with the adopted Design Guidelines for consistency with the General Plan Land Use Plan policies.

A. Design standards for additions to existing buildings.

1. The exterior and roof of all additions to existing buildings shall match the architecture and materials of the existing building.

2. Use the same architectural style, form, height, size, color, and materials as the existing building.

3. Provide horizontal articulation to the building plane by recessing or projecting the building wall at least two feet and up to four feet for a minimum distance of five feet.

4. Reasonable variations in design are permitted, subject to the approval of the Director.

5. The replacement or installation of new water heater tanks outside the garage must be within an enclosed structure and must be architecturally integrated with the main dwelling's design, including the roof, roof pitch, walls, doors, materials, and color.

17.06.110 Applications, Submittal Requirements, Review Process, Approval and Appeal Procedures.

New development, redevelopment, or new construction, including remodeling, additions, or alterations to existing structures and accessory structures, must comply with the requirements of CMC Section 17.04.040 Site Plan Review and other entitlements as determined necessary by the Director. The applications, submittal requirements, review process, hearing and noticing requirements, and approval and appeal procedures shall comply with the requirements of CMC Chapter 17.02 General Provisions and Administration.

Chapter 17.08
Multi-Family Residential Zones

17.08.010 Purpose and Intent
17.08.020 Density
17.08.030 Permitted and Conditionally Permitted uses
17.08.040 Property Development Standards.
17.08.050 Additions to Existing Buildings
17.08.060 Allowed Projections Above Building Height Limit
17.08.070 Small Lot Single-Family Development.
17.08.080 Multi-family Residential Supplemental Regulations.
17.08.090 Building types With Specific Building Design and Architectural Standards
17.08.100 Condominium Conversions.
17.08.110 Performance Standards.
17.08.120 Applications, Submittal Requirements, Review Process, Approval and Appeal Procedures
17.08.130 Findings and Conditions.

17.08.010 Purpose and Intent.

A. Intent. The Multi-Family Residential Zone intends to provide a full range of housing types and densities consistent with the general plan. The housing types may range from small-lot single-family detached houses, duplexes, triplexes, fourplexes, courtyard housing, townhouses, condominiums, and apartments.

B. Purpose. The purpose of the Multi-Family Residential zone is to do the following:

1. Preserve, protect, and enhance the character of residential neighborhoods; and

2. Provide a physical environment that contributes to and enhances the quality of life of city residents; and

3. Ensure adequate light, air, privacy, and open space for each dwelling; and

4. Ensure that the scale and design of new development and alterations to existing structures are compatible with surrounding homes and appropriate to the physical characteristics of the site and the area where the project is proposed; and

5. Provide an adequate supply and range of housing types and prices that will accommodate the city's future population growth; and

6. Ensure the provisions of public services and facilities needed to accommodate planned population densities.

17.08.020 Classification of Zones and Density.

A. Classification of Zones. The following are the classifications of two Multi-Family Residential Zones as established by the General Plan. All development shall follow the City's General Plan Land Use goals and policies and the development standards set forth in this chapter.

1. Medium Density Residential Zone (MDR). Consistent with the general plan, the Medium Density Residential (MDR) zone has a density range of 7 to 14 dwelling units per acre.

2. High Density Residential Zone (HDR). Consistent with the general plan, the High Density Residential (HDR) zone has a density range of 14.1 to 22 dwelling units per acre.

B. Density. The yield of units or lots per acre depends on lot size and dimensions; compliance with all development regulations, such as but not limited to setbacks, building height stepbacks or terracing, parking requirements, open space (both common and private), and access points and driveways; and the presence of underlying easements, such as flood control channels.

17.08.030 Permitted and Conditionally Permitted Uses.

Table 17.08.030-1 outlines the permitted uses for each multiple-family residential zone and specifies the land use permit required for each. All land use activities must be conducted entirely within the building premises unless otherwise permitted under this section. Land uses, or activities not listed in Table 17.08.030-1, are prohibited. If a specific land use or activity is not defined, the Director will assign it to a similar classification that aligns with its nature, according to CMC Section 17.04.080 Use Determination.

Table 17.08.030-1 Land Use Regulations – Multiple-Family Residential Zones

P = Permitted Use C = Conditional Use Permit N = Use Prohibited			
Land Use Classification	**MDR**	**HDR**	**Additional Regulations**
Residential Uses			
Single-family houses, detached	P	P	
Duplex, triplex, fourplex	P	P	
Townhouses (condominiums)	P	P	
Townhouses (fee simple)	P	P	

Apartments	P	P	
Accessory dwelling unit (ADU) and junior accessory dwelling unit (JADU)	P	P	Subject to CMC Section 17.20.080
Family Day Care, Small (8 or fewer children)	P	P	
Family Day Care, Large (up to 14 children)	P	P	
Group Residential	C	C	
Residential Care Facilities (small, 6 or fewer residents)	P	P	
Residential care facilities (large, 7 or more)	C	C	
In-home business or Cottage Business (business license required)	P	P	Subject to CMC Section 17.24.120
Assisted living facility, and memory care facility	C	C	
Educational Services			
School (Pre-K – 12)	C	C	
Colleges	C	C	
Community/Public Assembly			
Public Assembly	C	C	
Cultural institutions such as museums	C	C	
Libraries	C	C	
Day care centers	C	C	
Public Uses			
Public park	P	P	
Community center (public)	P	P	
Government Facilities	P	P	
Recreation Facilities	C	C	
Communications and Utilities			
Telecommunication facility such as antennas, microwave equipment and radio towers	C	C	Subject to CMC Section 17.24.250

Accessory Uses			
Keeping of domestic pets	P	P	Dogs, cats, guinea pigs, hamsters, parrots, and parakeets; not more than 3 of each animal and a maximum of 9 for a combination of the list
Pool and spa	P	P	
Recreation building/pool house	P	P	
Recreation courts (tennis and basketball)	P	P	
Laundry facility	P	P	
Other Specific Uses			
Nonconforming lots, buildings, and uses	Subject to CMC Chapter 17.04		

17.08.040 Property Development Standards.

Subdivisions, new land uses, new construction and structures, and alterations to existing land uses and structures must comply with the Multi-Family Residential Zone property development standards under Table 17.08.040-1, including all applicable zoning code provisions, Design Guidelines, and Covina Multi-family Objective Design Standards.

Table 17.08.040-1 Multiple-Family Residential Zone Property Development Standards

Development Standards	**MDR**		**HDR**		**Notes**
Parcel/lot size (square feet)	**15,000 or less**	**15,000 and more**	**15,000 or less**	**15,000 and more**	
Lot and Density Standards					
Density (dwelling units per acre, CMC 17.08.020B)	6.1 to 10	10.1 to 14	14.1 to 17	17.1 to 22	
Lot size, single-family detached houses (sq. ft. min.)	3,500, 4,000 average	3,000	N/A	N/A	See CMC 17.08.070 for zero lot line homes.
Lot size, attached housing types (sq. ft. min.)	15,000	15,000	15,000	15,000	
Minimum Lot Requirements					
Lot width			100	100	

Corner lot width	See CMC 17.08.070 Small Lot Residential Development/Zero Lot Line		120	120	
Lot depth			100	100	
Frontage for flag lot or cul-de-sac lot			40	40	
Lot coverage (max. percentage)			35%	35%	
Minimum Dwelling Size (square feet)					
Studio	500	500	500	500	
One bedroom	700	700	700	700	
Two bedrooms	1,000	1,000	1,000	1,000	
More than two bedrooms	+150 each additional bedroom				
Building Form and Location					
Minimum Setbacks (feet)					
Front **(4)**	20	20	15	15	
Street side **(3)**	12.5	12.5	10	10	
Reversed corner **(3)**	15	15	10	10	
Interior side	5	5	5	5	
Rear	15	15	15	15	
Public alley (dwelling)	10	10	10	10	
Public alley (garage)	5	5	5	5	
Building height (feet)	35	35	35	35	Buildings may exceed limits per provisions of CMC 17.08.060.
Number of stories	2	2	3	3	
Minimum Setbacks – Second Story or Greater (feet)					
Street side setback	17.5	17.5	15	15	
Reversed corner	20	20	15	15	
Interior side	10	10	10	10	
Rear	25	25	20	20	
Minimum Distance Between Buildings Elevations (feet)					
Front to Front	15	15	15	15	

Front to Side	10	10	10	10	
Side to Side	7.5	7.5	7.5	7.5	
Open Space (Applicable to Multifamily Dwellings)					
Private open space (sq. ft. per dwelling unit)	100	100	100	100	
Common open space (sq. ft. per dwelling unit)	120	120	120	120	

NOTES:

(1) The projections and exceptions to maximum building height are subject to provisions in CMC Section 17.08.060.

(2) An existing lot of record that is substandard as to the minimum lot size shall be permitted the development rights of the zone in which it is located except that the maximum density shall be limited to the minimum allowed within the density range.

(3) Street side yard must be free and clear from any above-ground or underground facilities.

(4) Front yard must be free and clear from any above-ground or underground facilities. 5 feet encroachment allowed in front yard setback for porches.

17.08.050 Additions to Existing Buildings.

The exterior and roof of all enclosed room additions to existing buildings shall match or be similar to the architecture and materials of the existing building. Reasonable design variations are permitted, subject to the director's approval.

17.08.060 Allowed Projections Above Building Height Limit.

The structures listed in Table 17.08.060-1, Allowed Projections Above Height Limits, may exceed the maximum permitted building height in the Multiple-Family Residential zones, subject to the stated limitations. Further, no portion of a structure that exceeds the building height limit may contain habitable area. Additional height above this limit may be approved through a conditional use permit, in compliance with the provisions of CMC Chapter 17.04.

Table 17.08.060-1 Allowed Projections Above Height Limit

Structures Allowed Above the Height Limit	Maximum Vertical Projection Above the Height Limit	Maximum Coverage and Locational Limitation
Skylights	1 foot	None.
Chimneys	8 feet	None.

Decorative features including spires, cupolas, etc. Rooftop open space features including sundecks, sunshade and windscreens, trellises, and landscaping	10 feet	Limited to a total of 20% of roof area, inclusive of all structures. Must be set back from the exterior wall one foot for every foot of projection above the height limit.
Elevator and stair towers (for multi-unit residential and nonresidential buildings only)	16 feet	Limited to a total of 10% of roof area. Must be set back from the exterior wall one foot for every foot of projection above the height limit.
Mechanical equipment	5 feet	Must set back from the exterior wall one foot for every foot of projection above the height limit and screened from view from adjacent at-grade public streets.
Fire escapes, catwalks, and open railings required by law	No restriction	None.
Telecommunications facilities, antennas, microwave equipment, and radio towers	Subject CMC Section 17.24.240 Wireless Communication Facilities.	

17.08.070 Small Lot Single-Family Development.

The following development standards apply to the MDR Zone with medium-density residential development, including single-family detached, single-family attached, or zero-lot-line units, at a density of 7 to 14 dwelling units per acre. In addition to the standards in this section, all small lot single-family development must comply with CMC Section 17.08.080 (Multifamily residential supplemental regulations) and the Multi-family Covina Objective Design Standards.

A. Dwelling Placement.

1. Small-lot development may include center-plot or zero-lot-line configurations.

2. Zero lot line development shall place a detached single-family dwelling adjacent to one interior side lot line with a zero-foot required setback, while maintaining a 10-foot setback on the other side. The interior side lot line, where the dwelling has a zero building setback, is a common property line shared with the adjacent property owner.

3. The opposite 10-foot side yard shall be permanently maintained free of any obstructions, except for a required solid decorative masonry garden wall, which shall be architecturally treated on both sides and subject to the director's approval. The masonry wall shall intersect the rear property line.

B. Maintenance Easement.

1. Provide a permanent five-foot-wide maintenance easement along the interior zero lot line for the length of the lot depth to maintain and repair structures, fences, or walls.

2. Easements shall be shown on the parcel or tract map and incorporated into each deed that transfers title to the subject property.

C. Roof and Eave Design. Design the roofs of the structures to ensure that water runoff from the dwelling located on the common lot line is limited to the easement area. The eaves shall not be less than three feet from the property line.

D. Development Standards. Table 17.08.070-1 shows the development standards for small lot development. Non-fee simple housing, such as condominiums, would be exempt from minimum lot requirements. Building setback requirements are for public or private streets.

Table 17.08.070-1 Small Lot Development Standards within MDR Zone	
Minimum lot size (sq. feet)	3,500
Lot width (min. feet)	40
Corner lot width (min. feet)	60
Lot depth (min. feet)	85
Lot coverage (max. percentage)	45%
Minimum street frontage (feet)	25
General Development Standards	CMC Chapter 17.22
Building setbacks (min.)	
Front (feet)	15
Front-on garage facing street (feet)	18
Side-on garage facing street (feet)	10
Interior side (feet)	5
Interior side for zero lot line product (feet)	10 feet one side
Corner side (feet)	10
Rear (feet)	Minimum 10; average 15

E. Outdoor Open Space. Each dwelling shall have a minimum of 400 square feet of private usable outdoor open space, with a minimum dimension of 10 feet.

F. Private Streets or Alleys. Private streets or alleys may provide vehicular access to individual units and provide waste collection and other public or private services. No parking is allowed within the alleys.

G. Projections Prohibited. Structures or architectural elements shall not project over any property line. Porches or stoops may encroach into the front setback no more than five feet.

H. Rights-of-Way. The zero side yard shall not be adjacent to any private or public street.

I. Walls. Fences or walls along the zero lot line shall be constructed of solid decorative masonry or similar low-maintenance materials, subject to the director's approval.

17.08.080 Multi-family Residential Supplemental Regulations.

A. Site Planning.

1. Neighborhood Compatibility. Design all multi-family developments to be compatible with one- or two-story single-family detached homes and meet the following design standards:
   a. Multi-family residential projects located across the street from single-family neighborhoods shall orient the following features toward the street: individual entries, patios, and landscaping.
   b. Design the multi-family structures to transition in scale through height changes or stepbacks on the second or higher floors. The portion of the multifamily structures within 50 feet of the common boundary of single-family homes shall not exceed 25 feet in height.
   c. Parking lot areas and carports shall not be located along the street frontages of single-family neighborhoods.

B. Access, Pedestrian Orientation, and Connections.

1. The following standards apply to the design of pedestrian circulation and access within multi-family projects and the surrounding neighborhoods:
   a. Pedestrian walkways shall connect all buildings on a site to one another, to on-site automobile and bicycle parking areas, and to any on-site open space or pedestrian amenities.
   b. An on-site walkway shall connect the primary building entry or entries to a public sidewalk along each street right-of-way.
   c. Walkways shall be at least 4 feet wide and paved with concrete.

2. Access and Circulation, Including Fire Access.
   a. Drive aisles or private streets minimum width is 25 feet.
   b. Fire accessways minimum width is 28 feet. The accessway shall be free of any overhead obstruction and posted as a fire accessway, with no parking permitted within 28 feet.

c. All drive aisles, private streets, or fire accessways shall have all-weather surfaces, such as asphalt or concrete.
d. A fully dedicated and improved street or alley is acceptable as a fire accessway.

C. Off-street parking shall comply with the parking requirements outlined in Chapter 17.22.090 CMC and the Multi-family Objective Design Standards, as amended from time to time.

D. Common and Private Open Space.

1. Common open space is required for all multi-family projects and must comply with the following standards:

a. Incorporate common open space into the site plan as a primary design feature and not just as remnant pieces of land used as open space. Centrally locate the common open space and position it within the views of the nearest units, so residents can watch over the area.

b. Provide common open space at a rate of 120 square feet of open space per dwelling unit.

c. Common open space is open space used commonly by residents of a building. Common open space may be designed as a single centralized area or as several open space areas. Each common open space area shall have a minimum dimension of 15 feet in any direction and a minimum area of 300 square feet.

d. Common open space may have features as follows:
   i. Patios with picnic tables.
   ii. BBQ areas with shade structure(s).
   iii. Community gardens.
   iv. Swimming pools or spas. Standards per subsection (P)(1) of this section.
   v. Natural open space area with benches for viewing, trails.
   vi. Play structures.
   vii. Sports courts (e.g., tennis, basketball, volleyball). Standards per subsection (P)(3) of this section.
   viii. Recreation building/pool house. Standards per subsection (P)(2) of this section.
   ix. Other active or passive recreation areas accessible to building residents and their visitors.
   x. Common open space features not listed above may be considered subject to planning commission review and approval.

e. Multi-family developments with up to 10 units must include at least one common open space feature.

f. Multi-family developments with 10 to 50 units must include at least 3 common open-space features.

g. Multi-family developments with 50 to 100 units must include at least 4 common open-space features.

h. For every 50 units beyond the first 100, another set of four common open-space features shall be provided.

i. Common open space shall not include driveways, pedestrian access to units from common pedestrian walkways, parking areas, private open space, or required front, side, or rear setback areas.

j. A minimum of 60 percent of the common open space must be landscaped areas or gardens.

k. Common open space does not include the front, side, street side, and rear yard areas.

2. Private open space is required for all multi-family projects and must comply with the following standards:

a. Provide private open space at a rate of 100 square feet per unit.

b. Private open space may be a combination of ground-level patios and balconies.

c. Ground-level patios or balconies must have one minimum dimension of not less than seven feet.

d. Delineate private outdoor space by a wall, fence, or hedge.

e. Private open space is a usable area adjoining and directly accessible to a dwelling unit, reserved for the exclusive use of the dwelling unit's residents and their guests. Examples include patios, screened decks, or balconies.

f. Use accent elements to demarcate pedestrian entrances to a multifamily development and common open space areas on the interior of a project site. Accent elements shall include the following: wood trellises, arches, arbors, columns, or low monument features.

E. Landscaping.

1. All setback and yard areas required by this code, areas between the curb and the setback, and street or site street frontages, except for the required sidewalk, shall be landscaped and maintained in compliance with this Title.

2. All new multiple-family development and redevelopment of existing multiple-family complexes shall follow the landscape requirements listed below:

   a. Landscaping around the building perimeter is required at a rate of one tree per 20 lineal feet

   b. Within the setback and yard areas, areas between the curb and setback, and street or site street frontages, plant trees at a rate of one tree for every 20 lineal feet.

   c. Locate trees between 4 and 10 feet from the back of the sidewalk. Trees planted within 10 feet of a street sidewalk, walkway, or building shall be deep-rooted tree species or have a root barrier.

   d. The landscaped area shall include shrubs and ground covers and may include other natural growth, stormwater quality features, and drainage treatments.

   e. Planting size and spacing. Minimum 50% of the required trees shall be 24-inch box size, maximum 25% of the required trees shall be at 15-gallon size, and minimum 25 % of the required trees shall be 36-inch box specimen size or larger. All shrubs shall be a minimum 5-gallon size and shall be planted at 4 feet on center. All ground cover shall be at 12 inches on center for flats or 18inches on center for 1-gallon size.

   f. Planting layout and diversity. Plant selection shall vary by type and planting pattern. Use a mix of evergreen trees and deciduous flowering trees. Groupings of shrubs shall include multiple plant types with varying heights and blooming seasons to provide year-round interest.

   g. Surface parking lot shall have 1 tree per 7 spaces.

3. Shrubs shall not exceed 42 inches (three and one-half feet in height) within the required front yard setback.

4. Shrubs planting for screening purposes shall be 15-gallon size and at 4 feet on center.

5. All common open spaces shall be landscaped.

6. All planting areas, plant materials, and irrigation shall conform to the city's water-efficient landscaping regulations.

7. Landscaping and open space shall follow the building type standards in the Covina Multi-family Objective Design Standards.

F. Fences, Walls, and Hedges.

1. Fences, walls, hedges, and similar structures are limited to a maximum height as follows:

Table 17.08.080-1 Fence, Walls and Hedges Maximum Height				
Fences, walls and hedges			**Height (feet)**	**Additional regulations**
a.	Within required front setbacks		3	An additional foot of fencing is allowed; provided, that all fencing above 3 feet in height is at least 50% open.
b.	Within required street side setbacks			
	i.	Within 10 feet of the property line	3	An additional foot of fencing is allowed; provided, that all fencing above 3 feet in height is at least 50% open.
	ii.	Within 5 feet of a separated sidewalk	3	An additional foot of fencing is allowed; provided, that all fencing above 3 feet in height is at least 50% open.
	iii.	Other areas of the required street side setback	6	
c.	Within required interior side setbacks		6	
d.	Within required rear setbacks		6	

2. Design of Fences and Walls.

   a. All wall and fence designs shall incorporate materials and details used on the primary buildings (e.g., pilasters, stonework, wrought iron, or colors).

   b. Construct walls using decorative masonry materials, such as, but not limited to, enhanced-precision block, split-face block, or materials of similar appearance, maintenance, and structural durability.

   c. Fences may be made of wood or vinyl, subject to the director's approval. Chain-link fence material is prohibited.

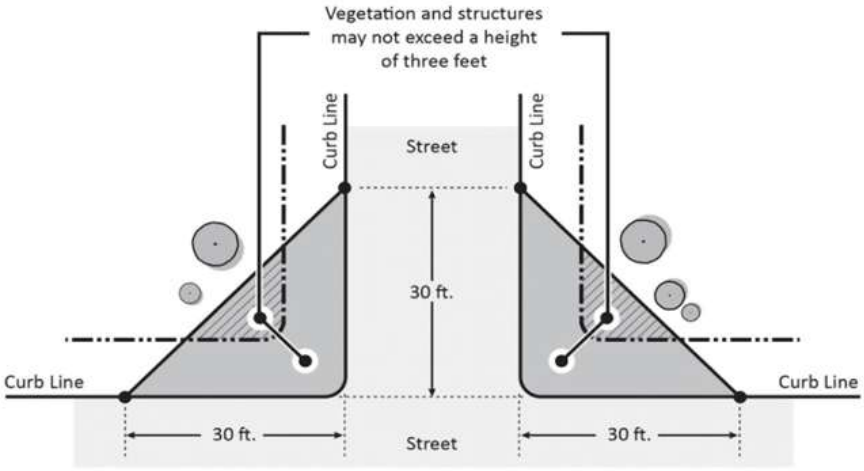
   d. Fences and walls along the side or rear property lines, but not along street frontages, shall be constructed of solid decorative materials. Open fences made of wrought iron or tubular steel may be permitted to capture scenic views along a property line that adjoins a permanent open space area, where the yard does not require screening.

   e. Fencing between private yards and common open spaces shall have a minimum height of four feet and a maximum height of six feet.

f. When screening is necessary as part of the site design, block walls may be constructed within the front yard setback and along the street frontage, but they must be decorative masonry, have a decorative cap, and include a landscape setback.

g. At street intersections, structures located on a property at any corner where intersecting streets meet may not exceed a height of three feet within the vision triangle formed by drawing imaginary lines between points 30 feet from where the curb lines of the intersection quadrant meet.

Figure 17.08.080-1 Visibility at Intersections



G. Screening Parking Areas.

1. Parking areas, both covered and uncovered, must be screened from public rights-of-way with landscaping. Landscape screening includes, but is not limited to, ground cover, shrubs, trees, a planted earth berm (no greater than two feet in height), hedges, walls, or some combination of these.

2. Provide a landscaped perimeter strip at least five feet wide for any parking area adjacent to the side or rear property line. The landscaped perimeter strip may be within the required setback area.

H. Screening of Accessory Features and Refuse Storage Areas.

1. Screening of Accessory Features. Screen exterior trash, refuse storage, utility boxes, and electric and gas meters from the public rights-of-way with landscaping, fences, or walls, or a combination of these.

2. Refuse Storage Areas.

a. Developments with attached garages may have individual refuse containers. Anticipate storage space for three refuse containers per dwelling unit. Refuse containers must be provided with a location to be stored for trash pickup day, which is out of view from pedestrian walkways and internal and external roadways.

b. Developments without attached garages shall have shared refuse dumpsters within enclosures or buildings. The applicant shall provide the city with information from the refuse pickup provider confirming the size and number of dumpsters required for the projects.

c. Design refuse enclosures in accordance with city standards and specifications. Roof covering and drainage are required. The enclosure walls shall be finished with decorative materials such as concrete or solid masonry, and shall include a solid gate of durable wood, metal, or approved material, subject to the director's approval.

d. Locate refuse enclosures so they are easily accessible for trash pickup.

e. No refuse dumpsters shall be under an eave overhang.

I. Storage Areas. Provide a minimum 175 cubic feet of storage area within garages. The minimum dimension of this storage shall be four feet.

J. Sustainability.

1. New development must achieve the mandatory elements of CALGreen as required by state law, but should seek opportunities to exceed, pursue, and achieve CALGreen Tier 1 or 2.

2. Parking spaces specifically designated and conveniently located for fuel-efficient vehicles shall be provided in conjunction with development projects, in compliance with the regulations in CALGreen Title 24, Part 11.

K. Lighting.

1. Provide illumination for all entryways, pathways, open spaces, and parking lots in accordance with city standards.

2. Use high-efficiency, warm white light.

3. Arrange lighting to reflect or direct light away from adjacent residential properties.

4. Provide lighting at refuse enclosures for nighttime security and use.

5. Average one foot-candle minimum and maximum. Provide a photometric diagram.

6. The maximum height of the freestanding light pole and fixtures is 20 feet, measured from the finished base to the top of the pole or light fixture.

L. Signs.

1. Address signs must indicate the street address number, not exceeding one square foot in size and four feet in height above ground. Limit to one such sign per lot per street frontage.

2. Display of Building Addresses for Multiple-family Development, on-site directional signs, on-site construction, real estate, and subdivision signs shall comply with the provisions of CMC Chapter 17.26 Sign Regulations.

M. Utility Services and Street Improvements.

1. All utility services shall be underground.

2. All utility laterals for condominiums, townhouses, and community apartments shall access each unit from the common yard area.

3. All utility and street improvements for the development shall comply with the provisions of CMC Section 17.22.120.

P. Accessory Uses and Structures.

1. Swimming Pools and Spas.

a. No swimming pools and spas allowed within the required front yard setback.

b. A minimum 10-foot setback from the street-side property line. Where a masonry subdivision perimeter wall encloses the parcel, the street-side setback is five feet.

c. A minimum five-foot setback from the interior side or rear property line.

d. Swimming pools or spas must have a separation of a minimum of five feet from the exterior wall of any dwelling unit.

e. Filter, Heating, and Maintenance Systems. All filter, heating, and maintenance systems and equipment shall not be located within any required setback adjacent to a public street, within five feet of an interior side or rear property line, or within 10 feet of the living area of any dwelling unit on an adjacent parcel unless located entirely within a soundproof enclosure.

2. Recreation Building/Pool House.

   a. A pool house or cabana may be approved in conjunction with a proposed pool, provided that the building's use is simultaneous with the pool's completion.

   b. A pool house or cabana shall be limited to one story and not exceed 800 square feet.

   c. There shall be no kitchen or cooking facilities within a pool house/cabana, but may include a bar sink and under-counter refrigerator.

3. Recreation Courts, such as Tennis and Basketball.

   a. The minimum parcel size to have a recreation court is 10,000 square feet.

   b. No recreation court shall be allowed within any yard or setback area.

   c. No more than 30 percent of the usable landscaped open space requirement and outdoor living shall be devoted to recreation court.

   d. Install a six-foot-high solid masonry wall along the property line between any recreation court and the adjacent property. Provide landscaping within the setback area to screen the recreation court fence.

   e. The height of any recreation court fence shall not exceed 10 feet above the court surface.

4. Laundry Facilities.

   a. All multifamily units shall have their own private laundry space in each unit. A shared facility within the building or property may be permitted, subject to the director's approval.

   b. All outdoor clothes-drying areas shall be screened on all sides by a landscaped screen, fence, or wall at least six feet high.

17.08.090 Building types with specific building design and architectural standards.

A. Building Types for Medium Residential Density. The building types in the medium-density range include duplexes, triplexes, fourplexes, bungalow courts, and mansion apartments. The characteristics of these building types are defined in the Covina Multifamily Objective Design Standards document.

B. Building Types for High Residential Density. The building types in the high-density range include courtyard buildings, townhouses, stacked flats, and live-work units within a mixed-use development that includes residential units. The characteristics of these

building types are defined in the Covina Multifamily Objective Design Standards document.

C. General Building Design and Site Design Standards. All multifamily housing units shall comply with the general building and site design standards set forth in the Covina Multifamily Objective Design Standards document.

17.08.100 Condominium conversions.

A. Applications. All applicable provisions of CMC Title 16, Subdivisions, shall apply.

B. Condominium conversions shall comply with Chapter 16.12 CMC, Common Interest Development Conversions.

17.08.110 Performance standards.

All uses and developments must comply with the performance standards set forth in Section 17.22.090 of this Title. Applicants must refer to that section for specific requirements regarding noise, lighting, emissions, and other operational impacts.

17.08.120 Applications, Submittal Requirements, Review Process, Approval and Appeal Procedures.

New development, redevelopment, or new construction, including remodeling, additions, or alterations to existing structures and accessory structures, must comply with the requirements of CMC Chapter 17.04.040 Site Plan Review and other entitlements as determined necessary by the Director. The applications, submittal requirements, review process, hearing and noticing requirements, and approval and appeal procedures shall comply with the requirements of CMC Chapter 17.02 General Provisions and Administration.

17.08.130 Findings and Conditions.

In addition to the findings described in CMC 17.04, the Director or the Planning Commission shall make the following findings. The Director or the Planning Commission shall impose conditions of approval as deemed necessary to address the following: protect the public health, safety, and general welfare; to secure a development which is in harmony with other developments in the area; to minimize all undesirable or unsightly appearance; and to provide an orderly and visually aesthetic development within the intent of this chapter.

A. All provisions of this title are complied with.

B. The design of the new development will preserve, protect, and enhance the character of residential neighborhoods, and provide a physical environment that contributes to and enhances the quality of life of city residents; and

C. The scale and design of new development and alterations to existing structures are compatible with surrounding homes and appropriate to the site's physical characteristics and the area where the project is proposed.

D. The landscaping is incorporated in such a way as to complement the overall development, to enhance visual interest and appeal, and to soften bolder architectural features.

E. The development is in keeping with existing quality improvements in the area, in harmony with the area's future development, will not be detrimental to surrounding properties nor diminish the value thereof, and will comply with the general plan.

F. The development complies with the provisions for utilities and street improvements under Chapter CMC 17.22.

Chapter 17.10
Commercial Zones

17.10.010 Purpose and Intent
17.10.020 Classification of Zones
17.10.030 Permitted Uses and Conditionally Permitted Uses
17.10.040 Property Development Standards
17.10.050 General Site Development Standards
17.10.060 Building Height Exceptions, Permitted Projections Above Limit
17.10.070 Design Guidelines
17.10.080 Landscaping Requirements.
17.10.090 Parking, Access, and Loading Requirements.
17.10.100 Applications, Submittal Requirements, Review Process, Approval and Appeal Procedures.

17.10.010 Purpose and Intent.

The purpose and intent of the Commercial Zones, a crucial aspect of our City's development, is as follows:

A. Provide for the orderly, well-planned, and balanced development of commercial zones in the City.

B. Require new, remodeled, or expanded commercial structures to comply with Zoning, Design Guidelines, and other standards, and to include adequate amenities that enhance the quality of life for workers and patrons.

C. Encourage the capture of a broader range of retail businesses, such as stores, shops, and restaurants, to attract more customers, boost sales tax revenue, and improve the community's image.

D. Encourage pedestrian-focused development in suitable parts of the City.

17.10.020 Classification of Zones.

A. Neighborhood Commercial Office Zone (NCO). The Neighborhood Commercial Office Zone is intended to accommodate a mix of office, professional, and neighborhood-serving commercial uses in a cohesive and integrated setting. This zone supports development that provides essential goods, services, and professional activities primarily for nearby residents and the surrounding community. Uses may include retail sales of convenience items, personal and professional services, and related office functions that are compatible in scale and character with adjacent residential areas.

B. Community Commercial (CC*).* The Community Commercial Zone permits medium-sized businesses to serve local communities. Its goal is to create areas with a diverse range

of commercial establishments, providing convenient options for daily shopping and services.

C. Regional Commercial (RC): The Regional Commercial Zone is designed to support planned, unified shopping centers that serve larger communities and regional markets. These areas create business opportunities and jobs for local residents.

17.10.030 Permitted Use and Conditionally Permitted Uses.

Table 17.10.030-1 lists the permitted land uses and specifies the required land use permit for each. Uses not specifically listed in the table are prohibited. When a particular land use or activity is neither defined in the glossary nor included in the land use tables, the Director shall classify it under a category substantially similar to the business's operation and characteristics, in accordance with CMC Section 17.04.080, Use Determination. All land use activities must be conducted entirely within the building premises unless otherwise authorized under this section or under CMC Section 17.04.030, Conditional Use Permits. All uses are subject to the property development standards in CMC Section 17.10.050 and to all applicable provisions of CMC Title 17.

17.10.030-1 Permitted Use and Conditionally Permitted Uses in Commercial Zones				
Land Use Classifications	**Zoning Districts**			
Definitions: **P- Permitted by Right** **C- Conditional Use Permit** **N- Not Permitted** **A- Administrative Use Permit**	**Neighborhood Commercial Office Zone (NCO)**	**Community Commercial (CC)**	**Regional Commercial (RC)**	**Additional Regulations**
Administrative and Professional Services				
General offices	P	P	P	
Finance and insurance offices	P	P	P	
Business support services	P	P	P	See glossary for examples land uses.
Computer system design and related services	P	P	P	
Advertising, public relations and related services	P	P	P	
Professional, scientific, and technical Services	P	P	P	See CMC Chapter 17.28 Glossary for examples of this land use.
Government offices	P	P	P	
Real estate offices and related services	P	P	P	
Travel agencies	P	P	P	

17.10.030-1 Permitted Use and Conditionally Permitted Uses in Commercial Zones				
Land Use Classifications	**Zoning Districts**			
Definitions: **P- Permitted by Right** **C- Conditional Use Permit** **N- Not Permitted** **A- Administrative Use Permit**	**Neighborhood Commercial Office Zone (NCO)**	**Community Commercial (CC)**	**Regional Commercial (RC)**	**Additional Regulations**
Security services, services to buildings and dwellings	P	P	P	See CMC Chapter 17.28 Glossary for examples of this land use.
Alcohol Sales and Services				
Alcohol sales for on-site consumption with or without entertainment	N	C	C	
Alcohol sales for off-site consumption - beer, wine and liquor store	C	C	C	
Micro-brewery, wine bar or winery with food sales	C	C	C	Food service may be provided by mobile vendors
Assembly Uses				
Places of assembly with alcohol service	N	C	C	
Places of assembly without alcohol service	C	C	C	See CMC Chapter 17.28 Glossary for examples of this land use
Automobile Sales and Services				
Automobile and vehicle dealers with services and maintenance, including boat, RV, ATV, and other motor vehicle sales (new and used)	N	P	P	
Automobile rental services, except trucks and trailers	P	P	P	
Automobile repair services (minor)	N	P	P	See CMC Chapter 17.24 for Definitions & Specific Use Regulations

17.10.030-1 Permitted Use and Conditionally Permitted Uses in Commercial Zones				
Land Use Classifications	**Zoning Districts**			
Definitions: **P- Permitted by Right** **C- Conditional Use Permit** **N- Not Permitted** **A- Administrative Use Permit**	**Neighborhood Commercial Office Zone (NCO)**	**Community Commercial (CC)**	**Regional Commercial (RC)**	**Additional Regulations**
Automobile repair services (major)	N	C	C	See CMC Chapter 17.24 Definitions & Specific Use Regulations
Automobile parts, tires and accessories sales	N	P	P	
Car washes, full service and mechanical	C	C	C	See CMC Chapter 17.24 for Specific Use Regulations
Gas/service stations	C	C	C	See CMC Chapter 17.24 for Specific Use Regulations
Towing services with indoor or outdoor vehicle storage	N	C	C	See CMC Chapter 17.24 for Specific Use Regulations
Communication and information				
Computing infrastructure providers, data processing, web hosting and related services	P	P	P	
Publishing industries	P	P	P	
Radio and television broadcasting studios or stations	P	P	P	
Sound recording industries	P	P	P	
Satellite telecommunications (non-private or private use)	P	P	P	
Software publishers	P	P	P	
Wireless communication facilities (stealth or non-stealth)	P	P	P	See CMC Chapter 17.24 for Specific Use Regulations
Day Care Facilities				

17.10.030-1 Permitted Use and Conditionally Permitted Uses in Commercial Zones				
Land Use Classifications	**Zoning Districts**			
Definitions: **P- Permitted by Right** **C- Conditional Use Permit** **N- Not Permitted** **A- Administrative Use Permit**	**Neighborhood Commercial Office Zone (NCO)**	**Community Commercial (CC)**	**Regional Commercial (RC)**	**Additional Regulations**
Pre-school and childcare centers	C	C	C	
Senior day care centers	P	P	P	
Educational Services				
Kindergarten, elementary, junior and high schools, and colleges/universities (public)	P	N	N	
Kindergarten, elementary, junior and high schools (private)	C	N	N	
Vocational, trade, technical, and instructional schools	P	P	P	See CMC Chapter 17.26 Glossary for examples of this land uses.
Colleges, universities and professional Schools, including satellite classroom facilities (private)	P	N	N	
Educational support services such as exam preparation and tutoring	P	N	N	
Food and Beverage Retailers				
Bakeries and other quick service restaurants	P	P	P	Additional parking spaces require with 4 seats or more per CMC Section 17.22.030
Catering establishments	P	P	P	
Convenience markets	P	P	P	Alcohol sales require CUP
Grocery stores and supermarkets	N	P	P	Alcohol sales require CUP
Specialty food retailers such as meat, seafood and fish, fruit and vegetables	N	P	P	Alcohol sales require CUP
Confectionery and nuts retailers	P	P	P	
Food and Beverage (Non-alcoholic) Services				

17.10.030-1 Permitted Use and Conditionally Permitted Uses in Commercial Zones				
Land Use Classifications	**Zoning Districts**			
Definitions: **P- Permitted by Right** **C- Conditional Use Permit** **N- Not Permitted** **A- Administrative Use Permit**	**Neighborhood Commercial Office Zone (NCO)**	**Community Commercial (CC)**	**Regional Commercial (RC)**	**Additional Regulations**
Restaurants without alcohol	P	P	P	See CMC Chapter 17.24 Glossary for examples of this Land Use.
Restaurants with drive-through	C	C	C	
Food courts	P	P	P	Alcohol sales require CUP
Mobile food facilities, permanent and fixed location on private properties	A	A	A	Subject to CMC Chapter 17.24 Specific Use Regulations
Mobile food facilities, temporary placement on private properties	A	A	A	Subject to CMC Chapter 17.24 Specific Use Regulations
Restaurants with alcoholic beverage sales and/or entertainment	C	C	C	Entertainment use subject to CMC Chapter 5.28
General Merchandise and Retail Trade				
Antique sales	P	P	P	
Art dealers, galleries and supplies	P	P	P	
Beauty Supplies	P	P	P	
Books and Magazines	P	P	P	
Building Materials and garden equipment and supplies such as home centers, hardware retailers, nurseries and garden centers	N	P	P	Outdoor storage subject to CMC Section 17.22.080
Camera and photographic studios	P	P	P	
Cannabis retailers (delivery only and/or storefront sales)	N	C	C	Subject to CMC Chapter 17.24 Specific Use Regulations

17.10.030-1 Permitted Use and Conditionally Permitted Uses in Commercial Zones				
Land Use Classifications	**Zoning Districts**			
Definitions: **P- Permitted by Right** **C- Conditional Use Permit** **N- Not Permitted** **A- Administrative Use Permit**	**Neighborhood Commercial Office Zone (NCO)**	**Community Commercial (CC)**	**Regional Commercial (RC)**	**Additional Regulations**
Clothing, clothing accessories, shoe and jewelry retailers	P	P	P	
Consignment stores, second hand and thrift store	P	P	P	Subject to CMC Chapter 17.28 Glossary
Department stores	N	P	P	
Electronics and appliance retailers	N	P	P	
Florists	P	P	P	
Furniture and home furnishings retailers	N	P	P	
General merchandise retailers	P	P	P	
Health and personal care retailers	P	P	P	Subject to CMC Chapter 17.28 Glossary
Luggage and leather goods retailers	P	P	P	
Office supplies, stationery retailers, and gift, novelty and souvenir retailers	P	P	P	
Pet and pet supplies retailers	P	P	P	
Shared-space commercial establishments	C	C	C	Subject to CMC Chapter 17.28 Glossary
Smoke shops and tobacco stores, cigar and hookah lounges	N	C	C	Subject to CMC Section 17.24.220, Specific Use Regulations
Sporting goods including guns and ammunition, hobby and musical instrument retailers	N	P	P	
Secondhand stores, except indoor swap meets	N	P	P	
Warehouse clubs, supercenters, and discount outlets	N	P	P	
Lodging				

17.10.030-1 Permitted Use and Conditionally Permitted Uses in Commercial Zones				
Land Use Classifications	**Zoning Districts**			
Definitions: **P- Permitted by Right** **C- Conditional Use Permit** **N- Not Permitted** **A- Administrative Use Permit**	**Neighborhood Commercial Office Zone (NCO)**	**Community Commercial (CC)**	**Regional Commercial (RC)**	**Additional Regulations**
Hotels and motels	N	C	C	See CMC Chapter 17.24 Specific Use Regulations
Single-room occupant facilities (SRO)	N	P	P	
Medical, Health Care and Social Assistance				
Ambulatory healthcare service	P	P	P	
Residential care facilities	C	N	N	See CMC Chapter 17.28 Glossary
Family, youth, and childcare services	P	P	P	
Hospitals	P	N	N	
Medical and dental offices	P	P	P	See CMC Chapter 17.28 Glossary
Outpatient care centers and clinics	P	C	C	
Medical and diagnostic laboratories	P	P	P	
Pharmacies	P	P	P	Drive-through requires a CUP Subject to CMC Section 17.24.070
Biotech research and development Facilities and Pharmaceuticals	P	N	N	
Other Uses				
Conversion of residential building to nonresidential use	C	C	C	Subject to CMC Chapter 17.22 General Development Standards
Personal Services				
Animal hospitals, veterinaries, and pet grooming	P	P	P	

17.10.030-1 Permitted Use and Conditionally Permitted Uses in Commercial Zones				
Land Use Classifications	**Zoning Districts**			
Definitions: **P- Permitted by Right** **C- Conditional Use Permit** **N- Not Permitted** **A- Administrative Use Permit**	**Neighborhood Commercial Office Zone (NCO)**	**Community Commercial (CC)**	**Regional Commercial (RC)**	**Additional Regulations**
Body art facilities	N	A	A	Subject to CMC Chapter 17.24 Specific Use Regulations
Check cashing services	C	C	C	
Funeral services including funeral parlors, mortuaries, cemeteries, and crematories	N	C	C	
Personal care services such as hair, nail and skin care, barber and beauty, diet, day spa, and weight-reducing centers	P	P	P	
Laundries, laundromats, and dry cleaning services	P	P	P	
Massage Services	N	C	C	Subject to CMC Chapter 17.24.120 Specific Use Regulations
Public and Quasi Public Uses				
Public facilities	P	P	P	See CMC Chapter 17.24 Specific Use Regulations
Service organizations	P	P	P	
Recreation and Entertainment				
Health Clubs, fitness centers, gymnasiums, dance studios, gymnastics, and sport training	C	C	C	
Indoor recreation facilities such as billiards, pool halls, bowling alleys, escape and virtual rooms, ice and roller skating rinks, computer/video arcades	N	C	C	
Outdoor recreation facilities such as amusement parks, athletic fields, miniature golf course, batting cages, and driving ranges,	N	C	C	

17.10.030-1 Permitted Use and Conditionally Permitted Uses in Commercial Zones				
Land Use Classifications	**Zoning Districts**			
Definitions: **P- Permitted by Right** **C- Conditional Use Permit** **N- Not Permitted** **A- Administrative Use Permit**	**Neighborhood Commercial Office Zone (NCO)**	**Community Commercial (CC)**	**Regional Commercial (RC)**	**Additional Regulations**
Theatres, Cinemas	N	C	C	
Recycling Facilities				
Reverse Vending Machines	A	A	A	
Repair Services				
Household Appliances and Furniture Repair	N	P	P	
Jewelry Sales and Repair	P	P	P	
Temporary and Accessory Uses				
Open-air “pop-up” marketplace events	A	A	A	Subject to CMC Chapter 17.24 Specific Use Regulations
Outdoor displays in conjunction with retail stores	A	A	A	
Parking lot sales	A	A	A	Subject to CMC Chapter 17.24 Specific Use Regulations
Temporary Fund Raising Activities	A	A	A	Subject to CMC Chapter 17.24 Specific Use Regulations
Temporary special events	A	A	A	Subject to CMC Chapter 17.24 Specific Use Regulations
EV chargers	P	P	P	
Transportation and Facilities				
Transit and ground passenger transportation includes school, charter bus, employee bus transportation	N	N	C	
Limousine, taxi, and ride-sharing services	P	P	P	
Parking lot facilities (private)	P	P	P	

17.10.030-1 Permitted Use and Conditionally Permitted Uses in Commercial Zones				
Land Use Classifications	**Zoning Districts**			
Definitions: **P- Permitted by Right** **C- Conditional Use Permit** **N- Not Permitted** **A- Administrative Use Permit**	**Neighborhood Commercial Office Zone (NCO)**	**Community Commercial (CC)**	**Regional Commercial (RC)**	**Additional Regulations**
Express delivery services including postal services, courier, and messenger services	P	P	P	
Utilities				
Public utility substations, service structures, and company offices	P	P	P	

17.10.040 Property Development Standards.

All lots and parcels must comply with the development standards of Table 17.10.040, including footnotes and all provisions of CMC Title 17.

Table 17.10.040-1 Commercial Property Development Standards				
Development Standards	**Neighborhood Commercial Office (NCO)**	**Community Commercial (CC)**	**Regional Commercial (RC)**	**Additional Regulations**
Parcel				
Minimum lot area (existing parcels)	none	none	none	
Minimum lot area for new parcels (acres)	1	5	10	
Minimum street frontage (feet)	50	75	100	
Minimum lot depth	100	150	150	
Minimum landscape area coverage (% percentage)	5	10	10	
Building (feet)				
Maximum height	35	35 (3)	50 (3)	
Maximum height abutting residential zone or use	35	35	35	
Minimum distance between buildings (feet)	10	10	10	

Minimum Setbacks and yards from the ultimate property line (feet)				
Front (1)	10	15	15	
Rear (2)	10	10	10	
abutting a residential zone	10	25	25	
abutting an alley	10	10	10	
Street side (1)	10	15	15	
Interior side (2)	10	10	10	
abutting a residential zone	10	25	25	
abutting an alley	10	10	10	
Accessory structures (detached)				
Interior side yard and rear yard	5	5	5	
Street side yard and front yard	10	15	15	

Footnotes for additional requirements:

(1) The required front and street side setbacks and yards shall be landscaped and maintained. Encroachment (parking space or structures) into the setback and yards shall not be allowed.

(2) Parking spaces may encroach into the required rear and interior setbacks and yards but must maintain a continuous 5-foot landscaped area, and a continuous 10-foot landscape area when the property abuts a residential zone.

(3) An increase of building height may be allowed through Site Plan Review to be approved by the Planning Commission.

17.10.050 General Development Standards.

New construction, additions, and alterations to existing sites, structures, and accessory structures must comply with all provisions of CMC Chapter 17.22 General Development Standards. These site development standards include, but are not limited to, accessory structures, fences, walls, corner cutbacks, ground-mounted and roof-mounted equipment, projection screening, outdoor storage screening, signs, performance standards, water-efficient landscape requirements, transportation demand management, property maintenance, historic preservation, tree preservation, dedication, public improvements, and underground services.

17.10.060 Building Height Exceptions, Permitted Projections Above Limits.

Architectural features and building elements may project above the maximum building height limit as specified in the table below. Such projections shall be permitted only to the extent and under the conditions expressly identified therein. The table below identifies the various

architectural features that may project above the building height and establishes the regulations for those projections in commercial zones.

Table 17.10.060-1 Permitted Projections above Building Height Limits		
Structures Allowed Above Height Limit	**Maximum Coverage**	**Maximum Projection Above Height Limit (feet)**
Penthouses or roof structures for the housing of elevators, stairways, water tanks, ventilating fans or similar equipment required to operate and maintain the building	10% of roof area	16
Skylights,	20% of roof area	1
Fire or parapet walls,	NA	5
Mechanical equipment, must be totally screened by the parapet wall	NA	5, must be setback from the exterior wall one foot for every foot if projections above the height limit.
Building-mounted telecommunications facilities such as antennas, microwave equipment and radio towers	See CMC Chapter 17.24.240	
Footnotes for additional requirements: (1) No penthouse, roof structures, or other space above the height limit shall be allowed to provide additional floor space.		

17.10.070 Design Guidelines.

New construction, additions, and alterations to existing sites, structures, and accessory structures must comply with the adopted Design Guidelines and the policies of the General Plan Land Use Plan.

17.10.080 Landscaping Requirements.

New development, construction, additions, and renovations of existing sites shall comply with the landscaping requirements of CMC Section 17.22.060.

17.10.090 Parking, Access, and Loading Requirements.

A. Off-street parking and loading must comply with the parking and loading requirements of CMC Section 17.22.090.

B. The drive aisle's minimum width is 25 feet.

C. The driveway entry's minimum width is 30 feet, with a maximum of 35 feet.

D. The fire accessway's minimum width is 28 feet. The accessway shall be free of any overhead obstructions and posted as a fire accessway, with no parking permitted within 28 feet.

E. All drive aisles or fire accessways shall have all-weather surfaces such as asphalt or concrete.

17.10.100 Applications, Submittal Requirements, Review Process, Approval and Appeal Procedures.

New development, redevelopment, or new construction, including remodeling, additions, or alterations to existing structures and accessory structures, must comply with the requirements of CMC Section 17.04.040 Site Plan Review and other entitlements as determined necessary by the Director. The applications, submittal requirements, review process, hearing and noticing requirements, and approval and appeal procedures shall comply with the requirements of CMC Chapter 17.02 General Provisions and Administration.

Chapter 17.12
Industrial Zone

17.12.010 Purpose
17.12.020 Permitted Uses and Conditionally Permitted Uses
17.12.030 Property Development Standards
17.12.040 General Development Standards
17.12.050 Permitted Projections above Building Height Limit
17.12.060 Design Guidelines
17.12.070 Landscape Requirements
17.12.080 Parking, Access, and Loading Requirements
17.12.090 Applications, Submittal Requirements, Review Process, Approval and Appeal Procedures

17.12.010 Purpose.

The purpose of the Industrial Zone:

A. Accommodate new and expanded industrial development for community economic betterment and image enhancement.

B. Maintain and attract a variety of commercial, office, and industrial uses, thereby bolstering economic development.

C. Preserve and enhance the existing street system and other infrastructures, including utilities and storm drainage systems, to accommodate economic growth and maintain the City's visual and economic vitality.

D. Promote development that enhances connectivity and accessibility, ensuring all areas of the City are considered and included.

17.12.020 Permitted Uses and Conditionally Permitted Uses.

Table 17.12.020-1 lists the permitted land uses and the land use permit required to establish each use. Uses not explicitly listed in the table are prohibited. If a specific land use or activity is not defined, the Director shall assign it to a classification substantially similar in character, in accordance with CMC Section 17.04.080, Use Determination. All activities of each land use must be conducted entirely within the building premises unless otherwise permitted under this section or CMC Section 17.04.030 (Conditional Use Permits). All uses shall be subject to the property development standards in CMC Section 17.12.040 and all provisions of CMC Title 17.

Table 17.12.020-1 Industrial Land Use Table		
Definitions: **P - Permitted uses** **C - Conditional Use Permit required** **A - Administrative Conditional Use Permit required** **N - Not Permitted**		
Land Use Classification	**Industrial Zoning District (I)**	**Additional Requirements**
Administrative support services		
Administrative offices directly related to the permitted industrial uses and shall not exceed 20% of the gross floor area of the building	P	
Adult-oriented business, not permitted to establish within 500 feet of any other adult-oriented business, or any existing residential zone or use, park, church or school.	C	Subject to provisions of CMC Chapter 17.24 Specific Use Regulations
Automotive uses		
Automobile repair services (minor)	P	Subject to CMC Chapter 17.24 Specific Use Regulations
Automobile repair services (major)	C	Subject to CMC Chapter 17.24 Specific Use Regulations
Automobile parking facilities	P	
Automobile, truck and trailer rental facilities	P	Subject to screening requirements
Automobile car wash, full service or mechanical	C	Subject to CMC Chapter 17.24 Specific Use Regulations
Automobile service station	C	Subject CMC Chapter 17.24 Specific Use Regulations
Automobile and vehicle towing services not in conjunction with gas station and with outdoor vehicle storage	C	Subject to screening requirements
Automobiles impound yard	C	Subject to screening requirements
Business and professional support services		
Computer system design and related services	P	
Design services with showrooms	P	
General contractor offices with indoor storage of materials, vehicles, and equipment	P	(engineers, geologists, etc.)
Construction contractor offices with outdoor storage of materials, vehicles, and equipment	C	Subject to CMC Section 17.22.080 for outdoor storage
Commercial and industrial equipment rental and leasing	A	

Table 17.12.020-1 Industrial Land Use Table		
Definitions: **P - Permitted uses** **C - Conditional Use Permit required** **A - Administrative Conditional Use Permit required** **N - Not Permitted**		
Land Use Classification	**Industrial Zoning District (I)**	**Additional Requirements**
General rental centers	P	
Investigation and security services	P	
Electronic and precision equipment repair and maintenance	P	
Personal and household goods repair and maintenance	P	
Publishing industries	P	
Scientific research and development services	P	
Services to building and dwellings (janitorial, pest control, landscape, carpet cleaning, etc.)	P	
Commercial uses		
Building materials and garden equipment and suppliers dealers	P	
Beer, wine and liquor retailers	C	
Cannabis microbusinesses	C	Subject to CMC Chapter 17.24 Specific Use Regulations
Convenience market	P	
Convenience market with off-site beer, wine or liquor sales	C	
Retails sales of only those products manufactured under the permitted industrial uses	P	
Education services		
Technical and trade school	A	
Driving school	P	
Food and beverage services		
Restaurants with on-site beer and wine services	C	Subject to CMC Chapter 17.24 Specific Use Regulations
Restaurants with on-site liquor	C	
Bar, drinking establishments	C	
Caterers	P	
Cafeterias, café,	P	
Mobile food facilities	A	Subject to CMC Chapter 17.24 Specific Use Regulations

Table 17.12.020-1 Industrial Land Use Table		
Definitions: **P - Permitted uses** **C - Conditional Use Permit required** **A - Administrative Conditional Use Permit required** **N - Not Permitted**		
Land Use Classification	**Industrial Zoning District (I)**	**Additional Requirements**
Industrial Uses		
Bread, bakery and tortilla production	P	
Brewery, winery and distillery production (sake) – with wholesale sales only	P	
Soft drink manufacturing and bottling	P	
Food products (need definition)	P	
Candy and confectionary products	P	
Fruit and vegetables packing	P	
Indoor vertical farming	P	
On-site beer or wine tasting in conjunction with a brewery, winery or distillery	C	Subject to CMC Chapter 17.24 Specific Use Regulations
Coffee and tea manufacturing with incidental on-site tasting and sales limited to a maximum of 20% gross floor area	P	
Fabricated metal product manufacturing	P	
Computer and electronic product manufacturing	P	
Household and kitchen cabinet manufacturing	P	
Office furniture manufacturing	P	
Miscellaneous manufacturing, small size products such as jewelry, signs, toys, small medical and dental equipment	P	
Personal Services		
Adult-oriented businesses, not permitted to establish business within 500 feet of any other adult oriented business, or any existing residential zones or uses, parks, schools, and religious assemblies	P	Subject to CMC Chapter 17.24Specific Use Regulations
Animal hospital, shelter, kennel and boarding	C	
Body Art Facilities	A	
Dog and pet social bark	P	A CUP is required to serve alcohol
Pet cemetery services	P	
Indoor vertical farming for food consumption/products (no cannabis)	C	
Recreational and Entertainment Uses		

Table 17.12.020-1 Industrial Land Use Table		
Definitions: **P - Permitted uses** **C - Conditional Use Permit required** **A - Administrative Conditional Use Permit required** **N - Not Permitted**		
Land Use Classification	**Industrial Zoning District (I)**	**Additional Requirements**
Indoor recreation facilities such as: billiards, pool halls, bowling alleys, escape and virtual rooms, ice and roller skating rinks, computer/video arcades, mechanical and electronic games (4 or more)	C	Subject to CMC Chapter 17.24 Specific Use Regulations
Health Clubs, fitness centers, gymnasiums, dance studios, sports training, and gymnastics	C	
Indoor virtual recreation spaces (digital leisure activities)	C	
Transportation uses		
Bus storage and terminal	C	
Trucking yard terminal	C	
Taxi, ridesharing, and limousine services	P	
Courier and messenger services	P	
Radio and TV broadcasting stations	P	
Media streaming distribution services	P	
Warehouse, distribution and storage uses		
Traditional warehouse and distribution	P	See CMC Chapter 17.28 Glossary
Distribution centers such as E-fulfillment center, parcel hubs and sortation centers, parcel delivery centers and urban logistic depots, fast delivery hubs and last mile delivery centers.	C	See CMC Chapter 17.28 Glossary
Public storage with or without storage of RV vehicles	P	Subject to CMC Chapter 17.24 Specific Use Regulations
Recycling collection facilities	C	Subject to CMC Chapter 17.24 Specific Use Regulations
Recycling processing facilities	C	Subject to CMC Chapter 17.24 Specific Use Regulations
Storage yard, outdoor	C	Subject to CMC Chapter 17.24 Specific Use Regulations

Table 17.12.020-1 Industrial Land Use Table		
Definitions: **P - Permitted uses** **C - Conditional Use Permit required** **A - Administrative Conditional Use Permit required** **N - Not Permitted**		
Land Use Classification	**Industrial Zoning District (I)**	**Additional Requirements**
Wholesale Trade		
Lumber yard	P	Subject to screening
General wholesalers	P	
Utility uses		
Battery energy storage system facilities	C	
Electric distribution and public utility stations	P	
Electric and public utility transmission station	P	
Public and private utility service yards	P	
Wireless communication facilities	C	Subject to CMC Chapter 17.24 Specific Use Regulations
Micro-cell wireless facility	A	Subject to CMC 17.24 Specific Use Regulations
Public uses		
Public parks	P	
Government buildings and yards	P	
Other uses		
Existing residential trailer parks and such incidental uses directly related to the needs of the trailer park residents	C	Subject to CMC Chapter 17.24 Specific Use Regulations
Conversion of residential to non-residential uses	C	Subject to CMC Chapter 17.24 Specific Use Regulations
Accessory uses		
Electrical and mechanical games, up to a maximum of 3	P	
Storage and dispensing of propane tanks in conjunction with a primary use	P	
EV chargers within parking lots	P	Subject to CMC Section 17.04.040 Site Plan Review
Caretaker’s quarter	C	24-hour surveillance, security, property maintenance
Any other accessory uses as determined by the Director	P	

17.12.030 Property Development Standards.

Subdivisions, new land uses, new construction and structures, as well as additions and alterations to existing land uses and structures, must comply with the development standards of Table 17.12.030, including footnotes, and all provisions of this Title, Chapter 17.20, and Chapter 17.22.

Table 17.12.030-1 Property Development Standards in the Industrial Zone	
Development Standards (setback is measured from the ultimate property line)	
Lot area (minimum)	0.5 ac
Lot dimensions (minimum)	
Street frontage	50
Lot depth	150
Building height (maximum)	
Primary building	50
Accessory structure-detached	25
Minimum building setbacks (feet)	
Front yard (1)	25
Street side yard (1)	25
Interior rear yard	5
Interior side yard	5
Minimum building setbacks when adjacent to or across from residential zones, public park and utility uses (feet)	
Front yard (1)	25
Street side (1)	25
Interior side or rear yard adjacent to an alley (2)	20
Interior side and rear yard (2)	20
Side or rear yard adjacent to a railroad right-of-way (ROW)(3)	50 (measured from opposite side of railroad right-of-way (ROW)
Side or rear yard adjacent to drainage channel right-of-way (3)	50 (measured from the drainage easement line)
Minimum building setbacks for existing lots with substandard lot depth (less than 150 feet)	
Front, side or rear yard from a street that abuts a residential zone (2)	10
Side or rear yard that abuts a residential zone (1)	25
Front yard when adjacent to or across a public park (1)	25
Accessory structures (detached) minimum setbacks (feet)	
Interior side yard and rear yard	5
Street side yard and front yard	25
Landscape coverage (percentage to lot area)	5%
Footnotes for additional requirements: (1) The required yards shall be landscaped and maintained. (2) The required yards may be used for parking and storage but must maintain a 8-foot unobstructed area between the storage area and any side or rear property line.	

(3) The required yards may be used for parking or storage area, but must provide a 5-foot landscaped area and maintained.
(4) Landscape coverage does not include the required front, street side, interior side or rear yard areas.

17.12.040 General Site Development Standards.

New construction, additions, and alterations to existing sites, structures, and accessory structures must comply with all provisions of Chapter 17.22 General Development Standards. These standards include, but are not limited to, accessory structures, fences, walls, corner cutbacks, ground-mounted and roof-mounted equipment and projection screening, outdoor storage screening, signs, performance standards, water-efficient landscape requirements, transportation demand management, property maintenance, historic preservation, tree preservation and dedication, public improvements, and underground services.

17.12.050 Permitted Projections Above Building Height Limit.

Table 17.12.050-1 below outlines the types of architectural features that may project above the building height limit and establishes the requirements for those projections.

Table 17.12.050-1 Permitted Projections above Building Height Limits

Structures Allowed Above Height Limit	Maximum Coverage	Maximum Projection Above Height Limit (feet)
Penthouses or roof structures for the housing of elevators, stairways, water tanks, ventilating fans or similar equipment required to operate and maintain the building	10% of roof area	16
Skylights,	20% of roof area	1
Chimneys not over 6 feet in width	10% of roof area	3
Fire or parapet walls,	NA	5
Mechanical equipment, must be totally screened by the parapet wall	NA	5, must be setback from the exterior wall one foot for every foot if projections above the height limit.
Building-mounted telecommunications facilities such as antennas, ,microwave equipment and radio towers	See CMC Chapter 17.24.250	
Footnotes for additional requirements:		

Table 17.12.050-1 Permitted Projections above Building Height Limits		
Structures Allowed Above Height Limit	**Maximum Coverage**	**Maximum Projection Above Height Limit (feet)**
(1) No penthouse, roof structures, or other space above the height limit shall be allowed to provide additional floor space.		

17.12.060 Design Guidelines.

New construction, additions, and alterations to existing sites, structures, and accessory structures must comply with the adopted Design Guidelines and the policies of the General Plan Land Use Plan.

17.12.070 Landscaping requirements.

New construction, additions, modifications, or alterations to existing site, structures, and accessory structures shall comply with the landscaping requirement of CMC Section 17.22.060.

17.12.080 Parking, access, and loading requirements.

A. Off-street parking must comply with the parking and loading requirements outlined in CMC Section 17.22.090.

B. On-site drive aisles minimum width is 25 feet.

C. Driveway entries minimum width is 30 feet and up to a maximum of 40 feet.

D. Fire accessways minimum width is 28 feet. The accessway shall be free of any overhead obstructions and posted as a fire accessway, with no parking permitted within 28 feet.

E. All drive aisles or fire accessways shall have all-weather surfaces such as asphalt or concrete.

F. The location and number of access points shall be specified at the time of Site Plan Review, and as determined by the City Engineer.

G. Off-street loading spaces shall comply with the requirements outlined in CMC Chapter 17.22, General Development Standards.

17.12.090 Applications, Submittal Requirements, Review Process, Approval and Appeal Procedures.

New development, redevelopment, or new construction, including remodeling, additions, or alterations to existing structures and accessory structures, must comply with the requirements

of CMC Section 17.04.040 Site Plan Review and other entitlement as determined necessary by the Director. The applications, submittal requirements, review process, hearing and noticing requirements, and approval and appeal procedures shall comply with the requirements of CMC Chapter 17.02 General Provisions and Administration.

Chapter 17.14
Specific Plans (SP), Planned Community Development Districts (PCD), and Open Space Zones

17.14.010 Specific Plans
17.14.020 Planned Community Development Districts.
17.14.030 Open Space Zones

17.14.010 Specific Plans.

A. Authority for Specific Plans.

The California Planning and Zoning Law authorizes the City to prepare, adopt, and implement a Specific Plan for any area covered by the City's General Plan planning area.

B. Purpose.

Specific Plans are special planning areas with unique regulations governing use, development, and design. They are created for various reasons, including private development applications for master-planned developments, special site considerations, and special-use considerations such as targeted-use areas and redevelopment opportunities.

C. Adoption and Amendment Procedures.

1. General. Specific Plans are legislatively enacted planning documents that replace the property's zoning for the project area. Specific Plans shall be prepared, adopted, and amended in the same manner as the general plan, except that a Specific Plan may be amended as often as necessary (Govt. Code §§ 65450 through 65357).

2. Applications and Fees. Applications for specific plans and their fees shall be submitted to the Planning Division using the format or checklists provided or approved by the director. Review procedures shall follow CMC Chapter 17.04, Section 17.04.040, Site Plan Review.

3. Initiation of Specific Plans. The City Council, Planning Commission, Director, or one or more property owners may file an application to establish a Specific Plan.

4. Environmental Review. Preparing a Specific Plan is subject to the California Environmental Quality Act (CEQA), Public Resources Code §21100. For subsequent development projects after adopting a Specific Plan, refer to Govt. Code §65457.

5. Findings. Before the Planning Commission recommends approval or the City Council approves a Specific Plan, they shall make the following findings:

a. Consistent with the General Plan.

b. It complies with the provisions for dedications, public improvements, undergrounding utilities, and the infrastructures needed to support the land uses described in the Specific Plan.

c. Will not be detrimental to the public health, safety, or welfare or materially injurious to the properties or improvements in the vicinity.

D. Applicability.

Once adopted by City Council resolution or ordinance, a Specific Plan will govern all use and development of properties within its boundaries. The following provisions apply to all adopted Specific Plans.

1. Where a Specific Plan is silent on development standards, the provisions of this Title shall govern. The Director shall have the authority to determine which provisions of this Title apply when a Specific Plan is silent.

2. When a use is not explicitly listed as permitted in the Specific Plan, the Director shall assign the land use or activity to a classification that is substantially similar in character. This process involves a thorough review of the proposed use or activity, considering its nature, potential impact, and compatibility with the surrounding area. Land uses not listed in the Specific Plan as permitted or not found to be substantially similar to a permitted use are prohibited.

3. No discretionary entitlement applications or other permits may be approved, adopted, or amended within an area covered by a Specific Plan unless they are found to be consistent with the adopted Specific Plan.

E. Adopted Specific Plans.

The Specific Plans listed below have been adopted by the City and are shown on the zoning map as Specific Plans (SP) for each adopted plan. This section provides a reference for each adopted Specific Plan and summarizes the land use and development regulations that apply to each. A complete copy of all adopted Specific Plans (and any amendments) is available at the community development department and the city clerk's office.

1. Covina Forward Specific Plan (CFSP). The City adopted the Covina Forward Specific Plan in 2016 to guide the redevelopment of the 10.66-acre site into a transit-oriented mixed-use development with new public spaces, residential and commercial uses, and related public improvements within the plan area. The specific plan area is located northeast of the intersection of Citrus Avenue and Covina Boulevard. The CFSP includes three planning areas: Planning Area 1 was developed with 117 residential units, Planning Area 2 was developed with the Foothill Transit Center, which features a transit bus station and a "Park and Ride" parking structure for 350 to 400 vehicles, and Planning Area 3 was amended in 2021 and includes 38 residential units.

2. Covina Town Center Specific Plan (CTCSP). As a result of a Metro TOD Grant, the City prepared and adopted the Covina Town Center Specific Plan in 2019

to improve connectivity between the Metrolink Station and downtown Covina, revitalize the city core, and streamline the development process. The CTCSP planning area covers approximately 236 acres. It is roughly bounded on the north by the Metrolink/Union Pacific railroad tracks and Kelby Park, on the south by Center Street, on the west by Fourth Avenue and Covina Park, and on the east by North First Avenue and Barranca Avenue. The CTCSP offers a long-term strategy for revitalizing downtown Covina, promoting transit-oriented development, and creating a more memorable, accessible, economically vibrant, walkable, bikeable, and regionally attractive downtown. The City amended the CTCSP in 2020, 2022, and 2023.

3. Covina Bowl Specific Plan (CBSP). The City adopted the Covina Bowl Specific Plan in 2020. The plan covers approximately 7.5 acres in the western part of Covina, bounded by North Rimsdale Avenue to the east, West San Bernardino Road to the north, and W Badillo Street to the south. Its purpose is to provide a land use framework to guide the redevelopment of the site into a mixed-use project with 132 residential units, commercial and office spaces, and related public improvements within the plan area. The plan also ensures the preservation of existing historic structures.

4. Covina Village Specific Plan (CVSP). The City adopted the Covina Village Specific Plan in 2024. It covers an approximately 8.0-acre area at the northeast corner of Azusa Avenue and Cypress Street. The plan aims to encourage the organized redevelopment of the currently vacant and abandoned commercial site to meet community needs for residential and commercial growth. This Specific Plan establishes development and design standards and guidelines for building 97 residential units, including 17 live-work units, a car wash, and two drive-through restaurants.

17.14.020 Planned Community Development Districts.

A. Purpose.

The purpose of the Planned Community Development (PCD) zoning district is to enable high-quality development that differs from the standards and regulations applicable to other zoning districts in the City. The PCD zoning district aims to encourage creativity in building design, flexibility in allowed land uses, and innovation in development concepts.

B. Applicability**.**

1. The PCD districts shall apply to parcels of any size deemed suitable for the proposed development. Any such proposed development must conform to the General Plan and the requirements of this chapter as they relate to the land use designated in the General Plan. Development within each PCD zoning district is regulated by the Development Plans approved by the City Council.

3. The establishment of PCD districts shall follow the procedures and requirements of zone changes (rezoning) under CMC Chapter 17.04.

4. The adopted PCD districts shall be added to the zoning map as a “PCD” overlay zone to the designated underlying zoning symbol.

C. Initiation of Planned Community Districts (Zone Changes).

The City Council, the Planning Commission, the Director, or one or more property owners may file an application to establish a Planned Community Development District.

D. Applications and Fees.

Planned Community Development applications and fees must be submitted to the Planning Division using the format or checklists prescribed or issued by the Director. If the property is not under a single ownership, all owners are required to join the application.

E. Development Plans.

The applicant shall submit the Development Plans in accordance with CMC Chapter 17.04.040 Site Plan Review, and the additional requirements listed below. The Development Plans must be prepared by a qualified design professional team that includes an urban planner, a licensed architect, a registered civil engineer, a licensed landscape architect, and other professionals.

1. Project description. A written description of the proposed project shall include narrative statements of the project objectives and an explanation of how the proposed project complies with the general plan goals and policies for the applicable land uses.

2. The development plans shall include the following information and materials in the format or checklists as prescribed or issued by the director and shall also include the following additional information:

    a. A site constraints analysis map that identifies easements, natural elements, trees, structures, and other potential constraints on the site's development.

    b. Detailed site plan, preliminary and precise grading plans, landscape and irrigation plans, building elevations, floor plans, and roof plans.

    c. Low-impact development (LID). Any new development and significant redevelopment projects must address the quality and quantity of stormwater runoff by incorporating permanent (post-construction) best management practices (BMPs) in project design and conforming to CMC Chapter 8.50 (Stormwater quality and urban runoff control).

    d. Proposed land uses, residential densities, or commercial and office intensities. The listing of permitted and conditionally permitted uses. The listing of development and design standards planned for the PCD district, including but not limited to setbacks, lot sizes, building height, density, building coverage, parking and circulation, landscaping and open spaces, architecture, fences and walls, signs, and design guidelines.

e. Proposed circulation pattern for existing and future public and private streets, including proposed on-street and off-street pedestrian and bicycle circulation.

f. Identify existing and proposed infrastructures for the development.

g. A phasing plan.

3. Subdivision maps. If the proposed development involves dividing land, CMC Title 16 (Subdivision) requires a Tentative Tract Map and/or a Tentative Parcel Map.

4. Community benefits. A description of how the proposed development exceeds the standards of the existing zoning districts and how the PCD development plan will meet three of the eight community benefits outlined below.

a. Ten percent (10%) of the total units are affordable housing that meet income restrictions.

b. Provide public plazas and open spaces that surpass the minimum requirement by more than fifteen percent (15%).

c. Use green building practices and sustainable development features to achieve LEED or an equivalent certification.

d. Provide new and enlarged businesses that increase the supply or diversity of jobs available to residents.

e. Provide one piece of public art and display it in a prominent and publicly accessible location.

f. Preservation, restoration, or rehabilitation of a historic resource in the City.

g. Enhanced pedestrian and bicycle paths that improve circulation within the property and link to nearby neighborhood areas.

h. Increase the landscaping density (trees) by over twenty percent (20%) above the minimum requirements to help lower the urban heat island effect.

5. An economic feasibility study conducted by an independent economic firm or City staff at no cost to the City. The Director shall approve the format and scope of the study.

6. An impact study of the school system conducted by an independent firm or City or school district staff at no cost to the City, showing the effects of the proposed (residential or mixed-use) development on public schools. The Director shall approve the study's format and scope.

7. A financial capabilities report must be submitted to proceed with the proposed development. The Director may request a third-party audit of the financial capabilities at no cost to the City.

8. A traffic impact study conducted by a registered civil engineer experienced in traffic studies at no cost to the City. This study shall include the impact of the

proposed development on the surrounding area, the traffic potential generated by the development, the adequacy or inadequacy of existing streets and highways to safely accommodate the predicted traffic loads, necessary changes in the street system or design caused by the development, the projected cost of such improvements not to be borne by the developer, and any other information the Director may require to assist in making his decision. The Director shall approve the format and scope of the study.

9. Environmental Review. Establishing a PCD is subject to the California Environmental Quality Act (CEQA), Public Resources Code §21100.

10. The applicant shall submit evidence supporting the findings in subsection G of this section.

F. Review, Hearing, Approval, and Appeal Procedures.

The review, hearing, approval, and appeal procedures shall comply with the requirements set forth in CMC Chapter 17.02, General Provisions and Administration, and Chapter 17.04, Land Use Entitlements, Permits, and Planning Applications.

G. Findings and Conditions of Approval.

The Planning Commission recommends, and the City Council approves, the Planned Community Development District and the Development Plans. The City Council must make the following findings:

1. The proposed development is consistent with the General Plan.

2. The proposed development is superior to the development that is under the standards in the existing zoning districts.

3. The proposed project will provide community benefits as defined in subsection E 4 of this section to justify deviation from the zoning district standards that currently apply to the property.

4. Adequate transportation facilities, infrastructure, and public services exist to serve the proposed development.

5. The proposed development will not have a substantial adverse effect on the surrounding property and will be compatible with the surrounding area's existing and planned land use character.

H. Time Limit and Extension for Development.

1. Unless a different time limit is specified by a condition of approval or another provision of this Title, a Planned Community Development District and the approved Development Plans shall expire and become void if not acted upon within two years of approval, unless an extension of time is granted under this section.

2. If the Planned Community Development District and the Development Plans are approved simultaneously with a Tentative Map, the deadline for constructing the approved Development Plans shall end when the approved

Tentative Map expires, including any extensions granted under CMC Section 16.08.160.

3. If the property owner in a Planned Community Development district fails to commence substantial construction in good faith, based on the approval, the Planning Commission may initiate proceedings to rezone, remove the district, or amend the development plans as needed.

I. Revisions and Amendments to Planned Community Development Districts and Development Plans.

1. Major Revisions (Substantial Changes). Any revision deemed a substantial change shall be treated as a new application and must comply with CMC Chapter 17.04.010. The following are considered substantial changes:

   a. A change in established PCD boundaries.

   b. Elimination, addition, or change of the traffic and circulation system or any other change materially affecting the approved plan.

   c. An increase or decrease in the number of dwelling units in the PCD District that exceeds the maximum or falls below the minimum specified in the PCD Development Plan.

   d. An increase or decrease in the floor area of any non-residential land use that results in the floor area being less than the minimum or exceeding the maximum specified in the PCD Development Plan;

   e. A request to modify the conditions of approval for the Development Plans, unless the Director determines that the proposed changes do not significantly alter or expand the approved Development Plans and align with the original approval's intent.

2. Minor revisions consistent with the approved final Development Plans may be approved by the Planning Commission. The following are considered minor revisions:

   a. The addition or removal of permitted or conditionally permitted uses.

   b. Modification of the sign criteria.

   c. Modify the established development and design standards in the approved Development Plans.

   d. Modify the conditions of approval where the proposed changes do not involve substantial alterations or additions to the approved Development Plans and are consistent with the intent of the original approval.

17.14.030 Open Space Zones.

A. Purpose.

The purpose of Open Space is to conserve natural resources within the City, provide a variety of passive and active open areas and public parks, meet the recreation needs of the City's residents, and ensure there are sufficient locations for public parks.

B. Classification of Zones.

1. Open Space Zone. The Open Space zone applies to areas of the City with open space resources and conservation values, including scenic qualities, sensitive environmental features such as wildlife habitat, water recharge and detention facilities, and/or natural hazards. The Open Space zone is consistent with the General Plan's open-space land-use category.

2. Park Zone. The Park zone applies to the City's publicly owned parks and is suitable for active and passive recreation, outdoor and indoor recreational facilities, community buildings, active playing fields, plazas, and bicycle, hiking, and walking trails, as well as landscape areas and corridors. It is consistent with the Park land-use categories in the general plan.

C. Permitted and Conditionally Permitted Uses.

Table 17.14.040-1 lists the permitted land uses and the necessary land use permits for each. Uses not specifically listed are prohibited. If a particular land use or activity is not defined, the Director shall assign it to a classification that closely resembles the business's operation and characteristics, in accordance with CMC Chapter 17.02, General Provisions and Administration. All uses must comply with the property development standards in CMC Section 17.14.040-1 and all other provisions of CMC Title 17.

Table 17.14.040-1 – Parks and Open Space Land Use Table

Definitions: **P- Permitted by Right** **C- Conditional Use Permit** **N- Not Permitted** **A- Administrative Conditional Use Permit**	**Open Space**	**Park**	**Additional Regulations**
Public Parks, including children's play equipment, benches, shade structures, picnic tables, parking lots, restroom buildings, other minor buildings, and ancillary improvements related to the permitted uses	N	P	
Outdoor recreation facilities such as	N	P	
Indoor recreation facilities such as	N	P	

Playing fields	N	P	
Public parking lots, including structures with solar panels	N	P	
Bicycle, hiking, and walking trails	P	P	
Equestrian trails	P	P	
Flood control facilities	P	P	
Commercial antenna or wireless telecommunication facilities	N	P	CMC Chapter 17.24 Specific Use Regulations
Community, senior, and youth centers	N	P	
Public libraries and museums	N	P	
Mobile food trucks	N	A	CMC Chapter 17.24 Specific Use Regulations
Special events		A	CMC Chapter 17.24 Specific Use Regulations
Water recharge facilities, settling basins, and drainage channels	P	P	
Natural habitat protection	P	P	

D. Property Development Standards.

The following table establishes the property development standards applicable to parcels within the Parks and Open Space Zone.

Table 17.14.040-2 Parks and Open Space Development Standards

Development Standards	**Open Space**	**Park**
Minimum lot area	None	None
Building setbacks (feet)		
Front	25	25
Rear	25	25
Interior side	10	10
Street side	25	25
Building height (feet)	35	35
Parking	CMC Chapter 17.22 General Development Standards	

CHAPTER 17.16
MIXED-USE OVERLAY DISTRICT (MUOD)

17.16.010 Intent, Purpose, and Applicability
17.16.020 Definitions
17.16.030 Permitted and Conditional Uses
17.16.040 Accessory Uses
17.16.050 Uses not Listed
17.16.060 Property Development Standards and Special Development Regulations
17.16.070 Statement of Intent for Objective Design and Architectural Standards
17.16.080 Objective Design and Architectural Standards
17.16.090 Submittal Requirements and Applications
17.16.100 Applications, Submittal Requirements, Review Process, Approval, and Appeal Procedures

17.16.010 Intent, Purpose, and Applicability.

A. The intent of the Mixed-Use Overlay District (MUOD) is to guide and regulate future mixed-use development in line with the Mixed-Use land use designation in the General Plan. The MUOD sets specific development regulations, design criteria, and standards to ensure high-quality mixed-use projects, applying these requirements to areas designated General Commercial or Industrial in the General Plan on a project-by-project basis.

B. The purpose of this MUOD is to:

1. Encourage mixed-use projects that combine residential and non-residential uses within the same building or site to foster active street life, support business vitality, and reduce automobile dependence.

2. Create cohesive, diverse neighborhoods that offer expanded economic and cultural opportunities, improve livability, and support a healthier local economy

3. Provide walkable neighborhoods with pedestrian-oriented amenities and connections.

4. Enhance the City's appearance through creative design of buildings, structures, and facilities.

5. Provide a balanced blend of residential and non-residential uses that are compatibility within the project area and with surrounding uses and development patterns.

6. Encourage and facilitate in-fill development and the consolidation of small parcels into larger, more viable, block-sized areas for mixed-use projects.

7. Provide diversity affordable housing options, including live/work units that allow residents to live, work, and recreate closer to home.

8. Create more opportunities for residential development in the City.

C. Applicability.

1. The MUOD is an overlay zone. Uses allowed in the underlying zoning classification will remain allowed. The MUOD establishes regulatory standards and procedures that are flexible enough to review and approve future mixed-use developments that benefit the City and applicants. Applicants may either comply with the development and design standards and requirements established for the underlying zoning classification under the existing Zoning Code, or comply with the mixed-use development and design standards and requirements described in this Chapter.

2. Properties with a MUOD designation will be identified on the City's Official Zoning Map by both the underlying zone and the MUOD, with the MUOD classification shown in parentheses after the underlying zoning classification.

17.16.020 Definitions.

The following definitions apply to mixed-use development within the MUOD:

1. **Floor Area Ratio.** The Floor Area Ratio (FAR) regulates the amount of use (the intensity) allowed on a building lot. FAR is the measurement of a building's floor area relative to the size of the lot/parcel on which the building is located. FAR is expressed as a decimal and is calculated by dividing the building area by the lot area (building area ÷ lot area).

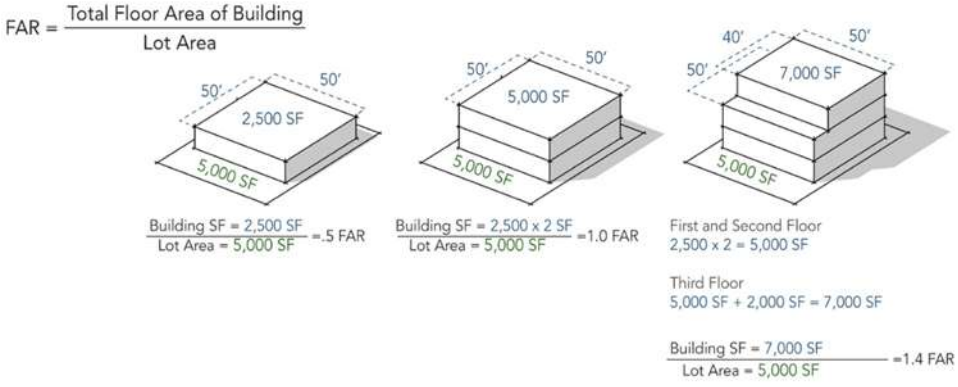


Figure 17.16.020-1 FAR Calculation

2. **Lot Coverage.** The percentage of the lot area covered by structures or buildings, including all accessory buildings such as detached recreation buildings, laundry buildings, carports or garages, and other similar detached structures. Lot coverage does not include trellises, patios, patio covers within common open spaces, or trash enclosure areas.

3. **Live-Work Unit or Space**: A rental or owned unit that includes both living spaces and work areas, with the live-work unit serving as the occupant's primary dwelling. Typical uses include artist lofts, studio spaces, small offices, or similar low-intensity uses.

4. **Maker Space Activities and Uses.** Uses include artist studios and galleries; incubator industrial uses; 3-D printing services; wholesale and retail coffee with on-site roasting and a café; and research and technology (invention, design and improvement of products and equipment) uses such as artificial intelligence, software, and audio and visual technology.

5. **Mixed-Use Development**. Projects that combine residential uses with other uses, such as commercial, office, light industrial, and institutional uses, along with pedestrian amenities and connections, within a single cohesive project. Both horizontal and vertical mixed-use development will be permitted as follows:

    a. **Horizontal Mixed-Use.** Horizontal mixed-use projects enable a variety of uses within a single development area, with uses positioned next to one another, either in separate buildings or on separate parcels within a single project application. Internal streets and drives connect these adjacent uses with pedestrian walkways and pathways. The buildings and individual components may share features and support services such as parking, loading, servicing, and utility areas.

    b. **Vertical Mixed-Use**. Vertical mixed-use projects allow a mix of uses within the same building, with non-residential uses on the ground floor and residential uses on the upper levels. A vertical mixed-use project may have a surface parking lot, subterranean parking decks, and/or above-ground parking decks.

6. **Net acre.** Net acre refers to the total land area remaining after dedicating land for a public street.

7. **Research and Development.** Work and activities aimed at innovating, launching, and enhancing products and processes.

17.16.030 Permitted and Conditional Uses.

A. If a new mixed-use development project is located within an Industrial Zone and proposes to develop a mix of residential and non-residential uses within the same project area, the following uses are permitted:

    1. Residential Uses

        a. Multiple-family dwellings, including townhouses, stacked flats, open-floor-plan lofts, apartments, condominiums, and similar housing types.

b. Accessory Dwelling Units and Junior Accessory Dwelling Units are subject to the provisions of CMC Chapter 17.20.080.

c. Live-work units. The living (dwelling) space must occupy at least eighty percent (80%) of the unit's total gross floor area, while the workspace must be at least 500 square feet. The workspace within the live-work unit cannot be converted into an accessory dwelling unit. The following are permitted uses within live-work units:
   i. Professional, administrative, and business uses
   ii. Studios (art, photography, copywriter, film, video, podcasting)
   iii. Arts and craft studios, including sales and galleries
   iv. Tutoring services for music, math, and other academic subjects, with a maximum of two students at a time.
   v. Home-based cottage food business

d. Small Family Day Care (up to 8 children) and Large Family Day Care (up to 14 children).

2. Industrial Uses

a. Light manufacturing uses include making crafts, art, sculptures, stained glass, jewelry, clothing, small household furniture, and similar items.

b. Furniture upholstery services, including custom home upholstery for chairs, couches, sofas, and more.

c. Craft brewery or winery production without on-site testing or sales.

d. Research and development activities, including businesses that develop new technology, which can be used to create or sell new products, services, or systems.

e. Technology-related fields, including computer and software development, electronics, and similar areas.

f. Podcast and small-scale video production.

g. Small-scale food preparation and/or packaging.

h. Bicycle sales and service.

i. Maker space activities and uses per Section 17.16.020(4).

3. Commercial Uses

a. Shared food and retail facilities, such as food halls.

b. Cafés, tea shops, and restaurants (without serving alcohol).

c. Small neighborhood markets (less than 5,000 square feet).

d. Florists and plant shops.

e. Interior decorating services (without product warehousing).

f. Professional, administrative, and non-medical office uses.

4. Community Spaces and Areas

a. Community spaces and areas, including plazas, open spaces, co-working spaces, and recreation areas.

b. Community spaces and areas within live/work buildings.

5. Uses permitted subject to a Conditional Use Permit (CMC Chapter 17.04.030)

The establishment of the following conditionally permitted uses requires approval of a Conditional Use Permit under CMC Chapter 17.04.030 as part of a mixed-use development project, in addition to the Site Plan Review approval mandated by this Chapter and Chapter 17.04.

a. Craft brewery and winery with on-site tasting and sales.

b. Personal training, gym and fitness centers, gymnastic schools, and health clubs (less than 5,000 square feet).

c. Religious and public assembly.

d. Catering services.

e. Research and development (R&D) and manufacturing of biotech, pharmaceuticals, and nutritional supplements. Incidental retail of the on-site manufactured product is allowed. The floor area for incidental retail spaces shall not exceed 10% of the gross floor area of the R&D and manufacturing use.

B. If a new mixed-use development project is located within Commercial Zones (NCO, CC, and RC) and proposes to develop with a mix of residential and non-residential uses within the same project area, as set forth in CMC Section 17.16.060, the following uses are permitted:

1. Residential Uses

a. Single-family attached, duplexes, triplexes, or four-plexes.

b. Multi-family dwellings such as townhouses, stacked flats, apartments, condominiums, and similar housing types.

c. Accessory Dwelling Units and Junior Accessory Dwelling Units, subject to the provisions of CMC Chapter 17.20.080.

d. Live-work units. The living (dwelling) space shall occupy at least 80% of the unit's total gross floor area, and the workspace shall occupy at least 500 square feet. The workspace area within the live-work unit is prohibited from being converted into an accessory dwelling unit. The following are permitted uses within live-work units:
   i. Professional, administrative, and business uses; and
   ii. Studios (art, photography, copywriter, video production, podcasting); and
   iii. Arts and craft studios, including sales and galleries; and
   iv. Tutoring services such as music, math, and other academic subjects, with a maximum of two students attending the tutoring service at any one time; and
   v. Home-based cottage food business.

e. Small Family Day Care (up to 8 children) and Large Family Day Care (up to 14 children).

2. Commercial uses.

   a. All uses permitted under the Neighborhood Commercial Office (NCO), Community Commercial (CC), and Regional Commercial (RC) zones are permitted as part of a new mixed-use development project.

3. Conditionally permitted uses.

   a. The conditionally permitted uses listed in Section 17.10.030 (Table 17.10.030-1) shall be allowed with the approval of a Conditional Use Permit under CMC Chapter 17.04.030 as part of a new mixed-use development project, in addition to the Site Plan Review approval required by this Chapter and Chapter 17.04.040.

17.16.040 Accessory Uses.

The following accessory uses are permitted within a mixed-use project:

1. Parking lots associated with a mixed-use project.

2. Electric vehicle charging stations.

3. Public and private recreation facilities.

4. Mechanical utility equipment (Refer to CMC Sections 17.16.060 B10 and B12 and 17.22.040).

5. Dog parks.

6. Smart electronic lockers system, self-service package lockers system, or package lockers system kiosks.

17.16.050 Uses Not Listed.

The Director may determine that a proposed use not listed in Section 17.16.030 may be allowed, subject to the provisions of CMC Chapter 17.04.080 Use Determination.

17.16.060 Property Development Standards and Special Development Regulations.

The following property development standards and special development regulations shall apply to any project developed pursuant to this Chapter.

A. Development Standards

1. Minimum Project Area Size

   20,000 square feet

2. Density and Intensity

   a. Residential Density
      i. Less than 1.0 Acre: A minimum of 14.0 and a maximum of 22.0 dwelling units per net acre
      ii. 1.00 Acre or greater: A minimum of 22.0 and a maximum of 40.0 dwelling units per net acre

   b. Non-Residential Floor Area Ratio
      i. Less than 1.0 Acre: 1.0 FAR (excluding any residential areas)
      ii. 1.00 Acre or greater: 1.25 FAR (excluding any residential areas)

   c. Mixed-use projects may develop under the maximum FAR for non-residential development and maximum density for residential development within the same project area provided all standards in this section, and other applicable sections in the CMC Title 17 are met. Notwithstanding the foregoing, a mixed-use project must dedicate at least 25% of the total gross floor area to non-residential use.

3. Lot Coverage, Building Setbacks, Building Heights, and Step-Back Standards for Horizontal and Vertical Mixed Uses – Table 17.16.060-1:

   a. For Residential Uses. Except as established in this Section, all other regulations and standards of the Residential Zone (Multi-Family) shall apply.

   b. For Commercial Uses. Except as established in this Section, all other regulations and standards of the underlying NCO, CC, and RC zones shall apply.

c. For Industrial Uses. Except as established in this Section, all other regulations and standards of the underlying I zone shall apply.

d. The following Lot Coverage, Building Setbacks, Building Heights, and Step-Back Requirements shall apply:

Table 17.16.060-1 Lot Coverage, Building Setbacks, Building Heights, and Step-Back Requirements				
Standards	**Horizontal Mixed Use (1)**			**Vertical Mixed Use (1)**
	Residential	**Commercial**	**Industrial**	
Lot Coverage (Maximum)	45%	60%	60%	60%
Building Setbacks (feet) from Property Lines				
Front setback **(2)**	15	10	10	10
Street side setback **(2)**	10	10	10	10
Alley setback	5	5	5	5
Interior side setback, adjacent to single-family residential zones	10	10	10	10
Interior side setback, adjacent to multi-family zones	10	10	10	10
Interior side setback, adjacent to non-residential zones	10	5	5	5
Rear setback, adjacent to single-family residential zones	15	15	15	15
Rear setback, adjacent to multi-family zones	10	10	10	10
Rear setback, adjacent to non-residential zones	10	10	10	10
Accessory Structures (feet) within Front Yard	15	10	10	10
Accessory Structures (feet) from Rear, Street Side, and Interior Side Property Line				
Detached garages or carports, other detached accessory structures such as trash enclosure areas, covered patio, etc.	5	5	5	5
Building Height (feet)				
Maximum building height	50	50	50	50
Building Step-back (feet) from Property Line				
Third story and above: step-back from street side and interior side when adjacent to single-family residential zones	15	15	15	15

Third story and above: step-back from rear when adjacent to single-family residential zones	20	20	20	20

4. Minimum Separation Between Buildings Within the Project Site Area for Residential, Non-Residential, or Mixed-Use Buildings, Pursuant to Table 17.16.060-2 below:

Table 17.16.060-2 Minimum Separation Between Buildings Within Project Site

Residential, Non-Residential, or Mixed-use Buildings	**1- Or 2-Story (distance in feet)**	**3-Story (distance in feet)**	**4-Story or More (distance in feet)**
Residential buildings adjacent to commercial, industrial or mixed-use buildings	20	20	20
Building side to building side	10	15	15
Building front to building front	15	20	25
Building rear to building rear	10	15	15
Building side to drive aisle curb	5	10	15
Garage, carports or accessory structures to habitable buildings	10	10	10
Other	10	10	10

B. Special Development Regulations

1. A licensed Architect, Landscape Architect and/or Civil Engineer shall prepare the development plans for any mixed-use project.

2. Ground Floor Height. The minimum height of all non-residential spaces on the ground floor within vertical mixed-use projects shall be 15 feet. Measure height from the finished floor of the first story to the floor of the second story. Plans must show that the floor space will accommodate equipment and ventilation for the non-residential tenant's use.

3. Grease Interceptors and Vertical Mechanical Vents. All commercial spaces must install grease interceptors and vertical mechanical chases for venting. The grease interceptors shall be located underground and connected to the infrastructure. Residential units above commercial spaces shall include mechanical shafts extending to the roof. Development plans must indicate the locations of grease interceptors and the vertical mechanical chase.

4. Sound and Vibration Insulation. Install sound and vibration insulation between floors in mixed-use vertical projects to keep noise levels below 60 decibels from 7:00 AM to 10:00 PM, and below 45 decibels from 10:00 PM to 7:00 AM. An acoustical study shall identify the sound and vibration reduction measures needed to minimize noise from ground-floor tenants.

5. Access, Circulation, and Mobility. The design of access and circulation improvements must accommodate multiple users with different abilities and transportation mode preferences, such as driving, biking, walking, ride share, and taking transit. Use shared driveway access to serve multiple properties. Each driveway access shall be aligned with the driveway across the street or at a median opening. If alignment is not possible, offset driveway access at least 150 feet from those on the opposite side of the street. Design must not create conflicts between vehicles and pedestrians.

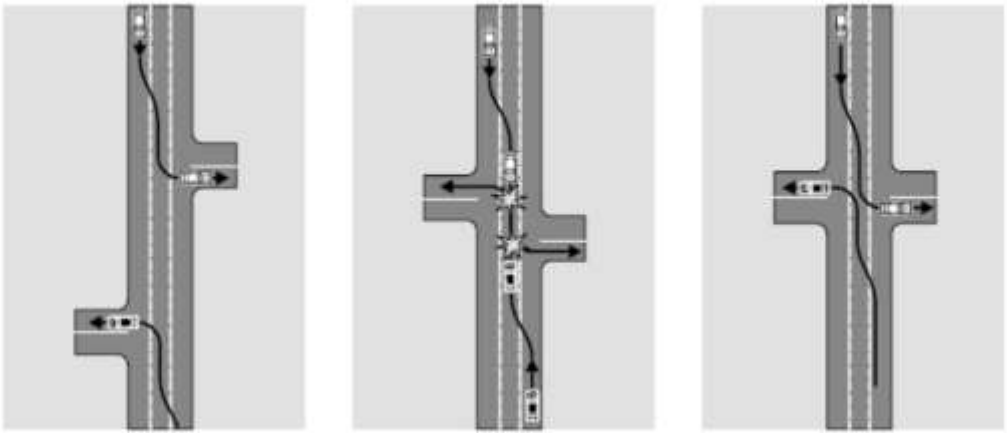


Figure 17.16.060-1 Access and Circulation

6. Pedestrian Orientations, Connections, and Amenities. Provide clear delineation of pedestrian walkways or bike trails with decorative pavement materials, landscaping, and lighting for safety. Incorporate a minimum of 5 pedestrian amenities, including but not limited to decorative pavement, trellises and arbor features, site furniture, shade structures, wider sidewalks, curb extensions, parklets, benches, and canopy-shaped evergreen shade trees. Decorative pavement materials shall be heavy broom-finished integral color concrete, acid-finished natural concrete, brick pavers, or a combination of the above materials.

7. Fences and Walls. Fences and walls shall not exceed 6 feet in height. Within the front yard area, the maximum fence and wall height shall be 3 feet and must feature an open design with wrought iron and decorative pilasters. Fences and walls shall match the materials, finished textures, and colors of the project's primary buildings and structures. They shall incorporate at least two of the following features: a minimum two-foot change in plane every 25 line al feet; use of pilasters at 50 lineal foot intervals; construction from concrete block with stucco, split face block, or slump block; or pilasters with wrought iron.

8. Off-Street Parking. Parking standards for residential and non-residential uses shall follow the parking requirements set forth in CMC Section 17.22.090. Parking incentives are as follows:

    a. The first 1,000 square feet of commercial or non-residential floor area is exempt from parking requirements.

    b. Two-car tandem parking shall be allowed to meet the residential parking requirements.

    c. For horizontal mixed-use development, the residential project may share non-residential parking spaces as residential guest parking, up to a maximum of 50% of the total required residential guest parking. Pedestrian pathways with a direct and safe route from the residential project to the shared parking spaces, connecting to the non-residential project, shall be provided.

    d. For vertical mixed-use project, required parking spaces can be reduced by 10% if the mixed-use project includes all of the following features: a minimum of 2 parking spaces designated for pick-up and drop-off spots for ride-hailing services, at least 1 loading space (14-foot width by 25-foot length) for parcel delivery services, and at least 1 smart electronic lockers system, and at least three 4-space bike racks.

9. Signs. Signage may vary in shapes, types, styles, and color combinations. Canister and box signs are prohibited. A Sign Program must specify the sign types, locations, sizes, colors, materials, and text and lettering for each building and use, in accordance with CMC Chapter 17.26. A Sign Program shall be approved prior to the issuance of a building permit.

10. Screening of Equipment, Refuse Storage, and Loading Areas. Parapet walls shall totally screen roof-mounted equipment. Screen all ground-mounted equipment, wall-mounted equipment, refuse collection areas, and loading areas from public view. Screening design, including colors, materials, and finishes, shall match the architecture and design of the primary building(s).

11. Lighting. Exterior building lighting enhances visibility and safety by illuminating sidewalks, pedestrian paths, and plazas. The light fixtures shall match the architectural style of the main buildings. The maximum height of light poles from the finished surface to the top of the light fixture shall be 20 feet. Use energy-efficient LED lights with shields. The light illumination shall not exceed 1 footcandle at the property line. The applicant shall submit a photometric plan or diagram prepared by a licensed engineer to demonstrate compliance with the standard of 1 footcandle at the property line.

12. Placement of Utilities, Meters, and Transformers. All utility, meter, and transformer equipment shall be hidden from public view and must be shown on the site plan. All ground-mounted equipment, including but not limited to transformers and AC units, must be fully screened by a decorative screen wall,

landscaping, or a combination of both. Wall-mounted equipment shall match the building's architectural style in terms of colors and materials.

13. Roof access shall be within the building. Any proposed exterior ladder for roof access must be hidden from public view and integrated into the building's design.

14. Common Open Spaces. Horizontal and vertical mixed-use developments are required to provide common open spaces at a minimum of five percent (5%) of the total project site area. Setback areas shall not be used to satisfy common open space requirements. Common open space shall have sixty percent (60%) landscaping improvements. Common open spaces must provide at least 3 different types of the following list of common open spaces:

    a. Outdoor plazas. Outdoor plazas shall include the following amenities: drinking fountains, water features, trash cans, accent lighting, and other enhancements that encourage public use and social gathering. Outdoor plazas for vertical mixed-use projects shall be sited at locations with a visual connection to the public realm.

    b. Rooftop gardens.

    c. Passive open space areas.

    d. Community gardens.

    e. Recreation centers.

    f. Courtyards.

15. Incentive for Public Art. Installing one piece of public art in an outdoor plaza allows a 1% reduction in the required common open space, lowering it from five percent (5%) to four percent (4%) of the total project site area. Public art may be a standalone sculpture or statue, integrated into the building façade, or applied to a surface, such as a mural, and must be maintained for the life of the project. Public art must be three-dimensional and monumental in scale. "Monumental in scale" means that at least one dimension is 5 feet or larger.

16. Residential Private Open Spaces. Residential units require 100 square feet of private open space per unit. Private open space may include balconies, ground-level patios, or a combination of both.

17. Permitted Height Projections Above Limit for Vertical Mixed-Use Developments as follows:

    a. A maximum of 10 feet of vertical height projections above the otherwise applicable building height limit is allowed for decorative features, including spires, cupolas, or rooftop open space features (including sundecks, trellises, and landscaping). Such decorative features may cover a maximum of 20% of

the roof area. The decorative features must be set back from the exterior wall of the building by 1 foot for each 1 foot of projection above the height limit.

b. A maximum of 16 feet of vertical height projections above the otherwise applicable building height limit is allowed for elevators and stair towers. Elevators and stair towers may cover a maximum of ten-percent (10%) of the roof area. The elevator and stair tower must be set back from the exterior wall of the building by one foot for every foot of projection above the height limit.

17.16.070 Statement of Intent for the Objective Design and Architectural Standards .

A. Promote diversity of uses. Increase the diversity and range of uses and activities, such as housing, retail, services, offices, and civic and community facilities. A diversity of uses will attract activities at different times of the day and at appropriate locations. It strengthens the connection between people and places and promotes better urban design.

B. Integrate with existing neighborhoods. Minimize potential negative impacts on neighboring properties by transitioning the size, scale, and character of the mixed-use development with adjacent uses and neighborhoods.

C. Promote pedestrian orientation. Incorporate a pedestrian-friendly site design with direct walking and bicycling connections within the site and to surrounding areas. The design shall provide pedestrian-oriented architecture, well-defined street edges, active ground floors, and attractive building details.

D. Offer flexible transportation and parking strategies. Consider lowering parking requirements if a mixed-use development meets or offers these provisions: proximity to local or regional transit lines or routes within half a mile; implement innovative solutions such as shared parking, car-sharing, and electric vehicle charging stations; and incorporate Transportation Demand Measures (TDM) to reduce vehicle miles traveled (VMT).

E. Promote attractive design and create a community focal point. Mixed-use developments are typically located at higher-profile locations and along major arterial and secondary roads. This serves as a community focal point for the neighborhood(s). Features shall provide easy access by foot; provide transit, bicycle, gateway, or landmark elements; and incorporate inviting gathering places that allow community activities.

F. Promote environmental sustainability by integrating green building techniques and infrastructure into the design to use energy, water, and materials efficiently while reducing waste.

17.16.080 Objective Design and Architectural Standards.

Mixed-use developments subject to this Chapter are required to comply with the required threshold of the objective design and architectural standards listed under Table 17.16.080-1.

Table 17.16.080-1 Table of Objective Design and Architectural Standards		
	Objective Design and Architectural Standards	**Included (Yes/No/NA)**
	I. Integrate with existing neighborhoods – must comply with all standards in this subsection I to meet threshold	
1	Front porches and individual entries shall face the street or common open space.	
a.	All ground-level units shall include an individual entry, porch, patio or terrace.	
b.	A minimum of 50% of the upper-story units shall include a balcony or terrace.	
	II. Site Planning and Parking – must comply with 3 of 5 standards of this subsection II to meet threshold	
1	Parking areas shall be located in the rear or interior of the lot/parcel or shall be screened from public right-of-way with landscaping and hedgerows (5-gallon size evergreen shrubs planted at 4 feet on center).	
2	Loading areas shall be hidden from the street.	
3	Vertical mixed-use buildings with 3 stories or more shall provide a minimum of 20 feet distance buffering from any property line adjacent to property zoned as a single-family residential zone. Landscaping, drive aisle, parking, or a combination of any of these features may encroach within the 20-foot distance buffering.	
4	Parking areas shall include at least two of the following shade elements such as trees, vine covered trellises, and overhead solar panels.	
5	For residential projects, a cluster or a row of units shall have a lateral shift or a complete break of at least 3 feet after every 3 units to avoid one continuous monotonous building setback.	
	III. Architectural Standards – must comply with 7 of 10 standards of this subsection III to meet threshold	
1	Eliminate large blank exterior walls by providing varied building plane articulation. A long continuous building plane of up to 30 feet in length must have a 3-foot recess or pop-out architectural feature.	
2	Incorporate into building facades human-scale detailing such as reveals, belt courses, cornices, structural and architectural bays, recessed windows or doors, mullions, awnings, covered arcades or porticos, arched columns, etc. Building design must incorporate at least a minimum of 4 mentioned detailing.	
3	Provide vertical roof plane variation. Rooflines shall be vertically articulated at least every 48 feet along the street frontage through one of the following techniques: a change in wall or roof height of a minimum of	

	4 feet; a change in roof pitch; a change in roof form with respect to the direction of slopes; or the inclusion of dormers, towers, or parapets.	
4	Provide non-habitable front porches and/or patios, which may project into the front yard setback by 5 feet for residential uses. Area of the front porch shall be a minimum of 45 square feet.	
5	For non-residential use, building design shall include all of the following required architectural elements: awnings, towers, covered arcades, or porticos.	
6	Locate all entries and entryways to be directly visible and accessible from the public sidewalk. Corner buildings shall have corner entries.	
7	For non-residential or mixed use buildings, incorporate at least 3 building materials to add color, texture, variation, and interest. Acceptable building materials are stucco, tiles, concrete, stones or brick veneer, steel, or glass.	
8	For residential buildings, incorporate at least 3 building materials to add color, texture variation, and interest. Acceptable building materials are stucco, tiles, culture stones or brick veneer, wood or simulated wood sidings, or authentic and natural (granite) river rock.	
9	Employ accent materials such as tile insets, terra-cotta, natural or cultured stone medallions, roof cornices, brackets, window trims, etc., to add color, textures, and visual interest. Must incorporate at least 3 accent materials.	
10	Buildings that are 3 stories or taller and wider than 30 feet shall be designed to differentiate the ground floor, middle body (i.e., all of the floors between the ground floor and top floor or cornice/parapet cap), and the top floor or cornice/parapet cap. Each of these elements shall be distinguished from one another through the use of the techniques listed in 10a, 10b, and 10c:	
a.	Variation in building modulation for a minimum of 70% of the length of the façade through changes in wall planes that protrude or recess with a minimum dimension of 3 feet.	
b.	Variation in façade materials through the use of at least 2 of the following: size, texture, pattern, or color.	
c.	Variation in fenestration, through the following: incorporating a step-back, recession or projection with a minimum depth of 3 feet, and a change in surface area occupied by windows, doors, balconies, or trim by a minimum of 15%.	
	IV. Project Landscape and Hardscape – must comply with all standards of subsection IV to meet the threshold	
1	Landscaping design and density shall incorporate the following features and requirements:	
a.	1 tree per 20 lineal feet of building perimeter and project boundaries.	
b.	15-gallon minimum for tree size; thirty-percent (30%) of the total trees at 24-inch box-size trees; 5-gallon size shrubs; and ground cover at 12 inches on center	
c.	Provide a mix of thirty-five-percent (40%) evergreen trees, thirty-five-percent (30%) deciduous trees and thirty (30%) flowering accent trees.	
d.	Provide evergreen trees for shade along the south and west sides, and	

	deciduous trees along the north and east sides.	
e.	Provide evergreen and canopy shape trees for parking areas. Plant parking lot trees at a rate of 1 tree per 5 parking spaces and provide shade for over fifty-percent (50%) of the parking area within 15 years (CAL Green Code).	
f.	Use drought-tolerant planting and water-efficient irrigation.	
2	Require special paving material such as interlocking pavers or stamped, integral colored concrete with patterns, or equivalent for hardscape within common open space.	
	V. Project Amenities – must comply with 2 of 5 standards of subsection V to meet the threshold	
1	Incorporate one piece of public art within the outdoor plaza area.	
2	Provide at least 1 innovative community feature including, but not limited to, a dog park for the project, outdoor dining and gathering areas, or at least one 1 or more secured parcel and package locker areas or other similar community features.	
3	All buildings are Energy Star Certified.	
4	Commercial use: Incorporate rooftop decks for restaurants, which will be counted towards the required common open space for total project site area.	
5	Residential use or vertical mixed-use buildings: Incorporate a minimum of 500 square feet of interior community and shared co-workspace with office equipment and high-speed WIFI.	

17.16.090 Submittal Requirements and Applications

Submittal of new development, construction, additions, renovations, and alterations of existing structures and site areas shall comply with the requirements described in CMC Section 17.04.040 Site Plan Review, as well as any other requirements deemed necessary by the Director. The applicant shall prepare and submit plans, materials, studies, and reports according to the City's submittal checklists. Licensed architects and engineers shall prepare all submitted plans, including elevations, site plans, design plans, grading plans, utility plans, and others. The applicant is responsible for submitting written materials demonstrating that the proposed project conforms to all Property Development Standards, Special Development Regulations (Section 17.16.060), and Objective Design and Architectural Standards (Section 17.16.080) of this Chapter, in the format or checklist prescribed or issued by the Director.

17.16.100 Applications, Submittal Requirements, Review Process, Approval, and Appeal Procedures

A. Mixed-use projects that meet the requirements of this Chapter shall be reviewed in accordance with the Site Plan Review CMC Chapter 17.04.040.

B. Planning Commission's Authority. Pursuant to CMC Chapter 17.02.080, the Planning Commission shall have the authority to approve, approve with conditions, or deny a project application under the MUOD.

C. Appeal Process and Procedures. The appeal process and procedures of Chapter 17.02.090 shall apply.

CHAPTER 17.18
AFFORDABLE HOUSING MIXED-USE OVERLAY DISTRICT (AHMUOD)

17.18.010 Intent, Purpose, and Applicability.
17.18.020 Definitions.
17.18.030 Mixed-Use Projects.
17.18.040 Stand-Alone Residential Projects.
17.18.050 By-Right Approval Process for AHMUOD

17.18.010 Intent, Purpose, and Applicability.

A. The purpose of this Affordable Housing and Mixed-Use Overlay District (AHMUOD) is to encourage the development of housing, and especially affordable housing, as a means of meeting the city's obligations under state law to provide opportunities for housing developments in accordance with the Regional Housing Needs Assessment (RHNA) and the City's RHNA allocation.

B. The AHMUOD is an overlay zone. Uses allowed in the underlying zoning classification will remain permitted. The AHMUOD provides the City with the necessary regulatory standards and procedures that are flexible enough to review and approve future mixed-use developments or 100 percent residential projects that benefit the city and future applicants. Applicants can choose to comply with either:

1. The development and design standards and requirements established with the underlying zoning classification per the existing zoning code; or

2. The development and design standards and requirements described in this chapter.

C. Property classified with the AHMUOD shall be identified on the City's official Zoning Map by both the underlying zone and the AHMUOD by listing the (AHMUOD) classification with parentheses after the underlying zoning classification.

17.18.020 Definitions.

A. Lower Income Households. The term "lower income households" shall have the same meaning as that term is defined in Health and Safety Code Section 50079.5.

B. Total Units. The term "total units" shall have the same meaning as that term is defined in Government Code Section 65915.

17.18.030 Mixed-Use Projects.

A. Mixed-use projects developed pursuant to this AHMUOD shall comply with all provisions of CMC Sections 17.16.030 through 17.16.080, inclusive, except that projects seeking approval under this chapter shall include at least 50 percent of the total gross floor area of the project for residential use and the minimum density standard for a site less than one acre identified in CMC Section 17.16.060(A)(2) shall be 20 units per acre.

B. Mixed-use projects seeking approval under this chapter shall proceed through the approval process outlined in CMC Section 17.16.100, unless the proposed project includes at least 20 percent of the total units as affordable for lower-income households, in which case the approval process in CMC Section 17.18.050 applies.

17.18.040 Stand-Alone Residential Projects.

A. Any property designated with AHMUOD may develop a stand-alone (100 percent) residential development, subject to the following requirements:

1. The residential density shall be a minimum of 22 and a maximum of 40 dwelling units per net acre.

2. Except as required in this section, all regulations and standards of the Residential zone (multi-family) pursuant to CMC Chapter 17.08 and the adopted multi-family objective design standards pursuant to Ordinance 21-09 shall apply. In the case of a conflict, the standards included in this section shall control.

3. The project shall comply with all of the following objective design and architectural standards:

    a. Porches, Entries, Balconies, Patios, and Terraces.
        i. Front porches and individual entries shall face the street or common open space.
        ii. All ground-level units shall include an individual entry, porch, patio, or terrace.
        iii. A minimum of 50 percent of the upper-story units shall include a balcony or terrace.

    b. Site Planning and Parking.
        i. Any surface parking areas shall include at least two of the following shade elements: trees, vine-covered trellises, and overhead solar panels.
        ii. A cluster or a row of units shall have a lateral shift or a complete break of at least three feet every three units to avoid one continuous monotonous building setback.

    c. Architectural Standards.

i. Eliminate large blank exterior walls by providing varied building plane articulation. A long continuous building plane of up to 30 feet in length must have a three-foot recess or pop-out architectural feature.
ii. Incorporate into building facades at least four of the following human-scale detailing features: reveals, belt courses, cornices, structural and architectural bays, recessed windows or doors, mullions, awnings, covered arcades or porticos, and arched columns.
iii. Provide vertical roof plane variation. Rooflines shall be vertically articulated at least every 48 feet along the street frontage through one of the following techniques: a change in wall or roof height of a minimum of four feet; a change in roof pitch; a change in roof form with respect to the direction of slopes, or the inclusion of dormers, towers, or parapets.
iv. Provide non-habitable front porches and/or patios, which may project into the front yard setback by five feet. Area of the front porch shall be a minimum of 45 square feet.
v. Incorporate at least three of the following building materials into each building: stucco, tiles, culture stones or brick veneer, wood or simulated wood sidings, or authentic and natural (granite) river rock.
vi. Employ at least three of the following accent materials/features into each building: tile insets, terra-cotta, natural or cultured stone medallions, roof cornices, brackets, window trims.
vii. Buildings that are three stories or taller and wider than 30 feet shall be designed to differentiate the ground floor, middle body (i.e., all of the floors between the ground floor and top floor or cornice/ parapet cap), and the top floor or cornice/parapet cap. Each of these elements shall be distinguished from one another through the use of all of these techniques: variation in building modulation for a minimum of 70 percent of the length of the facade through changes in wall planes that protrude or recess with a minimum dimension of three feet; variation in facade materials through the use of at least two of the following: size, texture, pattern, or color; and variation in fenestration, through the following: incorporating a step-back, recession or projection with a minimum depth of three feet, and a change in surface area occupied by windows, doors, balconies, or trim by a minimum of 15 percent.

d. Landscaping design and density shall incorporate the following features and requirements:
i. One tree per 30 lineal feet of building perimeter and project boundaries.
ii. Fifteen-gallon minimum for tree size; 30 percent of the total trees at 24-inch box-size trees; five-gallon size shrubs; and ground cover at 12 inches on center.
iii. Provide a mix of 35 percent evergreen trees, 35 percent deciduous trees and 30 percent flowering accent trees.
iv. Provide evergreen trees for shade along the south and west sides, and deciduous trees along the north and east sides.
v. Provide evergreen and canopy shade trees for parking areas. Plant parking lot trees at a rate of one tree per seven parking spaces and

provide shade for over 50 percent of the parking area within 15 years (CALGreen Code).

vi. Use drought-tolerant planting and water-efficient irrigation.

vii. Require special paving material such as interlocking pavers or stamped, integral colored concrete with patterns, or equivalent, for hardscape within common open space.

B. The proposed project shall reserve at least 10 percent of the total units in the project as affordable housing for lower-income households. Affordable units shall be constructed concurrently with or prior to the construction of market-rate units.

C. The units shall be made available at an affordable housing cost in accordance with Government Code Section 65915, including, but not limited to, the requirement that rental units that are reserved as affordable housing be made available as such for at least 55 years from the date of certificate of occupancy, and for-sale units shall be reserved as affordable housing for at least 45 years from the date of occupancy.

D. All affordable housing units, rental or for-sale, must be restricted by an agreement with the City to ensure the continued affordability of all affordable units, in compliance with Government Code Section 65915. The applicant shall provide evidence that such agreement has been recorded against all properties subject to this restriction before issuance of a Building Permit.

E. Nothing in this section shall be construed as replacing Government Code Section 65915 or CMC Section 17.20.020 (Special Housing Regulations, Density Bonus).

F. Stand-alone residential projects seeking approval under this chapter shall proceed through the approval process outlined in CMC Section 17.16.100, Review Process, Approval Authority, and Appeal Procedures; unless the proposed project includes at least 20 percent of the total units as affordable for lower-income households, in which case the approval process in CMC Section 17.18.050 applies.

17.18.050 By-Right Approval Process for AHMUOD.

A. Ministerial Review (By-Right) and Approval Process. Eligible housing projects, including mixed-use housing projects, that contain 20 percent of the total units for lower-income households shall be approved ministerially by the Director. All applications for the streamlined ministerial review process shall be accompanied by materials as required by the Director to verify compliance with the requirements of this section. For mixed-use projects, the project shall comply with all requirements in CMC Sections 17.16.030 through 17.16.080. For stand-alone residential projects, the project shall comply with all requirements in CMC Section 17.18.040 except 17.18.040(B).

B. Affordable housing units shall be constructed concurrently with, or prior to, the market-rate units. The units shall be made available at an affordable housing cost in accordance with Government Code Section 65915, including, but not limited to, the

requirement that rental units that are reserved as affordable housing be made available as such for at least 55 years from the date of certificate of occupancy, and for-sale units shall be reserved as affordable housing for at least 45 years from the date of occupancy.

C. All affordable housing units, rental or for-sale, must be restricted by an agreement with the City to ensure the continued affordability of all affordable units, in compliance with Government Code Section 65915. The applicant shall provide evidence that such agreement has been recorded against all properties subject to this restriction before issuance of a Building Permit.

D. Nothing in this section shall be construed as replacing Government Code Section 65915 or CMC Section 17.20.020 (Special Housing Regulations – Density Bonus).

E. Tribal Cultural Resources. Projects eligible for ministerial approval pursuant to this section are exempt from the California Environmental Quality Act, but must comply with the requirements of California Native American Tribal Consultation in Government Code Sections 65913.4(b)(1) through (b)(8), as those sections may be amended from time to time.

1. Upon receipt of an application, City staff shall engage in a scoping consultation regarding the project with any California Native American Tribe that is traditionally and culturally affiliated with the geographic area of the City, within 30 calendar days of receiving the application.

2. If, after concluding the scoping consultation, the City determines there is no impact to tribal cultural resources, the project will follow a ministerial review and approval process. If, after concluding the scoping consultation, the City determines there is potential impact to a tribal cultural resource, the developer shall enter into an enforceable agreement between the California Native American tribe(s) and developer on methods, measures, and conditions for tribal cultural resource treatment. The City shall not approve the project until the applicant has submitted fully executed agreement(s) with all California Native American tribe(s) whose tribal cultural resources may be impacted by the project.

F. Projects developed pursuant to the process provided by this section shall comply with all of the following:

1. The project is required to annex into Community Facilities District 2007-01 (the "CFD") for the purpose of financing the project's proportionate share of the cost for Police response, Fire and emergency medical response, and Park Services. The applicant shall petition the City to annex to the City's existing CFD under the California Mello-Roos Community Facilities Act (Government Code Section 53311 et seq.) (the "Act"). The applicant agrees to cooperate and not to oppose annexation to the CFD for purposes set forth above. This annexation shall be completed prior to issuance of Building Permits.

2. The project shall be annexed into the existing landscape district and lighting district, which shall be completed prior to issuance of Building Permits.

3. The project shall pay development impact fees pursuant to the latest adopted fee resolution, prior to the release of the first dwelling unit for the project.

4. If the project includes a subdivision, the project shall be subject to park (Quimby) impact fees to the city for public parkland in accordance with Chapter 16.28 CMC (Park Dedication and In-Lieu Fee Regulations).

5. The project shall comply with Los Angeles County fire department codes and regulations.

6. The project shall comply with the latest adopted California Building Standards Code, and must comply with applicable federal and state accessibility requirements to and throughout the buildings, including compliance methods and structural details on the plans.
   a. Demolition activities require an asbestos-containing materials (ACM) survey (SCAQMD Rule 1403). The ACM report shall be prepared by an accredited testing laboratory in accordance with applicable SCAQMD rules and regulations. Proof of notification to the South Coast Air Quality Management District (SCAQMD), Office of Operations, shall be submitted to the building division with the relevant permit application for all demolition activities. Contact the SCAQMD at the address or number below for more information. Once any demolition activity has met the applicable SCAQMD notification requirements, a formal demolition plan and permit must be obtained from the building and safety division. SCAQMD Headquarters, 21865 Copley Drive, Diamond Bar, CA, (909) 396-2381.

7. The project shall comply with the street improvements requirements in CMC Chapter 17.22 General Development Standards, CMC Title 16 Subdivisions, and CMC Chapter 17.22.120 Public Improvement Standards.

   a. The applicant shall provide a preliminary grading and drainage plan for the proposed development.

   b. The applicant shall provide a traffic impact/VMT (vehicle miles traveled) analysis for the development.

   c. The applicant shall provide a sewer impact analysis for the development.

   d. The applicant shall provide a preliminary hydrology/LID analysis for the development.

   e. The applicant shall provide a soils and geologic report.

8. The project shall comply with public works environmental services requirements:

a. If the project redevelops an area greater than 5,000 square feet, storm water capture shall be required. A low-impact development (LID) plan shall be required, and must be approved by the city prior to the issuance of a grading permit. The LID plan will be reviewed by the City's storm water consultant. An LID review fee of $2,000 will apply.

b. SWPPP. If the project disturbs over one acre and requires a storm water pollution prevention plan (SWPPP), the SWPPP must be uploaded to SMARTS and a WDID provided to the city prior to the approval of the LID plan.

c. Trash Collection. Each trash room must be able to accommodate a separate 65-gallon barrel for the collection of organic waste (food scraps and landscape waste), per state law.

d. Construction and Demolition. Seventy-five percent of construction and demolition debris must be recycled, per city Ordinance No. 18-03. Forms and a security deposit will be required.

9. The project shall pay the applicable SB 50 development impact fees to the school district prior to issuance of the first Building Permit for production units.

10. The project shall comply with the following Covina Police Department requirements:
    a. Parking lot light fixtures and wall-mounted light fixtures shall be LED. Detailed plans to show compliance shall be submitted to Police Department and Planning Division for review and approval, prior to issuance of permit and prior to installation. The condition of approval shall be accomplished on or before opening.

    b. Wayfinding signage shall be provided and submitted to police department and planning division for review and approval. Wayfinding signage shall have lighting as well. The condition of approval shall be accomplished on or before opening.

    c. Signage stating vehicle code is enforceable must be posted at all entrances so that guests/visitors are aware of what will be enforced on the property. Police Department to review signage. The condition of approval shall be accomplished on or before opening.

    d. All landscaping should follow the two-foot, six-foot rule. All landscaping should be ground cover, two feet or less and lower tree canopies should be at six feet. This increases natural surveillance and eliminates hiding areas within landscaping. Tree canopies should not interfere with or block the lighting along sidewalks or parking lots. This creates shadows and areas of concealment. Planters will use plant species with limited growth. This is to ensure that maintenance does not become an issue and surveillance from the building is maintained.

e. The owners, operators, or managers must comply with all city codes and ordinances relating to police response and nuisance abatement conditions.

f. Rolling driveway gates, and any pedestrian gate, shall have a keypad installed with current access code provided to police dispatch at (626) 384-5808.

g. The owners, operators, or managers shall, subject to approval by the police department, develop a plan to monitor the area surrounding the location for trash and other discarded items that impact public health and to maintain the cleanliness of the parking lots, sidewalks, and the property of adjacent business owners.

h. The permittee and the operator of any business at the premises shall install, use, and maintain in good working conditions a video security system capable of viewing and recording events at the premises as approved by the Chief of Police. The video security system shall be on and operating at all times by common areas, entrances and exits, and parking areas. The video security system shall be of such quality as to provide images of such a resolution as to clearly identify individuals for later identification. Security systems could deter and prevent public nuisances. Installation and approval shall occur prior to the release of the occupancy or approval of business license.

i. The permittee and the operator of any business at the premises shall ensure that at least one employee or other person is present on the premises during normal business hours with the necessary knowledge and skill to operate the video security system so that he or she is able to provide the Covina Police Department copies of video recordings immediately upon request.

j. The permittee and the operator of any business at the premises shall preserve the video security system's recorded information of each business day for a period of not less than 10 business days thereafter for the Covina Police Department's review in connection with a criminal or other investigation.

G. No Hearing Required. No public hearing shall be required prior to a decision to approve or deny an application complying with this section.

H. Expiration of Approvals. An approval pursuant to this chapter shall expire within three years.

I. Amendments. An applicant may request an amendment to an approved AHMUOD project. The Director may approve such an amendment if the applicant demonstrates that the amended project continues to conform to the eligibility requirements and development standards in this chapter.

Chapter 17.20
Special Housing Regulations

17.20.010 Purpose
17.20.020 Residential Density Bonus
17.20.030 Emergency Shelter Overlay District
17.20.040 Low Barrier Navigation Centers
17.20.050 Reasonable Accommodation
17.20.060 Two-Unit Residential Developments and Urban Lot Splits in Single-Family Zones
17.20.070 Supportive and Transitional Housing
17.20.080 Accessory Dwelling Units and Junior Accessory Dwelling Units

17.20.010 Purpose.

The purpose of this chapter is to:

A. Comply with the Federal Americans with Disabilities Act, the Federal Fair Housing Act, and the California Fair Employment and Housing Act by providing reasonable accommodation in the application of its land use and zoning regulations and reasonable modification in a policy, practice, or procedure for housing designed for occupancy by qualified persons with disabilities seeking fair access to housing.

B. Facilitate the production of affordable housing consistent with Government Code Section 65915, including density bonuses and other incentives.

C. Implement the goals, policies, and programs of the Housing Element of the Covina General Plan.

D. Provide temporary shelter for homeless persons or others in need in a manner that protects the health, safety, and general welfare of nearby residents and businesses, consistent with California Government Code Section 65583.

17.20.020 Residential Density Bonus.

A. In addition to any other review required for a proposed housing development, applications for a density bonus shall be filed with the Director on a form approved by the Director. The application shall be filed concurrently with an application for a site plan review, a tentative map, or other land use entitlements required by this code. At the time of submission, the applicant shall pay a density bonus application fee established by City Council resolution.

B. City staff shall process the application for a density bonus in the same manner as, and concurrently with, the application for a site plan review or other land use entitlements that are required by this code.

C. The applicant shall submit reasonable documentation to establish eligibility for a requested density bonus, incentives or concessions, waivers or reductions of development standards, and parking ratios.

D. For a housing development that qualifies under Government Code Section 65915, the city shall grant the density bonus amount specified in that section, as amended from time to time. Unless otherwise required by Government Code Section 65915, the density bonus units shall not be counted when calculating the total number of housing units that qualify the housing development for a density bonus.

E. For purposes of calculating the density bonus, the "maximum allowable residential density" shall be the maximum density permitted under the zoning ordinance and the land use element of the General Plan, or, if a range of densities is permitted, the maximum allowable density for the specific zoning range and land use element of the General Plan applicable to the project.

F. Where the density allowed under the zoning ordinance is inconsistent with the density allowed under the land use element of the General Plan, the maximum density allowed in the General Plan shall prevail.

G. The City shall grant the applicant the number of incentives and concessions required by Government Code Section 65915. The City shall grant the specific concession(s) or incentive(s) requested by the applicant, unless it makes any of the relevant written findings stated in Government Code Section 65915(d). Senior citizen housing developments that qualify for a density bonus shall not receive any incentives or concessions, unless Government Code Section 65915 is amended to specifically require that local agencies grant incentives or concessions for senior citizen housing developments.

H. Except as restricted by Government Code Section 65915, the applicant for a density bonus may submit a proposal for the waiver or reduction of development standards that have the effect of physically precluding the construction of a housing development incorporating the density bonus and any incentives or concessions granted to the applicant. A request for a waiver or reduction of development standards shall be accompanied by documentation demonstrating that the waiver or reduction is physically necessary to construct the housing development with the additional density allowed pursuant to the density bonus and incorporating any incentives or concessions required to be granted. The City shall approve a waiver or reduction of a development standard, unless it finds that:

1. The application of the development standard does not have the effect of physically precluding the construction of a housing development at the

density allowed by the density bonus and with the incentives or concessions granted to the applicant;

2. The waiver or reduction of the development standard would have a specific, adverse impact, as defined in paragraph (2) of subdivision (d) of Government Code Section 65589.5, upon health, safety, or the physical environment, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact;

3. The waiver or reduction of the development standard would have an adverse impact on any real property that is listed in the California Register of Historical Resources; or

4. The waiver or reduction of the development standard would be contrary to State or Federal law.

I. The applicant may request, and the City shall grant, a reduction in parking requirements in accordance with Government Code Section 65915(p), as amended from time to time.

J. The applicant shall comply with all requirements stated in Government Code Section 65915.

K. The applicant shall enter into an agreement with the City to ensure the continued affordability of all affordable units or the continued reservation of such units for qualifying senior citizens. Prior to receiving a building permit for any project that receives a density bonus or any incentive, concession, waiver, or reduction of development standards pursuant to this section, such agreement shall be recorded as a covenant against the property.

L. For any development project that is granted a density bonus or other benefit pursuant to this section, the affordable units that qualify the project for a density bonus must be constructed concurrently with or prior to the construction of any market rate units. In addition, the affordable units must be integrated with the market rate units so that each building of the development project contains a mix of affordable and market rate units, if any.

M. An applicant shall not receive a density bonus or any other incentive or concession if the housing development would be excluded under Government Code Section 65915. If applicable, the applicant must certify that the proposed project meets the replacement unit requirements identified in subparagraph (c)(3) of Government Code Section 65915 or any comparable requirement in Government Code Section 65915, as it may be amended from time to time.

N. The provisions of this section shall be interpreted to fulfill the requirements of Government Code Section 65915. Any changes to that Government Code Section

65915 shall be deemed to supersede and govern any conflicting provisions contained herein.

17.20.030 Emergency Shelter Overlay District.

This section sets forth the requirements for the establishment and operation of emergency shelters.

A. Permit and Operational Requirements. The approval and operation of an emergency shelter shall be subject to the following requirements:

1. Permit Required. Emergency shelters may be established and operated in the emergency shelter (ES) overlay district, subject to nondiscretionary approval of a Site Plan Review in compliance with CMC Chapter 17.04.040.

2. Management and Operations Plan. An application for a permit to establish and operate an emergency shelter shall be accompanied by a management plan, which should incorporate the following: hours of operation, staffing levels and training procedures, maximum length of stay, size and location of exterior and interior on-site waiting and intake areas, admittance and discharge procedures, provisions for on-site or off-site supportive services, house rules regarding use of alcohol and drugs, on-site and off-site security procedures, and protocols for communications with local law enforcement agencies and surrounding property owners.

B. Development Standards. In addition to other standards set forth in this code for the underlying zone, emergency shelters shall conform to the following standards.

1. Maximum of 100 beds.

2. Minimum separation of 300 feet between emergency shelters.

3. One parking space per four beds, plus one space for each staff member on duty.

17.20.040 Low Barrier Navigation Centers.

A. Purpose and Intent. This section sets forth the requirements for the establishment and operation of low barrier navigation centers.

B. General Standards. A low barrier navigation center development and transitional housing is a use by right in areas zoned for mixed use and nonresidential zones permitting multifamily uses, if it meets the following requirements:

1. It offers services to connect people to permanent housing through a service plan that identifies service staffing.

2. It is linked to a coordinated entry system, so that staff in the interim facility or staff who co-locate in the facility may conduct assessments and provide services to connect people to permanent housing. “Coordinated entry system” means a centralized or coordinated assessment system developed pursuant to Section 576.400(d) or Section 578.7(a)(8), as applicable, of Title 24 of the Code of Federal Regulations, as those sections read on January 1, 2020, and any related requirements, designed to coordinate program participant intake, assessment, and referrals.

3. It complies with Chapter 6.5 (commencing with Section 8255) of Division 8 of the Welfare and Institutions Code.

4. It has a system for entering information regarding client stays, client demographics, client income, and exit destination through the local Homeless Management Information System as defined by Section 578.3 of Title 24 of the Code of Federal Regulations.

5. Low Barrier Navigation Centers shall also comply with the standards established for emergency shelters in CMC 17.20.040.

C. Review Process. Low barrier navigation centers may be established and operated subject to nondiscretionary approval of a Site Plan Review in compliance with CMC Chapter 17.04.040.

D. Repeal. This section shall remain in effect only until January 1, 2027, and as of that date is repealed.

17.20.050 Reasonable Accommodation.

A. Specific Purpose. In conformance with State and Federal fair housing laws, this section establishes the City’s procedures for handling requests for reasonable accommodation from the strict application of the City’s land use and zoning regulations, thereby allowing disabled persons an equal opportunity to use and enjoy a dwelling.

B. Definitions.

"Disabled; disabled person" means a person who has a physical or mental impairment that limits or substantially limits one or more major life activities, anyone who is regarded as having such impairment, or anyone who has a record of such impairment, as those terms are defined in the fair housing laws.

"Eligible person" means a disabled person, a disabled person's representative, or a real estate developer building housing for disabled persons.

"Fair housing laws" means the "Fair Housing Act" (42 U.S.C. § **3601** et seq.), the "Americans with Disabilities Act" (42 U.S.C. § **12101** et seq.), and the "California Fair Employment and Housing Act" (California Government Code Section **12900** et seq.), as these statutes now exist or may be amended from time to time, and the implementing regulations for each of these statutes.

"Major life activity" means physical, mental, and social activities, such as the operation of major bodily functions, seeing, hearing, eating, sleeping, walking, standing, sitting, reaching, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, interacting with others, and working.

"Physical or mental impairment" means any physiological disorder or condition and any mental or psychological disorder, including, but not limited to, orthopedic, visual, speech and hearing impairments, cosmetic disfigurement, anatomical loss, cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, intellectual disabilities (formerly termed "mental retardation"), emotional or mental illness, learning disabilities, HIV disease (whether symptomatic or asymptomatic), tuberculosis, and alcoholism and drug addiction (but not including current use of illegal drugs). A temporary condition, such as a broken leg, pregnancy, use of crutches, etc., does not qualify as a physical or mental impairment.

"Reasonable accommodation" means any deviation requested and/or granted from the City's zoning and land use laws, rules, regulations, policies, procedures, practices, or any combination thereof, that may be reasonable and necessary for a disabled person to have an equal opportunity to use and enjoy a dwelling.

C. Requesting Reasonable Accommodation.

1. In order to make housing available to disabled persons, any eligible person may request a reasonable accommodation from the strict application of land use, zoning and building regulations, policies, practices and procedures.

2. Requests for a reasonable accommodation shall be submitted on an application form established by the Director.

3. Any information identified by an applicant as confidential shall be retained in a manner so as to respect the privacy rights of the applicant and shall not be made available for public inspection, unless required by State or Federal law.

4. A request for a reasonable accommodation from the strict application of the City’s regulations, policies, practices, or procedures may be filed at any time

that the accommodation may be necessary to ensure equal access to housing. A reasonable accommodation does not affect a person's obligations to comply with other applicable regulations not at issue in the requested accommodation.

D. Reviewing Authority.

1. Requests for a reasonable accommodation shall be reviewed by the Director under the criteria set forth in subsection (C) of this section. The Director may, in the Director's discretion, refer applications to the Planning Commission for consideration.

2. The Director may grant, grant with modifications, or deny a request for reasonable accommodation in accordance with the required findings set forth in subsection (E) of this section.

3. If necessary to reach a determination on the request for reasonable accommodation and consistent with fair housing laws, the Director may request additional information from the applicant.

E. Required Findings. The request for a reasonable accommodation shall be approved, or approved with conditions, if the reviewing authority finds that all of the following conditions are met:

1. The dwelling, which is the subject of the request for reasonable accommodation, will be used by a disabled person; and

2. The requested accommodation is necessary to make housing available to a disabled person; and

3. The requested accommodation will not impose an undue financial or administrative burden on the City; and

4. The requested accommodation will not require a fundamental alteration in the nature of the City's Zoning Ordinance.

F. Written Decision.

1. The written decision on the request for reasonable accommodation shall explain in detail the basis of the decision, including the findings required by subsection (E) of this section. All written decisions shall give notice of the applicant's right to appeal and to request a reasonable accommodation in the appeals process. The notice of decision shall be sent to the applicant by certified mail.

2. The written decision shall be final unless the applicant appeals pursuant to CMC 17.02.090.
3. While a request for a reasonable accommodation is pending, all laws and regulations otherwise applicable to the property shall remain in full force and effect.

G. Expiration.

1. A reasonable accommodation shall lapse if the exercise of rights does not occur within 180 days after the issuance of the final decision.

2. The rights conferred by an approved accommodation shall expire when the disabled person for whom the accommodation was granted no longer resides at the property, unless the director makes either of the following findings:
   a. That such accommodation is physically integrated with the property and cannot feasibly be removed or altered; or
   b. The property is now occupied by another disabled person who requires the accommodation to have an equal opportunity to use and enjoy the dwelling. The community development director may request documentation that subsequent occupants are disabled persons. Failure to provide such documentation within 30 days of the date of a request by the City shall constitute grounds for discontinuance by the City of a previously approved reasonable accommodation.

17.20.060 Two-Unit Residential Developments and Urban Lot Splits in Single-Family Zones.

A. Purpose, Applicability, Definitions, and Interpretation.

1. Purpose. The purpose is to comply with California Government Code Sections 65852.21 and 66411.7 and to properly regulate qualifying SB 9 two-unit residential developments and urban lot splits within single-family residential zones.

2. Applicability. The standards and limitations outlined in this section shall apply to SB 9 two-unit residential developments and urban lot splits within a single-family residential zone in the City, notwithstanding any other conflicting provisions of the Covina Municipal Code ("CMC"). In case of conflicts between the provisions of this section and any other provisions of the CMC, the provisions of this section shall prevail. If SB 9 or those sections of the Government Code are ever repealed or deemed to be unconstitutional or no longer in effect, this section shall be automatically repealed.

3. Definitions. The following terms shall have the following meanings:
"ADU" and "JADU" shall have the meanings ascribed to these terms in Chapter 17.20.080 CMC (Accessory Dwelling Units and Junior Accessory Dwelling Units).

"New primary dwelling unit" shall mean creating a new, additional dwelling unit or expanding an existing dwelling unit. ADU or a JADU does not constitute a new primary dwelling unit.

"Single-family residential zone" includes the A-1, A-2, E-1, E-1/2, E-2-1/2, R-1- 20,000, R-1-10,000, R-1-8500, and R-1-7500 zoning districts.
"SB 9" means Senate Bill No. 9, Statutes of 2021, Chapter 162 (2021). The bill amended Government Code Section 66452.6 and added Government Code Sections 65852.21 and 66411.7.

"SB 9 two-unit residential development" shall mean a housing development containing no more than two primary residential units within a single-family residential zone that qualifies for ministerial review according to California Government Code Section 65852.21. A housing development contains two residential units if the development proposes no more than two new units or if it proposes to add one new unit to one existing primary unit.

"Urban lot split" shall mean a parcel map subdivision permitted according to the regulations outlined in Government Code Section 66411 that creates no more than two parcels of approximately equal size.

"Lot area" shall mean the total area measured horizontally within the lot lines and shall not have a slope steeper than 4:1 (four feet horizontal to one foot vertical).

4. Interpretation. The provisions of this section shall be interpreted to be consistent with the provisions of California Government Code Sections 65852.21 and 66411.7 and shall be applied in a manner consistent with State law. The City shall not apply any requirement or development standard provided for in this section to the extent prohibited by any provision of State law.

B. Permit Application and Review Procedures.

1. Application. An applicant for an SB 9 two-unit residential development or an urban lot split shall submit an application on a form prepared by the City, along with all information and materials prescribed by such form. No application shall be accepted unless it is completed as prescribed and is accompanied by payment for all applicable fees.

2. Review. Consistent with State law, the Director will consider and approve or disapprove a complete application for an SB 9 two-unit residential development, or an urban lot split ministerially, without discretionary review or public hearing.

3. Nonconforming Conditions.
   a. An SB 9 two-unit residential development may only be approved if all nonconforming zoning conditions are corrected.
   b. The correction of legal nonconforming zoning conditions is not a condition for ministerial approval of a parcel map for an urban lot split.

4. Effectiveness of Approval. The ministerial approval of an SB 9 two-unit residential development or a parcel map for an urban lot split does not take effect until all required documents have been recorded and submitted to the City.

5. Hold Harmless. Approval of an SB 9 two-unit residential development or a parcel map for an urban lot split shall be conditioned on the applicant agreeing to defend, indemnify, and hold harmless the City, its officers, agents, employees, and consultants from all claims and damages (including attorneys' fees) related to the approval and its subject matter.

6. Denial Based on Specific, Adverse Impacts. Notwithstanding anything else in this section, the building official may deny an application for an SB 9 two-unit residential development or a parcel map for an urban lot split if the building official makes both of the following written findings, based on a preponderance of the evidence, that: (a) the project would have a specific, adverse impact, as defined and determined in paragraph (2) of subdivision (d) of California Government Code Section 65589.5, upon either public health and safety or on the physical environment and (b) there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact.

C. Qualifying Requirements. A proposed urban lot split or SB 9 two-unit residential development must meet all of the following requirements to qualify for a ministerial review under this section. The applicant is responsible for demonstrating to the Director's reasonable satisfaction that each requirement is met. Both the applicant and each property owner must provide a sworn statement, in a form approved by the Director, attesting to all facts necessary to establish that each requirement is fulfilled.

1. The subject property shall be located within a single-family residential zone.

2. The proposed development shall not be located on any site identified in subparagraphs (B) to (K), inclusive of paragraph (6) of subdivision (a) of California Government Code Section 65913.4, unless the development satisfies the requirements specified therein. Such sites include, but are not

limited to, prime farmland, wetlands, high or very high fire hazard severity zones, special flood hazard areas, regulatory floodways, and lands identified for conservation or habitat preservation as specifically defined in Government Code Section 65913.4.

3. The proposed development shall not be located within a historic district or on the property included on the State Historic Resources Inventory, as defined in Section 5020.1 of the California Public Resources Code, or within a site that is designated or listed as a City landmark or historic property pursuant to a City ordinance.

4. The proposed development shall not require the demolition or alteration of housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income.

5. The proposed development shall not require the demolition or alteration of housing that is subject to any form of rent or price control.

6. The proposed development shall not involve the demolition of more than 25 percent of the exterior walls of an existing dwelling.

7. The proposed development shall not require the demolition or alteration of housing that has been occupied by a tenant within the last three years.

8. In the case of an urban lot split, the lot proposed to be subdivided shall not have been established through a prior urban lot split.

9. In the case of an urban lot split, the lot proposed to be subdivided (“subject lot”) is not adjacent to any lot that was established through an urban lot split by the owner of the subject lot or by any person acting in concert with the owner of the subject lot.

10. No unpermitted construction or illegal nonconforming zoning conditions shall exist on the property.

11. Except where superseded by this section, development shall comply with the objective standards of the zone in which the lot is located.

D. Number of Dwelling Units Permitted on a Lot.

1. Notwithstanding any other provisions of the CMC, State law requires the City to permit a lot located within a single-family residential zone to contain up to two primary dwelling units. The two units must be developed and maintained to comply with the requirements outlined in this section.

2. No more than two dwelling units of any kind may be constructed or maintained on a lot that results from an urban lot split. For purposes of this subsection, the two-unit limitation applies to any combination of primary dwelling units, ADUs, and JADUs. Examples are as follows:
   a. One primary dwelling unit and one ADU (detached or attached); or
   b. One primary dwelling unit and one JADU; or
   c. Two dwelling units.

   The combination of two dwelling units plus one ADU and one JADU are not permitted on a lot that results from an urban lot split.

E. Separate Conveyance.

1. Primary dwelling units located on the same lot may not be owned or conveyed separately from one another. All fee interest in a lot and all dwellings must be held equally and undivided by all individual owners of the lot.

2. Condominium airspace divisions and common interest developments are not permitted on a lot created through an urban lot split or containing an SB 9 two-unit residential development.

F. Residential Use Only. Nonresidential use is not permitted on any lot created through an urban lot split or containing an SB 9 two-unit residential development.

G. No Short-Term Rentals Allowed. The rental of any dwelling unit on a lot created through an urban lot split or containing an SB 9 two-unit residential development shall be for a period longer than 30 consecutive days.

H. Housing Crisis Act Replacement Housing Obligations. If the proposed development results in the demolition of protected housing, as defined in California Government Code Section 66300, the applicant shall replace each demolished protected unit and comply with all applicable requirements imposed according to subsection (d) of Government Code Section 66300.

I. Development and Objective Design Standards. A qualifying SB 9 two-unit residential development and any development on a lot created through an urban lot split shall adhere to the development and design standards outlined in this section. Additionally, unless modified or specified by this section or by State law, an SB 9 two-unit residential development and any development on a lot created through an urban lot split must comply with all objective development standards applicable to the lot as outlined in this section, along with all relevant objective standards and criteria found in standard plans and specifications, policies, and standard conditions duly adopted by the City and the Los Angeles County Fire Department.

1. The following table, Table 17.20.060-1 Development Standards, outlines the standards for buildings, landscaping, and other aspects of site development for projects applying under the SB-9 two-unit residential development standards.

Table 17.20.060-1 Development Standards		
Unit Size		
Minimum for each Dwelling	800 square feet	A legally established primary dwelling less than 800 SF may expand to up to 1,000 SF
Maximum for each Dwelling	1,000 square feet	A legally established primary dwelling more than 1,000 SF shall not be expanded
Building Height (maximum)	16 feet	Height measured from the ground level to the highest point of the roof
Building separation	6 feet	Between all detached structures: residential units, garages, accessory structures; and comply with building codes
Front Landscape coverage (maximum)	50 percent	Exclude the allowed standard driveway (12 feet wide) in the front yard

2. Setbacks.
   a. The following are minimum setbacks from the property lines for each new primary dwelling unit, new detached garage, and accessory structures:

Table 17.20.060-2 Setbacks for Primary and Accessory Structures					
Minimum Setbacks (feet)	Front	Rear	Interior Side	Street Side	Reverse Corner Side
New Primary dwelling unit	25	4	4	12.5	15
New detached garage and accessory structures	25	4	4	12.5	15

b. Any construction occurring on a lot that abuts a street that has not been fully improved shall observe all building setbacks from the ultimate right-of-way of the street.

c. Exceptions. The above minimum setback requirements do not apply or shall be modified in the following circumstances:
   i. No increased setback is required for an existing structure or for a new primary dwelling unit that is constructed in the same location and to the same dimensions as an existing structure.
   ii. A required minimum setback may be reduced if it would physically preclude the development or maintenance of two dwelling units on a lot, or physically preclude any new primary dwelling unit from being 800 square feet in floor area, but must comply with building codes.
   iii. Permitted Projections Into Required Yards. The following architectural features may project into any required setback a maximum of two feet: cornices, eaves, belt courses, sills, buttresses, planter boxes, masonry planters, guard railings, chimneys, and similar architectural projections with no floor area, including, but not limited to, windows and pilasters. Architectural projections must comply with distance separation from building walls or property lines as required by building codes.

3. Open Space. Each new primary dwelling unit shall provide, at a minimum, a continuous private open space of 200 square feet. The private open space area shall be open and unobstructed from the ground to the sky. The private open space may be located within the interior side or rear setback areas.

4. Landscaping. All setback areas and all areas not designated for walkways, parking, drive aisles, and private recreation areas shall be fully landscaped and irrigated. Each development shall comply with CMC Chapter 17.22.170 Water-Efficient Landscape Regulations.

5. Perimeter Block Walls. Each development shall provide a perimeter wall with a maximum height of six feet, measured from the finished grade next to the wall, including any retaining wall portion, up to the top of the wall. Perimeter block walls shall comply with the following requirements:
   a. All perimeter walls shall comply with the requirements in CMC 17.22.160 Walls, Fences, and Screening.
   b. The property owner shall work with the adjoining property owners to design and construct the perimeter block walls to avoid double walls. If the property owner cannot obtain approval from the adjoining property owners, the property owner shall construct the new wall with a decorative cap to be placed between the new and the existing wall.
   c. Perimeter and privacy walls shall be decorative with stucco finish, slump stone or split-face block, or a combination of said materials.

d. Perimeter walls within the 25-foot front yard setback area shall not exceed three feet in height from the finished surface.

6. Off-Street Parking.
   a. Required Parking. Provide one off-street parking space for each new primary dwelling unit unless one of the following applies:
      i. The lot is located within one-half mile walking distance of either (A) a high- quality transit corridor as defined in subdivision (b) of Section 21155 of the California Public Resources Code, including Covina Metrolink Station, or (B) a major transit stop as defined in Section 21064.3 of the California Public Resources Code, including Foothill Transit Center.
      ii. The lot is located within one block of a car-share vehicle location.
   b. Off-street parking spaces for an existing primary dwelling shall continue to be provided in accordance with the standards for the underlying zone.
   c. Required parking for new primary dwelling units may be provided within an enclosed garage or as open parking spaces on the lot, but not as tandem parking. Open parking spaces may be located within the side or rear setbacks.
   d. All required parking spaces shall be nine feet in width and 19 feet in depth, unobstructed.
   e. Each enclosed garage must maintain minimum interior parking dimensions of nine feet wide by 19 feet deep, unobstructed. Storage cabinets or mechanical equipment, including but not limited to water heaters, utility sinks, washers and dryers, solar power batteries, or similar equipment, shall not encroach into the required parking area.

7. Unit Design Standards.
   a. If the lot contains an existing primary dwelling that was legally established prior to the filing of a complete application for a two-unit development or an urban lot split, any new additional primary dwelling unit must match the existing primary dwelling unit in exterior materials, color, and dominant roof pitch. The dominant roof slope is the slope shared by the roof's dominant feature.
   b. If two new primary dwelling units are to be developed on the lot, the dwellings must match each other in exterior materials, color, and dominant roof pitch. The dominant roof slope is the slope shared by the largest portion of the roof.
   c. Each new primary dwelling unit shall have the main entry clearly defined, and to the extent possible, shall orient directly toward the street(s) to provide consistency with the neighborhood. Provide a covered entry to the dwelling unit with a minimum depth of three feet. Each covered entry shall be proportionate to the building and incorporate architectural features consistent with the overall building design.

8. Laundry Facilities. Each new primary dwelling unit shall have a laundry space located within the unit or within a garage accessible from the unit that is equipped with washer and dryer hook-ups. If the laundry facilities are located within an enclosed garage, the laundry equipment shall not encroach into the interior garage parking area.

9. Water Heaters. Each new primary dwelling unit shall have a separate hot water facility. No exterior water heater enclosures shall be permitted.

10. Mechanical Equipment, Metering Devices. Roof-mounted mechanical equipment is not permitted. All ground-mounted equipment and above-ground utility meters, including, but not limited to, heating, cooling, or ventilating equipment, water meters, gas meters, and irrigation equipment, shall be shown on the site plan and, to the extent possible, be placed outside the required front setback area. If mechanical equipment or metering devices are located between a structure and the property line, provide an unobstructed three-foot-wide path.

11. Access and Circulation.
    a. Provide adequate on-site vehicular access, circulation, back-up, and turn-around areas that comply with applicable City standards.
    b. The minimum street frontage for a flag lot is 20 feet. If the lot depth of the new parcel in the rear (flag lot) is more than 150 feet, the minimum street frontage must be 25 feet.
    c. Driveways shall maintain a minimum width of 20 feet unless a wider width is required for emergency access.
    d. Adequate access to each residential unit on the lot for fire and emergency medical service personnel and vehicles must be provided. The Los Angeles County Fire Department must confirm that all applicable fire and emergency access requirements are met before the City will approve an application.

12. Refuse Storage Areas. All developments shall provide each unit with the appropriate number of containers for recyclables, organics, and nonrecyclable solid waste (“trash containers”) and shall be stored within designated storage areas only.

13. Utilities.
    a. Each primary dwelling unit on a lot must have its direct utility connection to the utility/public service provider. However, all new utilities must be undergrounded.
    b. The property owner/applicant must obtain all necessary and required easements for providing electricity, gas, water, sewer, and other utility or public service to the lot before issuing any permits for any dwelling unit, in compliance with subsections (J), (K) and (L) of this section.

c. Submitted plans shall show the location and dimension of all proposed above- ground and underground utility and public service facilities serving the lot and each dwelling unit and the location and dimensions of all related easements.

14. Building and Safety. All structures built on the lot must comply with current local building standards.

15. Grading. Grading, filling, excavating and construction activities must comply with health and safety requirements of California Building and Grading Standards. The maximum encroachment into any four to one (4:1) or greater slopes shall not exceed a distance of six feet.

16. Drainage and Stormwater Management. Each lot will drain to the street or an approved storm drain facility. The design of parkway culverts and storm drain lateral pipe connections to City-maintained storm drains within the City right-of-way shall comply with applicable City standards. SB 9 two-unit residential developments and the development on lots created through an urban lot split are subject to Chapter 8.50 CMC ("Storm Water Quality and Urban Runoff Control"). They must comply with all applicable, related rules, requirements, and standards, including, but not limited to, the preparation and implementation of a water quality management plan that meets applicable requirements.

17. Exceptions to Objective Standards.
    a. The Director shall approve an exception to any of the standards specified in this section or any applicable objective zoning, subdivision, or design standards upon determining that complying with the standard would physically preclude the construction of up to two residential units or would physically preclude either of the two residential units from being 800 square feet in floor area to the extent necessary to allow the development of two primary residential units (800 square feet each) on a lot according to this section. The City prioritizes certain development standards over others, as outlined in the priority below. In applying the exceptions required by this section, a proposed project shall be designed such that a development standard given a lower priority is modified or waived before a development standard given a higher priority. If a proposed project can be designed such that each lot can accommodate two 800-square-foot primary dwelling units by modifying or waiving a development standard with a lower priority, then an application that proposes a design requiring the modification or waiver of a development standard with a higher priority will be denied. The City prioritizes the following standards in the following descending order of priority, with the first development standard listed having the highest priority:
        i. Lot width;

ii. Building height;
iii. Front setback;
iv. Maximum front setback coverage (50 percent);
v. Open space (200 square feet);
vi. Lot coverage (50 percent).

b. The following standards and requirements of this section will not be waived or modified:
   i. Building code requirements;
   ii. Federal requirements; and
   iii. Other standards imposed by State law, including but not limited to SB 9.

c. As part of its application, the applicant shall provide a written explanation that (i) specifically describes every development standard the applicant seeks to modify and waive, and to what extent, (ii) demonstrates why waiver or modification of each development standard is needed to prevent physically precluding the construction of up to two primary residential units on the lot and/or each new unit from being at least 800 square feet in floor area, and (iii) demonstrates that the requested modifications and/or waivers are consistent with the priority set forth in this subsection.

J. Additional Requirements for Urban Lot Splits.

1. Approval. An application for a parcel map for an urban lot split is approved or denied ministerially, by the chief planning official, without discretionary review.

2. An urban lot split must conform to all applicable objective requirements of the Subdivision Map Act, including implementing provisions in the CMC, except as otherwise provided in this section. Notwithstanding the foregoing, no dedication of rights-of-way or construction of off-site improvements is required solely for an urban lot split.

3. Lot Size and Lot Area. The parcel map for an urban lot split must subdivide an existing lot to create no more than two new lots of approximately equal lot area; provided that one lot shall not be smaller than 40 percent of the lot area of the original lot proposed for subdivision. Both newly created lots must be at least 1,200 square feet. Lot area must comply with the definition contained in CMC Chapter 17.28 Glossary.

4. Easements.
   a. The owner must enter into an easement agreement with each utility/public-service provider to establish easements sufficient for providing public services and facilities to each of the lots resulting from the urban lot split (“resulting lots”).

b. Each easement must be shown on the tentative parcel map and the final parcel map.
c. Copies of the unrecorded easement agreements must be submitted with the application. The easement agreements must be recorded against the property before the final parcel is approved and recorded with the office of the county recorder.

5. Lot Access.
   a. Each resulting lot must adjoin the public right-of-way.
   b. Each resulting lot must have frontage on the public right-of-way of at least 20 feet. If the resulting lot has a lot depth of more than 150 feet, the street frontage shall increase to 25 feet.

6. Improvements Required. Each resulting lot must be developed in accordance with improvement plans processed concurrently with the parcel map application and approved by the City, showing the location and dimensions of all structures, drive aisles, parking areas, pedestrian pathways, and other improvements proposed to be constructed or to remain on each lot. Approval of a parcel map for an urban lot split shall be subject to the City's approval of such related improvement plans and all related entitlements or other approvals required by this code. Any proposed development on one of the lots that is inconsistent with or not shown on the improvement plans approved concurrently with the urban lot split shall be subject to review and approval by the City in accordance with the applicable requirements of this code.

7. Required Affidavit. Except as provided in Government Code Section 66411.7 for community land trusts and qualified nonprofit corporations, the applicant for a parcel map for an urban lot split must sign an affidavit provided by the City stating that the applicant intends to occupy one of the dwelling units on one of the resulting lots as the applicant's principal residence for a minimum of three years after the final parcel map for the urban lot split is approved.

K. Compliance with Emergency Access and Service Requirements. Development of a lot pursuant to this section must conform and comply with all applicable provisions of the fire code and applicable requirements promulgated by the Los Angeles County Fire Department intended to ensure sufficient emergency access is provided or maintained. Prior to submitting a complete application for an SB 9 two-unit residential development or an urban lot split, the applicant shall obtain and provide the City with written confirmation from the Los Angeles County Fire Department that the proposed development complies with all such requirements.

L. Deed Restriction. Prior to approval of a parcel map for an urban lot split or the issuance of a building permit, whichever comes first, for the development of an SB 9 two-unit residential development, the owner(s) of record of the property shall

provide the chief planning official a copy of a covenant agreement, declaration of restrictions, or similar deed restriction ("deed restriction") recorded against the property, which is in a form prepared by and acceptable to the Director, and that does each of the following:

1. Rental Terms. Expressly requires that the rental of any dwelling unit on the property shall be for a term longer than 30 consecutive days.

2. Expressly prohibits any nonresidential use of the lot.

3. Expressly prohibits primary dwelling units located on the same lot from being owned or conveyed separately from one another.

4. Expressly requires all fee interest in each lot and all dwellings to be held equally and undivided by all individual owners of the lot.

5. Expressly prohibits condominium airspace divisions and common interest developments on the property.

6. States that the property was formed and developed according to the provisions of SB 9 and this section and is therefore subject to the City regulations outlined in this section, including all applicable limits on dwelling size and development.

7. Expressly prohibits more than two dwelling units of any kind from being constructed or maintained on a lot that results from an urban lot split.

8. Expressly prohibits any subsequent urban lot split for lots that were previously created by an urban lot split under SB 9.

9. States (a) that the deed restriction is for the benefit of and is enforceable by the City; (b) that the deed restriction shall run with the land and shall bind future owners, their heirs, and successors and assigns; (c) that lack of compliance with the deed restriction shall be good cause for legal action against the owner(s) of the property; (d) that, if the City is required to bring legal action to enforce the deed restriction, then the City shall be entitled to its attorneys' fees and court costs; and (e) that the deed restriction may not be modified or terminated without the prior written consent of the Chief Planning Official.

M. Fees. Development of lots pursuant to this section shall be subject to all applicable fees, including development impact fees, and assessments, duly adopted by the City.

N. Objective Standard Conditions. The Director is authorized to promulgate objective standard conditions implementing this section, which are consistent with

applicable provisions of CMC and State law, that shall apply to the application and development of two- unit developments and urban lot splits, and to publish such standard conditions on the city's internet website. Applicants must comply with all objective standard conditions duly promulgated by the chief planning official and published on the City's internet website.

O. Expiration of Approval. The approval of an SB 9 two-unit residential development shall become null and void if construction is not commenced within two years of the approval and diligently advanced until completion of the project. In the event construction of the project is commenced, but not diligently advanced until completion, the rights granted pursuant to the approval shall expire if the building permits for the project expire.

17.18.070 Supportive and Transitional Housing.

A. Purpose. The purpose of this Section is to establish provisions for the review of supportive and transitional housing. The provisions of this chapter shall allow all proposed supportive and transitional housing to be a use by right in zones where multifamily and mixed uses are permitted, including non-residential zones that permit multifamily uses.

B. Supportive and Transitional Housing. Pursuant to California Government Code Section 65583(c)(3), transitional and supportive housing constitute a residential use and are subject only to the restrictions that apply to other residential uses of the same type within the same zoning district.

C. Supportive Housing, Up to 50 Units. Pursuant to California Government Code Section 65651, supportive housing development with up to 50 supportive housing units shall be permitted by right in all zoning districts where multi-family and mixed-use residential developments are permitted, provided the development satisfies all of the following requirements:

1. All supportive housing units within the development are subject to a recorded affordability restriction for 55 years.

2. One hundred percent of the units within the development, excluding managers' units, are dedicated to lower-income households and receive public funding to ensure the housing remains affordable for lower-income Californians. For purposes of this paragraph, "lower-income households" has the same meaning as defined in Section 50079.5 of the Health and Safety Code.

3. At least twenty-five percent (25%) of the units in the development, or 12 units, whichever is greater, are restricted to residents in supportive housing who meet the target population criteria. If the development consists of fewer

than 12 units, then one-hundred percent (100%) of the units, excluding managers' units, in the development shall be restricted to residents in supportive housing.

4. The developer shall provide the information required by California Government Code Section 65652 to the Planning Division.

5. Non-residential floor area shall be used for on-site supportive services in the following amounts:
   a. For a development with 20 or fewer total units, at least 90 square feet shall be provided for on-site supportive services.
   b. For a development with more than 20 units, at least 3 percent of the total non-residential floor area shall be reserved for on-site supportive services limited to tenant use, including, but not limited to, community rooms, case management offices, computer rooms, and community kitchens.

6. The developer replaces any dwelling units on the site of the supportive housing development in accordance with paragraph (3) of subdivision (c) of Section 65915.

7. Units within the development, excluding managers' units, include at least one bathroom and a kitchen or other cooking facilities, with a minimum of a stovetop, sink, and refrigerator.

8. Parking. Parking stall requirements shall be one-half (0.5) per unit and one (1) for on-site management/staff. No Parking shall be required within one-half mile of a public transit stop.

D. Transitional Housing. Transitional housing development shall be permitted by right in all zoning districts where multiple-family and mixed-use residential developments are permitted. Transitional housing refers to buildings configured as rental housing developments and operated under program requirements that call for the termination of assistance and the recirculation of the assisted unit to another eligible program recipient. Transitional housing programs are typically structured to provide residency for a minimum of 30 days and a maximum of 24 months, with the goal of moving participants into permanent housing. Transitional housing must provide supportive services, including, but not limited to, developing life skills, securing employment, and addressing underlying barriers to permanent housing. Operational standards include intake processing, establishing program rules, and mandated discharge planning.

E. Application Review.

1. The Planning Division shall notify the project applicant whether the application is complete within thirty (30) days of receipt of an application.

2. After the application is deemed complete, the Planning Division shall complete its review of the application within sixty (60) days for projects with fifty (50) or fewer units and within one hundred and twenty (120) days for projects with fifty-one (51) or more units.

17.20.080 Accessory Dwelling Units and Junior Accessory Dwelling Units

A. Intent

This chapter is intended to implement the requirements of California Government Code Sections 66314 et seq. regarding accessory dwelling units (ADUs) and 66333 et seq. regarding junior accessory dwelling units (JADUs). In the event of a conflict between the Government Code, as it may be amended from time to time, and this chapter, the Government Code shall prevail, and the City will apply the standards established in Government Code Section 66314 et seq. as applicable for the approval of ADUs. In the event of a conflict between this chapter and another provision of the Covina Municipal Code (CMC), this chapter shall prevail.

B. Definitions.

The following words shall have the meanings set forth below, unless the context otherwise permits or requires:

1. “Accessory dwelling unit” or “ADU” has the same meaning ascribed in Government Code Section 66313(a), as the same may be amended from time to time.

2. “Attached ADU” means an ADU that is constructed as a physical expansion (i.e., addition) of the primary dwelling and shares a common wall with the primary dwelling, including garages, storage areas, and similar spaces.

3. “Defensible space” refers to the buffer zone between a structure, and any natural, landscaped, or wildland area around the structure.

4. “Detached ADU” means an ADU that is constructed as a separate structure from the primary dwelling, which does not share any walls with the primary dwelling.

5. “Existing structure” means an existing single-family dwelling, multifamily dwelling, or other accessory structure that can be safely converted into habitable space under the California Building Standards Code, as amended by the city, and other applicable law.

6. “Junior accessory dwelling unit” or “JADU” has the same meaning ascribed in Government Code Section 66313(d), as the same may be amended from time to time.

7. “Livable space” has the same meaning ascribed in Government Code Section 66313(e), as the same may be amended from time to time.

8. “Living area” has the same meaning ascribed in Government Code Section 66313(f), as the same may be amended from time to time.

9. “Primary dwelling” means the existing or proposed single-family dwelling or multifamily dwelling on the lot where an ADU can be located.

10. “Public transit” has the same meaning ascribed in Government Code Section 66313(m), as the same may be amended from time to time.

11. “Tandem parking” has the same meaning ascribed in Government Code Section 66313(n), as the same may be amended from time to time.

C. Application and approval process.

1. An application for an ADU or a JADU shall be considered ministerial, notwithstanding Section 65901 or 65906 or any local ordinance regulating the issuance of variances or special use permits, without discretionary review or a hearing, in accordance with the timelines described in this section.

    a. The City shall determine whether an application for an ADU or a JADU is complete and provide a written notice of this determination to the applicant within 15 business days after receipt of the application. If the application is incomplete, the City will provide the applicant with a written list of any incomplete items and a description of how the application can be made complete. After receiving notice that an application is incomplete, the applicant may cure the application and address any items deemed incomplete by the City. The City shall not require the cured application to include an item that was not listed in the list of incomplete items provided to the applicant. This application and any subsequent applications will be subject to the same 15-business day deadline mentioned above if the application is deemed incomplete. Any application or resubmitted application shall be deemed complete if the City does not make a timely determination that an application is complete, incomplete, or fails to provide a timely written notice of incomplete items. If a permit application is determined to be incomplete, the applicant may appeal such a decision in accordance with the procedures set forth in the CMC Chapter 17.02, except that a final written determination shall be provided by the City by not later than 60 business days after receipt of the applicant's written appeal.

    b. The City shall either approve or deny the application for an ADU or JADU within 60 calendar days after receiving a complete application, if there is

an existing single-family or multi-family dwelling on the lot. If the City has not approved or denied the completed application within 60 days, the application shall be deemed approved. If the permit application for an ADU is submitted with a permit application to create a new single-family or multifamily dwelling on the lot, the City may delay approving or denying the permit application for the ADU until the City approves or denies the permit application to create the new single-family or multifamily dwelling.

2. If an ADU is being proposed as part of a newly proposed accessory structure, the application for the accessory dwelling unit may be considered separate from, and after, the application for the accessory structure.

3. The lot shall contain an existing or proposed primary unit at the time an application for the ADU or JADU is submitted.

D. Ministerial building permit process.

Ministerial building permit process. The Director shall approve an application for the ADUs and JADUs, or any combination of ADUs and JADUs, in a streamlined building permit only process, so long as the proposed ADU or JADU complies with the requirements set forth in Government Code Section 66323, as it may be amended from time to time.

E. Accessory dwelling unit development standards for ministerial planning process.

1. Ministerial Planning Process. An ADU that does not qualify for the streamlined building permit only approval process in CMC Section 17.20.080D shall require a ministerial planning ADU permit and shall comply with the standards set forth in this subsection.

2. Number of Units Allowed. Notwithstanding CMC Section 17.20.080D, no more than one ADU shall be permitted on any one lot in accordance with the standards set forth below. An ADU authorized pursuant to this paragraph “E” shall be allowed in combination with the ADUs and JADUs authorized pursuant to paragraph “D” herein.

3. Floor Area and Unit Size Table.

Residential Zones	R-1-7500 R-1-8500	R-1-10000 R-1-20000 E-1/2 Acre E-1 Acre
Floor area/unit size in square feet (SF)		

1. Detached ADU	Minimum 150 SF up to a maximum of 1,000 SF of interior livable space	Minimum 150 SF up to a maximum of 1,200 SF of interior livable space
2. Attached ADU	Minimum 150 SF up to a maximum of : a. 850 SF for studio or 1-bedroom; b. 1,000 SF for 2 or more bedrooms	Minimum 150 SF up to a maximum of : a. 850 SF for studio or 1-bedroom; b. 1,200 SF for 2 or more bedrooms, <u>except if 1,200 SF exceeds 50 percent of the gross floor area of the existing primary dwelling, in which case the maximum square footage shall be 1,000 square feet</u>

4. Lot Coverage, FAR, and Open Space. The Lot Coverage, Floor Area Ratio, and Open Space requirements of the underlying zone shall apply to the extent they do not preclude an ADU with 800 square feet of interior livable space with four-foot side and rear yard setbacks.

5. Attached ADUs shall have a separate exterior entrance.

6. Parking Standards.

    a. Off-street parking shall be permitted in front, side, and rear yard setback areas or through tandem parking. The parking does not need to be covered or in an enclosed garage.

    b. When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an ADU or where such structure is converted into an ADU, any off street parking required for the primary residence that is lost shall not be required to be replaced.

    c. In addition to the required parking for the primary unit, one off-street parking space shall be provided on the same lot that the ADU is located. However, an off-street parking space is not required if:

        i. The ADU is located within one-half mile, measured in walking distance, of public transit, including bus stops;
        ii. The ADU is located within an architecturally and historically significant historic district;
        iii. The ADU is part of the proposed or existing primary residence or an existing accessory structure;
        iv. On-street parking permits are required but not offered to the

occupant of the ADU; or

v. When there is a designated parking space for a car share vehicle located within one block of the ADU; or

vi. A permit application for an accessory dwelling unit is submitted with a permit application to create a new single-family dwelling or a new multifamily dwelling on the same lot.

7. Setback and Building Separation Requirements.

   a. The ADU shall be subject to the same minimum required front yard setback as the main dwelling unit. However, a front yard setback of 10 feet shall be required only when the front yard is the sole feasible location for ADU, such as when the rear yard is not buildable due to site constraints, easements, or other limitations. In such cases, the ADU shall be limited to a maximum floor area of 800 square feet of interior livable space and a maximum height of 16 feet.

   b. No setback is required for an ADU or JADU created within an existing living area or accessory structure, or an ADU created in a new structure in the same location and to the same dimensions as an existing structure that is converted to an ADU.

   c. A detached two-story ADU, a second-story ADU above a garage, the addition of a second-story ADU to an existing single-story residence, and the addition of an attached two-story ADU to the primary residence, or any combination thereof, shall be permitted within the primary residence "buildable area," as determined under Chapters 17.14 and 17.26.

   d. Side yard and rear yard setbacks of no more than 4 feet from the side and rear lot lines shall be required for an attached or detached ADU..

   e. Building separation must maintain 6 feet as measured from building eaves to building eaves.

8. Building Height Requirements.

   a. The maximum height for a detached ADU is 16 feet if it is located on a lot with an existing or proposed single family home or multifamily dwelling unit.

   b. If the detached ADU is on a lot with an existing or proposed single-family or multi-family dwelling unit that is within one-half of one mile walking distance of a major transit stop or a high-quality transit corridor, as those terms are defined in Section 21155 of the Public Resources Code, then that maximum height is 18 feet. An additional two feet in height is allowed to accommodate a roof pitch on the ADU that is aligned with the roof pitch of the primary dwelling unit.

c. If the ADU is attached to a primary dwelling, then there is a height limitation of 25 feet or the height limitation in the underlying zone that applies to the primary dwelling, whichever is lower. In no case shall an ADU exceed two stories.

9. Subdivision, Ownership, and Rental Requirements.

    a. The ADU may not be sold or conveyed separately from the primary dwelling, unless the specific criteria contained in Government Code Sections 66340 and 66341 are complied with.

    b. The ADU and JADU shall not be rented for a period less than 31 consecutive days.

10. Building Code and Safety Requirements.

    a. Except as otherwise required herein, all construction, structural alterations, or additions made to create an ADU shall comply with current development standards and building, electrical, fire, and plumbing codes outlined in the California Building Code and California Residential Code. This includes a requirement that all ADUs comply with the grading standards, and permit processes and requirements for development on slopes.

    b. Fire sprinklers are not required for ADUs if they are not required for the primary residence. The construction of an ADU will not trigger a requirement to install fire sprinklers in the existing primary dwelling.

11. Sewer, Water, and Wastewater Requirements.

    a. If the ADU will be connected to an on-site wastewater treatment system, the City shall obtain approval from the Regional Water Quality Control Board and may require a percolation test completed within the last five years, or, if the percolation test has been recertified, within the last 10 years prior to the permit issuance.

    b. ADU lots not served by a public sanitary sewer system shall obtain approval by the Los Angeles County Department of Public Health, and other applicable agencies, of a private sewage disposal system, prior to permit issuance.

12. A Detached ADU sited within four to one or greater slopes, whether the site is an upslope or downslope, shall meet the following requirements:

    a. May encroach into the four-to-one or greater slopes by a maximum distance of six feet.

b. Require planning review and Los Angeles County Fire Department review.

c. Provide a minimum 10-foot fire defensive zone around the ADU.

d. Comply with the California Building Code and California Residential Code that are specific to the wildland-urban interface fire areas; roof material shall be tiles, slate or an imitation thereof. If the roof material for the main house consists of composition shingles, the detached ADU can include the same material. If composition shingles are used, 40-year or higher-grade architectural dimension shingles shall be used.

13. Grading and Drainage Requirements.

a. Grading, filling, excavating, and construction activities must comply with the health and safety requirements of California Building and Grading Standards.

b. Finished ground surfaces/slopes within five feet of the ADU shall slope away at a five percent minimum slope. Exterior hard surfaces, drainage swales, and drainage pipes shall have a minimum slope of one percent away from the ADU. Lot grading shall prevent storm runoff flowing onto neighboring properties.

c. Detached ADUs over 500 square feet must submit a drainage plan showing:
   i. existing and proposed topography of the property;
   ii. existing and proposed drainage system consisting of swales, pipes, catch basins, inlets, outlets; and
   iii. historic drainage patterns that demonstrate it has not altered in a manner to cause drainage problems to neighboring properties.

14. Design.

a. The colors, exterior finishes, and roof pitch of the ADU shall match (match means the same as) the primary dwelling. The roof slope of the ADU must match that of the dominant roof slope of the primary dwelling, which is the slope covering the largest portion of the roof.

b. If the applicant seeks to build an ADU in a garage and such ADU requires an expansion of more than 150 square feet, the garage door shall be removed, and the opening shall be treated and finished in the same color and materials as the primary residence.

c. All windows shall have exterior trims and sills. Exterior window treatments that face the front and side facades of the ADU must include at least one of the following: shutters, awnings, window shades, or a bay window.

d. Each ADU shall provide a covered porch entry with a minimum floor area of 60 square feet. The porch shall include a railing along any open side constructed of wood, metal, or composite material. The porch shall also include at least one permanently affixed light at the entryway.

e. In cases where the proposed ADU is on a corner lot or reverse corner lot, the entry to the ADU shall face the public right-of-way.

F. Fees for Accessory Dwelling Units.

1. Utility Connection Fees and Capacity Charges. No new or separate utility connection, fee, or capacity charge shall be required for an ADU or a JADU within an existing single-family dwelling or accessory structure approved by a building permit only. However, the City may charge connection fees and capacity charges for an ADU constructed in conjunction with a new single-family dwelling, or for a newly constructed ADU that is not a conversion of existing space.

2. Impact Fees. Impact fees shall not apply to an ADU with less than 750 square feet or less of interior livable space or a JADU with 500 square or less of interior livable space. For ADUs larger than 750 square feet of interior livable space, impact fees shall be charged proportionally in relation to the square footage of the primary dwelling unit. For example, if a primary dwelling has 1,600 square feet of interior livable space and the proposed ADU have 800 square feet of interior livable space, the impact fee for the ADU is 50 percent of the amount of the fee for the primary unit.

G. Legalizing ADUs constructed prior to 2020.

1. Purpose. State law authorizes jurisdictions to legalize pre-existing ADUs that were constructed prior to January 1, 2020, without all required permits, provided the units meet minimum health and safety standards. The purpose of this section is to establish an ADU Legalization Program that allows owners of ADUs constructed prior to January 1, 2020, to obtain legal status for such units unless they pose a threat to life, health, or safety.

   a. Eligibility for Unpermitted ADUs Constructed before 2020. The City shall not deny a permit for an unpermitted ADU or JADU that was constructed before January 1, 2020, due to either of the following:
      i. The ADU or JADU is in violation of applicable building standards.
      ii. The ADU or JADU does not comply with state ADU law or this Section 17.20.080.

   b. Exceptions. Notwithstanding paragraph B, the City may deny a permit to legalize an existing but unpermitted ADU or JADU that was constructed

before January 1, 2020, if the City makes a finding that correcting the violation is necessary to comply with the standards specified in Section 17920.3 of the California Health and Safety Code.

2. Process for Legalization.

    a. The property owner shall submit an ADU Legalization Application to the Planning Department, including evidence that the ADU qualifies as a Pre-2020 ADU.

    b. The Building Official shall conduct a health and safety inspection of the unit and determine any corrections that need to be made.

    c. If the inspection identifies unsafe conditions, the owner shall correct them within a reasonable timeframe specified by the Building Official.

    d. Upon determining that no unsafe conditions exist, or that such conditions have been corrected, the Building Official shall issue a Certificate of Legalization for the ADU.

Chapter 17.22
General Development Standards

17.22.010 Accessory Structures
17.22.020 Conversion of Residential Building
17.22.030 Congestion Demand Management/Transportation Demand Management
17.22.040 Equipment and Trash Enclosure Screening
17.22.050 Historic Preservation
17.22.060 Landscaping Requirements
17.22.070 Measurements
17.22.080 Outdoor storage
17.22.090 Parking and Loading
17.22.100 Performance Standards
17.22.110 Property Maintenance
17.22.120 Public Improvement Standards
17.22.130 Street Naming and Addressing
17.22.140 Synthetic (Artificial) turf
17.22.150 Tree Preservation
17.22.160 Walls, Fences, and Screening
17.22.170 Water-Efficient Landscape Regulations

17.22.010 Accessory Structures.

A. Purpose and applicability.

This section establishes development standards for accessory structures on private properties and shall be in addition to any other development standards contained elsewhere in the zoning code. In the event of a conflict between the provisions of this section and other provisions of this title, the stricter regulations shall control.

B. Definitions.

“Accessory structures” means sheds, patio covers, arbors, gazebos, cabanas, greenhouses, pergolas, guesthouses, sunrooms, pool-houses, decks, tennis, pickleball, or basketball courts, porte cochere, garage, and similar structures that are related and subordinate to the primary dwelling use on the lot. Accessory structures may be attached to or detached from the main dwelling. Except for guesthouses, accessory structures shall be used solely for recreational and outdoor living purposes. Patio covers shall not be used as carports, garages, storage rooms, or habitable rooms. Accessory Dwelling Units (ADUs) are not considered as accessory structures and are regulated under CMC Chapter 17.20.080.

“Decks or patios” means a detached porch, platform, or landing that is generally constructed with wood, concrete, or stone and is no more than 30 inches above the finished floor of the primary dwelling.

“Guesthouse” as defined under CMC Chapter 17.28.

“Greenhouse” means a building or structure constructed primarily of glass, glass-like or translucent material, cloth or lath, which is devoted to the protection or cultivation of flowers or other tender plants, and is included in the calculation of the lot coverage.

“Patio enclosures” means providing a closed cover for three sides of a patio with walls and windows. A patio enclosure is a habitable room addition to the primary dwelling.

“Porte cochere” means an accessory structure open on three sides and attached to the side or front of a building through which cars pass, and is established for the convenient loading and unloading of passengers from an automobile. A porte cochere is not a carport or garage.

“Sunroom” means a building or structure constructed primarily of glass, glass-like, or translucent material, used only for recreational and outdoor living purposes, and not as a habitable room (such as for sleeping, or cooking).

C. Exempt structures. The following accessory structures are exempt from the planning permit requirement, provided they comply with the listed requirements. Exempt accessory structures may still require building permits under the California Building Code adopted by the city. See Table 17.22.010-1, Development Standards for Accessory Structures, for additional standards.

1. Water features. A detached structure used for decorative or landscape purposes, such as a fountain, water wall, bird bath, and similar features.
2. Play equipment for recreational purposes, including but not limited to children's play structures, tree houses, jungle gyms, etc.
3. Outdoor entertainment features, such as but not limited to built-in barbecues or fire pits.
4. Ground-mounted equipment. Pool equipment, generators, and air conditioning units must be screened with noise-reducing materials.
5. Portable storage sheds. The structure is freestanding and movable, with no permanent foundation, plumbing, or electrical installation. The structure is under 120 square feet in area and under 8 feet high. Each parcel/lot shall not contain more than 2 storage sheds.
6. Trellis-arch feature. Allow one decorative and landscape trellis-arch feature up to a maximum height of 8 feet within the required front yard. There is no limit on trellis-arches in the rear and side yards, but they must comply with the required setback.

D. Permit requirements for accessory structures.

Accessory structures located in single-family residential zones require zoning clearance as outlined in CMC Section 17.04.040 Site Plan Review. Accessory structures located in multi-family, mixed-use, and non-residential zones require Minor Site Plan review as outlined in CMC Section17.04.040.

E. The following Table 17.22.010-1 establishes the development standards for accessory structures in single-family residential zones.

Table 17.22.010-1 Development Standards for Accessory Structures

Accessory structures	Front yard setback (1)	Rear yard setback (1)	Interior side yard setback (1)	Street side yard setback (1)	Distance from main dwelling	Rear yard coverage (%)	Height
Detached accessory structures (2)	Not permitted	5 ft	Maintain setback per Residential zones	12.5 ft	6 ft	35% of required yard area	16 ft
Attached accessory structures (2)	Not permitted	Maintain setback per Residential zones	Maintain setback per Residential zones	Maintain setback per Residential zones	NA	35% of required yard area	16 ft
Water features	5 ft	5 ft	5 ft	12.5 ft	NA	Not included	6 ft
Pool and spas	Not permitted	5 ft	5 ft	12.5 ft	6 ft	Not included	NA
Pool accessories	Not permitted			12.5 ft	6 ft	Not included	8 ft
Pool equipment	Not permitted	5 ft	5 ft	12.5 ft	6 ft	Not included	NA
Play equipment	5 ft and no more than 6 ft high	5 ft	5 ft	12.5 ft	NA	Not included	NA
Deck/patio under 30 inches (2)	Project 6 feet into yard or setback 19 ft	5 ft	3 ft	12.5 ft	NA	Not included	30 inches
outdoor entertainment features	Not permitted	5 ft	5 ft	12.5 ft	NA	Not included	NA

Storage shed (less than 120 sq. ft.	Not permitted	3 ft	3 ft	12.5 ft	NA	Not included	8 ft
Storage shed 120 sq ft or more	Not permitted	5 ft	5 ft	12.5 ft	NA	30% of required yard area	16 ft
Notes: 1. Setback is measured from the property line. 2. Accessory structures, decks, and patios as defined in CMC Section 17.22.010B 3. Measuring distance from primary structure to accessory structure shall be done from eaves to eaves.							

1. Building/Lot coverage. Accessory structures shall not occupy more than 35 percent of the required rear yard setback area. Covered patios, trellis structures, and similar accessory structures are included in the calculation of the total lot coverage.
2. Guesthouses as defined in CMC Chapter 17.28. A guesthouse shall not exceed a gross floor area of 600 square feet and contain no more than 2 bedrooms.
3. Exterior stairs attach to the main dwelling. Exterior stairs may project a maximum of 48 inches, including railings, into the required yards. The exterior stairs must maintain a minimum distance of 3 feet from the interior side and rear property lines and 12.5 feet from the street-side property line.
4. Second-story decks and balconies may project into the required rear yard a maximum distance of 5 feet and a maximum length of 10 feet. Second-story decks and balconies must meet the interior and street-side yards setback requirements of the underlying residential zones. Second-story decks or balconies with roofs are included in the total lot coverage.

17.22.020 Conversion of Residential Building.

A. Purpose.

This chapter sets development standards for converting residential buildings in commercial or industrial zones to nonresidential use. It ensures compatibility with the surrounding neighborhood, protects the welfare of property owners, residents, and Covina's citizens, and regulates building and site design, materials, landscaping, color, and maintenance.

B. Applicability.

Any existing residential use or structure on a commercially or industrially zoned property must not be converted, altered, or remodeled to a commercial or industrial use without first obtaining the approval of the required Site Plan Review application as described in CMC Chapter 17.04, and other planning applications as required by the commercial or industrial zones.

C. Applications and Submittal Requirements

Submit applications, fees, and required materials to the Planning Division using the format or checklists provided by the director.

D. Review Requirements.

All developments regulated by this chapter shall be reviewed and approved by the review authority.

1. Proposed conversions must comply with all applicable provisions of this title.
2. Site and Design Standards. Arrange all site improvements, including building placement, setbacks, height, grading, landscaping, walls, and service areas, to prevent traffic congestion and ensure pedestrian and vehicular safety. Design vehicular access and circulation appropriately. Parking is not allowed in front yards or between buildings and the front property line.
3. Architectural Compatibility. Buildings must use roof elements and exterior materials compatible with adjacent development. Exterior walls must be constructed of wood, tile, or masonry; plaster or stucco is allowed only when combined with these materials. The structure's architectural character should reflect harmony, proportion, and quality materials, and use colors consistent with existing and planned neighborhood improvements.
4. Integrate landscaping to complement the design, soften architectural features, and enhance visual interest. Preserve existing landscaping or architectural features that contribute to neighborhood character whenever feasible.
5. Screening and Utilities. Screen roof-mounted equipment with materials consistent with the building's architectural style. Provide a trash enclosure that meets City design standards. Screen outdoor mechanical equipment from public view using a permanent structure.

E. Review, Approval, and Appeal Procedures.

The review and approval process and the appeal procedures shall comply with the requirements set forth in CMC Chapter 17.02, General Provisions and Administration, and Chapter 17.04, Land Use Entitlements, Permits, and Planning Applications.

17.22.030 Congestion Demand Management and Transportation Demand Management.

A. Review of Development Impact on Transit Service.

1. For any development project requiring an environmental impact report, or when locally determined, the City shall notify regional and municipal fixed-route transit operators serving the project.
2. Each operator will receive a notice of preparation (or project description) and a transit impact review worksheet from the Los Angeles County Congestion

Management Program manual (or equivalent). Operators may return the worksheet with comments on potential transit impacts, service or capital improvements, and recommended mitigation measures.

3. The City shall evaluate these comments in the draft environmental review, adopt feasible mitigation measures, and monitor implementation consistent with CEQA requirements.

B. Traffic Impact Analyses.

1. Applicants for projects requiring an environmental impact report shall submit a Congestion Management Program (CMP) network traffic impact analysis, unless exempt under the Los Angeles County CMP or subsection G of this section. The City may also require a local traffic impact analysis. Analyses must follow the methodology in the current CMP manual, identify project-generated impacts, and propose mitigation measures and costs. All analyses require City approval.
2. The City reserves the right to determine the definition of “significant impact” on intersections and roadway segments and may adopt stricter definitions of “significant impact” than those in the CMP manual.

C. Transportation Demand Management Requirements for Nonresidential Development with a Floor Area of 25,000 Square Feet or More.

The items listed in this section shall be provided to the satisfaction of the City. One or more bulletin boards, or a display case or kiosk displaying transportation information. Information displayed shall include the following:

1. Current maps, routes, and schedules of public transit lines serving the site.
2. Telephone numbers for transportation information, including numbers for the regional ride-sharing agency and local transit operators.
3. Ridesharing informational material supplied by commuter-oriented organizations.
4. Bicycle route and facility information, including regional and local bicycle maps and bicycle safety information.
5. A listing of facilities available for carpoolers, vanpoolers, bicyclists, transit riders, and pedestrians at the site.

D. Transportation Demand Management Requirements for Nonresidential Developments With a Floor Area of 50,000 Square Feet or More.

The items listed in subsection C of this section, together with those listed here in this section, shall be provided to the satisfaction of the City.

1. At least 10% of employee parking spaces shall be reserved for carpool and vanpool use, located near worksite entrances without displacing handicapped or customer parking. These spaces must be shown on the development site

plan. A minimum of one space is required for projects with 50,000–100,000 square feet of floor area, and two spaces for projects over 100,000 square feet, with additional spaces added as demand warrants. Procedures for reserving these spaces must be posted on the transportation information board.

2. Vanpool vans must be able to reach and park in the spaces reserved for them. Parking spaces and turning radii must be large enough to accommodate the vans. If the reserved parking is in a structure, passages and spaces to be used by the vans must have vertical clearances of at least 86 inches.

3. Bicycle racks or other bicycle parking shall be provided as stated in CMC Section 17.22.090J).

E. Transportation Demand Management Requirements for Nonresidential Developments With a Floor Area of 100,000 Square Feet or More.

The items listed in subsections C and D of this section, together with those listed here in this section, shall be provided to the satisfaction of the City.

1. A safe and convenient zone in which vanpool and carpool vehicles may deliver or board their passengers.

2. Sidewalks or other designated pathways follow direct and safe routes from the public sidewalk to each building in the development.

3. If determined necessary by the City to mitigate project impact, bus stop improvements shall be provided. The City will give local bus service providers an opportunity to recommend improvements. Entrances to project buildings must be located where they will offer the safest and most efficient access to nearby rail stations and bus and shuttle stops.

4. Safe and convenient access from the City street system to bicycle parking facilities on site.

F. Monitoring.

All required improvements must be completed, and all conditions satisfied, before issuance of occupancy permits, unless otherwise specified in project approvals or modified by the City. The approval authority may require a compliance monitoring program, and one is mandatory for projects subject to the Los Angeles County Congestion Management Program. Monitoring costs shall be borne by the property owner, site manager, or occupant. Monitoring may be combined with CEQA mitigation monitoring.

G. Exemptions From Transportation Congestion Management and Transportation Demand Management Requirements.

A development project may be exempt from transportation congestion management and transportation demand management requirements if it meets the following criteria:

1. Exemption From Development Impact for Transit Service Requirement.

a. Development impact for transit service requirements set forth in subsection A of this section shall not apply to projects for which a development application has been deemed complete by the City pursuant to California Government Code Section 65943, or for which a notice of preparation for a draft environmental impact report has been circulated pursuant to the provisions of the California Environmental Quality Act, or for which an application for a building permit has been received, prior to the adoption of this ordinance.

b. Phased projects, projects under a development agreement, or those needing later approvals are exempt from repeating transit consultation and evaluation, provided no significant changes occur. The lead agency retains discretion to determine if a project is substantially the same and covered by a prior EIR.

H. Exemption From Traffic Impact Analysis Requirement.

As specified in the Los Angeles County congestion management program manual, certain development projects are exempted from conducting a congestion management program traffic impact analysis required by subsection B of this section, as follows:

1. Traffic generated by low and very low income housing.
2. High density residential development located within one-fourth mile of a fixed rail passenger station.
3. Mixed-use development located within one-fourth mile of a fixed rail passenger station, if more than half of the land area, or floor area, of the mixed-use development is used for high density residential housing, as determined by the agency.
4. Phased development projects or development projects requiring subsequent approvals, which need not repeat the traffic impact analysis as long as no significant changes are made to the project.

I. Exemption From Transportation Demand Management Measures Requirement.

1. Transportation demand management measures listed under subsections C, D, and E of this section shall not apply to projects for which a development application has been deemed complete by the City pursuant to California Government Code Section 65943, or for which a notice of preparation for a draft environmental impact report has been circulated pursuant to the provisions of the California Environmental Quality Act, or for which an application for a building permit has been received, prior to the adoption of this ordinance.
2. Development projects with less than 25,000 square feet of floor area are exempt from subsections C, D, and E. For additions to existing structures, only the new floor area is subject to these sections, and only if the addition is 25,000 square feet or more.

3. The transportation demand management strategies required by subsections C through E of this section may be modified because of existing circumstances relating to the project. Requests for modifications shall be made by the developer in a form defined by the planning division. In determining whether a modification is acceptable, the following factors will be considered:
    a. Problematic location or configuration of the project that would preclude use of required transportation demand management strategies;
    b. Lack of specific services or facilities that would permit use of required transportation demand management strategies; or
    c. Other specific factors that would make required transportation demand management strategies infeasible or ineffective.
4. A request for modification must be accompanied by a proposed transportation demand management strategy that is commensurate with the nature and trip generation characteristics of the facility. A modification will be considered by the approval authority and approved only if the proposed transportation demand management strategy is superior to the requirements of this section, as determined by the City.
5. Enforcement. Any violation of this chapter shall be punishable as a misdemeanor. Violators shall be subject to punishment under CMC Chapters 1.16, 1.20, 1.26 or 1.28. In addition, the City may pursue civil remedies for any violation of this chapter, including but not limited to the recovery of reasonable costs for enforcement and correction of the violation.

17.22.040 Equipment and Trash Enclosure Screening.

A. Purpose and applicability.

This section sets regulations for screening mechanical and utility equipment to maintain the visual quality of buildings and the surrounding area. These standards apply to all new roof-mounted and above-ground mechanical and utility equipment. Replacing existing roof or ground-mounted equipment with new larger, or additional units beyond current quantities or sizes is also subject to these requirements.

B. Roof-Mounted Equipment.

1. Roof-mounted equipment greater than 12 inches above the roof line, except for roof exhaust vents or plumbing vents, shall be screened from public view and adjacent properties.
2. The building parapet wall must screen roof-mounted equipment and projections from public view and adjacent properties. If a separate screen wall is used, it must be architecturally integrated with the building and match the main building's materials, colors, and style.

3. Parapet or other screen walls must be at least as tall as the highest point of the equipment, ensuring no equipment is visible from the public right-of-way or adjacent properties.

C. Above-Ground-Mounted Equipment.

1. Above-ground-mounted equipment, including transformers and other electrical or mechanical devices, must be located away from street-facing setbacks and visibility clearance areas. Such equipment must be placed within a landscape planter area that accommodates both the screening enclosure and landscaping.
2. Above-ground-mounted mechanical and utility equipment must be fully screened from public view and from adjacent properties at ground level.
3. Screening may include decorative solid walls, landscaping, or architectural enclosures that match the building's design and features.
4. Screening or architectural enclosures must use decorative and durable materials, such as split-face blocks, stucco over precision blocks, or other materials approved by the Director. If landscaping is used, it must consist of 15-gallon evergreen shrubs, planted 3 feet apart, that will reach the required height within two years.

D. Roof-Mounted Solar Equipment.

Rooftop solar photovoltaic panels and related equipment must have a low-profile, flush-mounted design and comply with all applicable building code requirements.

E. Utility Equipment.

1. Wall-mounted utility equipment, such as electrical meters, must be housed in an enclosure that is architecturally integrated with the building design.
2. Exhaust and venting plumbing, conduits, and flues must be concealed within the building walls.

F. Trash Enclosures and Screening Standards.

1. Purpose.

   To ensure trash, recycling, and waste storage areas on private property are fully contained and screened from public view, protecting the visual quality of the public realm and adjacent properties.

2. Trash (Refuse) Enclosures Required.

   All private properties that generate refuse requiring outdoor storage or collection must install trash enclosures. The enclosures must be sized to accommodate the required trash, recycling, and organic waste containers.

3. Trash Enclosure Design, Screening, and Materials

   a. Trash enclosure design must match the building's architectural style, including materials, colors, and trims. At a minimum, enclosures must include a decorative roof covering, drainage facility, decorative walls such

as split-face block, stucco over precision block, stacked stone veneer, or similar materials, and trash bins with counter-weighted lids.

b. In addition to meeting design requirements, construction details must comply with standards approved by the Public Works Director.

c. Trash enclosures must have solid, lockable metal gates that match the architectural style of the enclosure and site.

d. All trash, recycling, and compactor equipment must be fully screened from public streets, walkways, and adjacent properties when not being accessed for collection.

4. Location. Trash enclosures shall be placed behind the primary building frontage where feasible and must not obstruct pedestrian or vehicle circulation. Enclosures must be accessible for waste collection and must not interfere with required parking, drive aisles, fire access, or emergency routes.

5. The property owner is responsible for maintaining trash enclosures in good condition, repairing them as needed, and keeping them free of graffiti, debris, and waste outside the enclosures. Gates must be operable and kept closed when not in use.

G. Plans.

Detailed plans required. Submit detailed plans and cross sections to the Director to demonstrate compliance with screening requirements.

17.22.050 Historic Preservation.

A. Purpose and intent.

The purpose of this chapter is to preserve and maintain Covina's cultural, architectural, archaeological, and historical resources as integral parts of community life. By encouraging voluntary designation and protection of such properties, the chapter seeks to enrich residents and visitors, enhance neighborhood quality, and support complementary development. Its intent is to foster civic pride, safeguard historic attractions, strengthen the local economy and property values through adaptive reuse, and promote the educational, cultural, and public use of historic resources for the community's benefit.

B. Definitions.

For the purpose of this chapter, the following definitions shall apply:

"Alteration" means any exterior change or modification, through public or private action, to the character-defining or significant physical features of designated properties affected by this chapter. Such changes or modifications may be made to structures, fixtures, architectural details, or visual characteristics, grading or surface paving.

“Archaeological site” means any location containing physical evidence of past human activity, including artifacts, features, structures, or other material remains, which provide information about the history or prehistory of a people or culture.

“Certificate of economic hardship” is a certificate authorizing work described in the accompanying historic structure modification permit granted by the Planning Commission because of extreme financial impact or adversity and in accordance with the procedures and findings of this title.

“Demolition” is the act or process of dismantling, wrecking, or destroying all or part of a structure.

“Design guidelines” are principles contained in a document which illustrate appropriate and inappropriate methods of rehabilitation and construction. The purpose of using design guidelines is to establish standards and aid design and decision-making with regard to retaining the integrity of scale, design intent, materials, image, patterns of development, and historical character of a historic structure. These principles are provided in the “Covina Design Guidelines,” the “Downtown Design Plan and Implementation Guidelines,” and any similar guidelines which may be adopted by the Covina City Council.

“Designation statement” shall mean a document prepared by the Planning Commission and approved by the City Council which contains a specific description of the designated historic landmark or structure of merit, its assessor’s parcel number(s), its site address(es), and the prescriptive standards or design guidelines (the minimum being the Secretary of the Interior Standards) adopted for that resource.

“Economic hardship” shall mean a substantial burden placed by this chapter as it relates to some aspect of a historic property on the owner of the property and is unreasonable in comparison to the benefit conferred in the community.

“Fixture” is something attached as a permanent appendage, apparatus, or appliance to a structure.

“Historic landmark” shall mean any improvement, archaeological site, natural feature or property that has special historical, cultural, aesthetic, or architectural character, interest, or value as part of the development, heritage, or history of the City of Covina, the state of California, or the nation and that has been nominated and designated by the City Council with owner consent pursuant to CMC Section 17.22.050-E. The designation statement shall specify the significant exterior and interior elements and natural features that are expressly found by the Planning Commission to contribute to the historic landmark’s significance. Unless otherwise stated in the designation statement, the protection afforded to a historic landmark shall encompass the entire parcel and any adjoining parcels under the same ownership.

“Historic structure modification certificate” is a certificate issued by the Planning Commission or Director authorizing significant exterior alteration, restoration, rehabilitation, construction, removal, relocation, or demolition, in whole or in part, of or to a designated resource.

“Improvement” shall mean any building, structure, plan, fence, gate, landscaping, tree, wall, parking facility, work of art, or other object constituting a physical feature of real property or any part of such feature.

“Ordinary upkeep, maintenance, and repair” shall mean the routine care of a structure and its grounds in a fashion that discourages neglect and encourages a quality appearance and does not significantly alter the architectural character of a structure.

“Owner” shall mean, in the case of nomination and designation, the majority representative’s owner or owners as established by deed or contract of the subject property or properties. The Planning Commission may rely on notarized affidavits to establish ownership; in the case of hearing notification, the person, persons or entity appearing as owner on the last equalized assessment roll of the county.

“Preservation” shall include the identification, study, protection, restoration, rehabilitation and/or acquisition of cultural resources.

“Rehabilitation” shall mean the act or process of returning an improvement or site to a condition of utilization through repair, remodeling, or alteration that makes possible an efficient, contemporary use while preserving those portions or features of the improvement or site that are significant to its historical, architectural and cultural values.

“Relocation” shall mean change of the location of an improvement in its present setting, or to another setting.

“Restoration” shall mean the act or process of accurately recovering the form and details of an improvement or natural feature and its setting as it appeared at a particular period of time by means of the removal of later additions to, or by the replacement of missing, earlier portions of the feature.

“Secretary of the Interior Standards for Rehabilitation” shall mean the guidelines prepared by the National Park Service for rehabilitating historic buildings and the standards for historic preservation projects prepared by the National Park Service with guidelines for applying the standards.

“Structure of merit” is a building or structure which contributes to the broader understanding of the historical, archaeological, cultural, architectural, community, aesthetic, or artistic heritage of the City and which has been individually designated by the City Council pursuant to this chapter.

C. Administration.

Implementation of this chapter shall be the direct responsibility of the Planning Commission with support from the Department of Community Development, Planning Division, and any societies or organizations promoting historic preservation and any volunteer professionals with appropriate expertise selected by the Planning Commission. The Planning Commission shall establish rules of order and regular meeting requirements and procedures, which may be amended from time to time as needed.

D. Power and Duties.

The Planning Commission shall carry out activities required by City ordinances relating to the administration of this chapter and shall have the following powers and duties:

1. To increase public awareness of the value of historic, architectural and cultural preservation by developing and participating in public information programs. The program format may include lectures, tours, walks, reports or publications, films, open houses, and special events.
2. Establish and/or recommend to the City Council specific design guidelines for the alteration, construction, removal, or demolition of historical landmarks and structures of merit.
3. To review applications for permits to rehabilitate, construct, change, alter, modify, remodel, demolish, remove or significantly affect any structure over which the Planning Commission has approval authority.
4. To compile or cause to be compiled and maintained a current inventory of all designated historic landmarks and structures of merit.
5. To review and make recommendations on applications for Conditional Use Permits, Zoning Amendments, or Zoning Variances for historic landmarks and structures of merit.
6. To seek means and sources for the protection, retention and preservation of historic resources through financial support from individuals and public and private entities.
7. To recommend grants, tax incentives, and benefits to encourage redevelopment of historically significant structures or neighborhoods.
8. To encourage public participation in the nomination, review and permitting processes for historic resources.
9. To adopt and make available nomination, application and review procedures to designate historic landmarks or structures of merit.
10. To implement the Secretary of the Interior's standards.

E. Historic Designation Criteria.

1. The following criteria shall be used by the Planning Commission and City Council in designating any property as a historic landmark or structure of merit:
    a. It exemplifies or reflects special elements of the City's cultural, social, economic, political, aesthetic, engineering, architectural or natural history; or
    b. It is identified with persons or events significant in local, state, or national history; or
    c. It represents the work of a notable builder, designer, or architect; or
    d. It embodies distinctive characteristics of a style, type, period, or method of construction, or is a valuable example of the use of indigenous materials or craftsmanship; or

e. It contributes to the significance of an historic area, being a geographically definable area possessing a concentration of historic or scenic properties or thematically related grouping of properties which contribute to each other and are unified aesthetically by plan or physical development; or

f. It is one of the few remaining examples in the City of Covina, region, state, or nation possessing distinguishing characteristics of an architectural or historic type or specimen.

2. Nomination for historic designation shall be considered in accordance with the following procedures:

   a. Nominations may be filed by the City Council, Planning Commission, Director, any property owner, the Covina historic society, any community or ethnic association, or any Covina citizen.

   b. With respect to nominations for individual historic landmarks or structures of merit, no application shall be accepted without the written consent of the owner of the property to which the nomination pertains. The owner may withdraw this consent prior to the City Council's final determination. Such withdrawal shall terminate the nomination proceedings for the subject property.

   c. Nomination shall be made to the Planning Commission on a form provided by the Planning Division. The nomination shall provide sufficient documentation and information indicating how the proposal meets the designation criteria. The Director shall establish a nomination form and minimum information requirements.

   d. Written notice shall be sent by mail to each property owner within 300 feet of the boundaries of the property upon which is located the proposed structure of merit or historic landmark that is the subject of the hearing, pursuant to the notification procedures established in Chapter 17.02.070.

   e. The Planning Commission shall conduct a public hearing at which all evidence and testimony shall be considered. Recommendations may be for approval, or approval with conditions, or denial. The recommendation shall be forwarded to the City Council within 60 days for action in the form of a nomination statement.

   f. Upon receipt of a nomination, the City Council shall set a hearing within 45 days for consideration and provide notice in the manner presented in this section. The City Council shall render its decision within a timely period of time.

   g. The City shall notify the affected owners of the designation by certified mail within 10 days.

   h. Failure to send notice by certified mail to any affected owner where the address of such owner is not a matter of public record shall not invalidate any proceedings in connection with the proposed designation.

i. Upon designation by the City Council, the City Clerk shall record the City Council's decision in the office of the County Recorder of the County of Los Angeles in the form of a designation statement, in fact or by reference.

j. No deliberate action may be taken that is inconsistent with CMC Section 17.22.050.F3 and F4, which would deface or destroy the proposed historic landmark or structure of merit. No permits shall be issued while the nomination process, including public hearing, is pending.

3. An application to repeal a historical designation may be considered under this chapter if the resource no longer meets the designation criteria due to newly discovered information or destruction from a catastrophic event.

F. Historic structure modification certificate.

1. No alteration or demolition may be performed on a designated historic landmark or structure of merit without first obtaining a historic structure modification certificate from the City.

2. An application for a historic structure modification certificate shall be filed with the City by the applicant. The Director shall be responsible for reviewing the application for compliance with the Secretary of the Interior's Standards and all local standards and criteria. Where practical, the historic structure modification certification may be combined with the existing permit process for the construction and demolition of structures and buildings.

3. Minor projects. Minor projects shall be administratively reviewed by the Director, who shall have approval authority. These include, but are not limited to:

a. Replacement of an element of a historic landmark or structure of merit with similar elements or additional elements that do not significantly impact the character, history, or architectural style of the structure.

b. Room and patio additions to structures of merit, provided the architectural design is compatible with the original building and the surrounding area, and the project does not otherwise require review by the Planning Commission.

c. The demolition or construction of accessory structures where the accessory structure proposed for demolition is not a landmark structure, and any new structure is in a style, architecture, and color compatible with the main building.

d. Room additions to a historic landmark that are less than 500 square feet in area and do not alter the architectural character of the building or structure.

e. Interior construction and/or remodeling where such work does not adversely impact a significant historical feature of the house.

4. Major projects. Major projects shall be reviewed by the Planning Commission who shall have approval authority and include, but are not limited to:

a. Any changes that significantly alter the architectural character, height, proportion, the relationship of the building mass and space, roof shape, scale, or distinctive facades of a structure of merit or a historic landmark.

b. Demolition or relocation of an historic landmark or a structure of merit, and/or the construction of new primary use buildings.

c. Room additions to a historic landmark that exceed 500 square feet in area.

5. Notice and Hearing. No notice is required for a minor project. The procedures and public notice for considering a major project shall be the same as in CMC Section 17.22.050-E.

6. Findings. The consideration of a historic structure modification certificate shall be directed by the following criteria:

a. Height. Any proposed construction shall be compatible with the height and bulk of contemporary historical development in the vicinity and shall conform to the applicable zoning district.

b. Proportions of Windows and Doors. Proportions and relationships between doors and windows shall be compatible with the architecture and character of the contemporary historical development in the vicinity and be of an appropriate material.

c. Relationship of Building Masses and Open Spaces. The relationship between proposed structures and open spaces or between remodeled structures and created spaces shall be consistent with the shapes and setbacks of contemporary historical development in the vicinity.

d. Roof Shape. Design shall be compatible with the architectural character and style of surrounding structures, gables, turrets, and other roof forms.

e. Scale. Structure shall be compatible with the architectural character and style of contemporary historical development in the vicinity. New architecture shall be sensitive in its use of scale and materials.

f. Architectural Details. Architectural details, including materials and textures, shall be treated to ensure that any new construction is compatible with the architectural style and character of contemporary historical development in the vicinity.

g. Architectural Rhythm and Articulation. All proposed structures or facade remodeling shall show sufficient and rhythmic repetition of details to be compatible with the facade articulation of contemporary historical development in the vicinity.

h. New additions and adjacent related new construction shall be undertaken so that, if the addition or construction is removed in the future, it will not impair the essential form and integrity of the historic property.

i. All exterior mechanical equipment shall be screened from view using acceptable and appropriate screens, parapet walls, landscaping, or other

screening methods. Design, style, color, and texture shall be compatible with the existing or proposed building/facade design.

7. Findings to approve demolition of over 40 percent of a historic landmark or structure of merit:

   a. That retention of the historic building or structure will constitute a significant economic hardship as defined in this chapter; and/or

      That demolition of the historic structure is necessary to allow development of a project which is of overriding community importance.

   b. The applicant fully intends to construct a replacement structure, has secured the necessary financial commitment, and has obtained site plan approval pursuant to this title; or

      If the applicant does not intend to develop a replacement structure, the existing historic structure constitutes a substantial threat to the public health, safety, and welfare that cannot be reasonably mitigated by measures other than demolition.

8. Appeal Procedure. The decision on a historic structure modification certificate may be appealed pursuant to the appeals procedures established in CMC Chapter 17.02 General Provisions and Administration.

G. Certificate of Economic Hardship.

The Planning Commission shall not deny a historic structure modification certificate if such action would result in a significant economic hardship that would deny the property owner reasonable use and economic return on the property. In such a case, the Planning Commission shall issue a certificate of economic hardship along with the historic structure modification certificate. The procedures and standards for considering economic hardships shall be as follows:

1. The owner of a historic landmark or structure of merit may request that an alteration, demolition, or relocation be conducted even if it does not meet the findings for such a certificate, provided the owner can substantiate that significant economic hardship denies the owner reasonable use or economic return.

2. The applicant presents facts and clear evidence demonstrating immediate and substantial economic hardship if the Planning Commission fails to approve the historic structure modification certificate.

3. Economic hardship shall mean a substantial burden to the owner of the property and is unreasonable in comparison to the benefit conferred to the community. To approve a certificate of economic hardship, the Planning Commission must make the following findings:

   a. Denial will significantly diminish the value of the property.

   b. Sale or rental is not practical when compared to the zoning or permitted uses. This pertains to commercial properties only.

c. Utilization of the property for adaptive reuse is impractical.

d. Rental at a reasonable rate is not feasible. This pertains to commercial properties only.

e. All means involving City-sponsored incentives, such as tax abatement, financial assistance, building code modifications, amendments to the zoning ordinance, loans, grants, and reimbursement, have been explored to relieve possible economic hardship but have been found inadequate to reasonably mitigate the impact.

4. When requested by the Planning Commission, the applicant shall furnish adequate evidence supporting the claim of economic hardship. The Planning Commission may request any of the following information when reasonably necessary to render a decision:

   a. Cost estimate of proposed work and additional costs that would be incurred by complying.

   b. Report on structural soundness and rehabilitation feasibility from a licensed engineer or architect experienced in rehabilitation.

   c. A fair market appraisal from an appraiser of the current and estimated value after completion of proposed construction, alteration, demolition, or removal.

   d. Proposed demolition requires an estimate from an architect, appraiser, or other professional experienced in rehabilitation stating that it is economically unreasonable to rehabilitate, relocate, or reuse the existing structure on the property.

   e. For income-producing properties, information on annual gross income, operating and maintenance expenses, depreciation, and annual cash flow after debt service, and real property.

   f. Any other information that the Planning Commission finds necessary to render a decision.

5. Staff shall prepare a report analyzing the evidence and, where possible, include a hardship relief plan with recommendations such as property tax relief, loans or grants, property acquisitions, use of the State Historic Building Code, and changes to zoning regulations.

6. The Planning Commission shall review the evidence and the staff's relief plan and determine whether denying a historic structure modification certificate will deprive the owner of reasonable use or reasonable economic return.

7. If facts and clear evidence demonstrate the applicant's claim of economic hardship and that the proposed relief plan cannot provide sufficient mitigation, the Planning Commission may recommend to the City Council that it approve or conditionally approve the certificate. The City Council shall make the final decision.

8. In the matter of the issuance of the historic structure modification permit, the above-entitled procedure shall be implemented. If the Planning Commission recommends to the City Council that the request be denied and the council concurs, the applicant will be notified by certified mail of the denials of the historic structure modification certificate and the certificate of economic hardship.

    a. If a historic structure modification certificate and a certificate of economic hardship would result in the demolition of a historic landmark or structure of merit, the applicant shall provide the following documentation:

    b. Photographs of the exterior and interior of the structure;

    c. Site plan(s), floor plan(s) and any significant exterior elevations;

    d. Scale drawings;

        i. Archaeological survey (where applicable); and

        ii. Other reasonable documentation to preserve historical knowledge, as required by the Planning Commission.

H. Emergency Demolition.

Historic landmarks and structures of merit that have been severely damaged by an emergency declared by the President of the United States, the Governor of California, or the mayor of Covina, and that present an imminent threat to public safety and cannot be secured against intrusion or entry shall be exempt from the provisions of this chapter. A determination for demolition shall be made by one of the following: the Building Official, the City Manager, or the Director, in conjunction with the Planning Division and, when practical, the Planning Commission.

I. Maintenance and Care.

1. The owner or other person in charge of a historic landmark or structure of merit shall keep in good repair all exterior and interior portions specified in the designation statement, as well as all interior portions necessary to prevent deterioration and decay of any architectural features.

2. Ordinary Upkeep, Maintenance, and Repair. Nothing in this chapter shall be construed to prevent ordinary maintenance, upkeep, and repair, nor does this chapter prevent construction, reconstruction, alteration, restoration, demolition, or removal when the Planning Commission certifies that such action is required for public safety due to unsafe conditions that cannot be rectified under the California State Historical Building Code.

J. Historic preservation participation incentives.

To foster the preservation of Covina’s cultural heritage and built urban environment, the following incentives for participation are available only to historic landmarks or structures of merit:

1. State Historic Building Code. Any alteration made for the preservation, rehabilitation, restoration, or relocation of an historic landmark or structure of

merit shall be allowed to comply with the requirements of the State Historical Building Code pursuant to the California Health and Safety Code Section 18950 et seq. rather than the otherwise applicable building and safety codes. This section does not apply to requirements for fire sprinkler systems as provided for elsewhere in the municipal code.

2. Mills Act Contracts. The City Council authorizes the use of contracts pursuant to California Government Code Section 50280 et seq. Such contracts, which shall be administered by the Community Development Department, Planning Division, may be entered into at the sole discretion of the City Council based on the recommendations of the Planning Commission. The intent of such contracts shall be the continued preservation of historic properties. The subject property must be a historic landmark or structure of merit.
3. Fee Relief. The applicable building construction or planning review permit fees shall be 30 percent of the actual permit fee at the time of issuance. This shall not apply to the historic structure modification certificate.
4. Setback Flexibility. Room additions may be constructed at a setback less than that provided in the zoning chapter of this code, provided the addition is no closer than the existing structure and complies with the Uniform Building Code.
5. Relief from Nonconforming Parking Requirements. Additions to single-family residences that increase floor area by no more than 50 percent of the existing floor area in any 12-month period shall not be required to provide additional parking under current standards. Multiple-family dwellings adding dwelling units within existing zoning standards shall not be required to bring the existing unit(s) into compliance with current parking standards.
6. Recognition. The Planning Commission shall establish a program to recognize historic properties through special plaques, signage, and other appropriate forms of recognition.
7. Financial Benefits. Owners of such properties are eligible to apply for private, local, state, and federal financial benefits as available.
8. Local or State Landmark structures within a residential district may have additional allowed uses, subject to a Minor Site Plan Review in accordance with CMC Section 17.04.040.
    a. The allowed uses shall be limited to small-scale operations, such as bed-and-breakfasts, minor offices, coffee shops/cafés, and neighborhood-serving retail uses, such as boutiques, antique shops, bookstores, or florists.
    b. The proposed use shall not cause intensification or disruption to any adjacent uses or neighborhood.
    c. The site and structure shall be fully improved to include, but not be limited to, landscaping, parking, new exterior building materials, walls or fences, street improvements, drainage facilities, etc.

K. Delay of demolition permit.

A committee comprising the City Manager, Community Development Director, Public Works Director, and Parks and Recreation Director may vote to delay approval of a permit to demolish a potential historic landmark for up to 30 days when the following apply:

1. The structure is of exceptional historical significance and age and occupies a prominent site in the community.
2. The City Council has not previously declined to designate the structure as a historic landmark or as a structure of merit.

L. Enforcement and penalties.

Any person who violates this chapter or related approvals commits a misdemeanor under CMC Chapter 1.28. Unlawful construction, alteration, demolition, relocation, or removal of a historic landmark or structure of merit may require restoration and is subject to enforcement by the City of Covina or its designee. Civil remedies are in addition to criminal penalties and other legal actions. Unlawful demolition may also result in permit denials, with the duration based on the resource's significance and the violation's severity.

17.22.060 Landscaping Requirements.

A. Purpose.

This section establishes minimum landscape requirements to enhance the appearance of development, expand the City's green space, reduce heat and glare, control soil erosion, conserve water, ensure ongoing maintenance, reduce wildfire hazards, and prevent hazards for motorists and pedestrians.

B. Applicability.

These requirements apply to all new and existing developments and supplement other standards in CMC Title 17. All planting areas, species, and irrigation systems must comply with California's Model Water Efficient Landscape Ordinance (MWELO). The following types of projects are subject to MWELO:

1. All construction projects with 500 square feet of new landscape area that require a building or landscape permit, plan check, or design review; or
2. Rehabilitated landscape of 2,500 square feet or more that required a building or landscape permit, plan check, or design review.

C. Landscaping and Irrigation Plan Requirements and Review Process.

1. Preliminary Landscape and Irrigation Plan. Submit the preliminary landscape and irrigation plans to the designated approving authority as part of the development review process, per CMC Section 17.02.060. The applicant shall prepare these plans in accordance with MWELO requirements and follow the format and checklist issued by the Director. Plans must include, but are not limited to, a water budget with estimated water use (gallons), irrigated area (square feet), precipitation rate, flow rate (gallons per minute), conceptual

locations for trees, shrubs, and ground cover, and a list of planting materials by species, quantity, and size.

2. Final landscape and irrigation plan. Once the preliminary plans are approved, submit a final landscape and irrigation plan, along with site improvement and construction documents, to the director for review and approval. A registered and licensed landscape architect must prepare the final plans, which must substantially comply with the approved preliminary plans. Final plans must show the exact locations and irrigation for all plantings and include plant names, quantities, and sizes; locations of impervious surfaces, utilities, and lighting; irrigation systems; and tree retention or removal plans, as applicable. The final plan must also include a water budget with estimated water use (gallons), irrigated area (square feet), precipitation rate, and flow rate (gallons per minute).
3. Approval required. Do not install landscaping or irrigation systems until the Director approves the final plans and all required permits are issued.
4. Changes to final plans. Resubmit any changes to approved final landscape or irrigation plans that affect plant material or irrigation design to the Director for approval before installation. If changes are substantial, the Director may require review and approval by the final approval authority before installation.
5. Inspection and certification. Before occupancy is granted, the applicant must contact the Planning Division to request an inspection and submit a MWELO certification of completion confirming compliance with the installed landscape and irrigation.

D. Single Family Residential Zones Landscape Standards.

1. Front yard and street-side yard landscaping areas.

   a. "Front yard landscaping areas” shall mean the area extending across the full width of the lot between the front property line and the building or structure on the lot.

   b. “Street-side yard landscaping areas” means the area extending the full depth of the lot between the street-side property line and any perimeter fence, wall, or structure, including any area visible from the right-of-way.

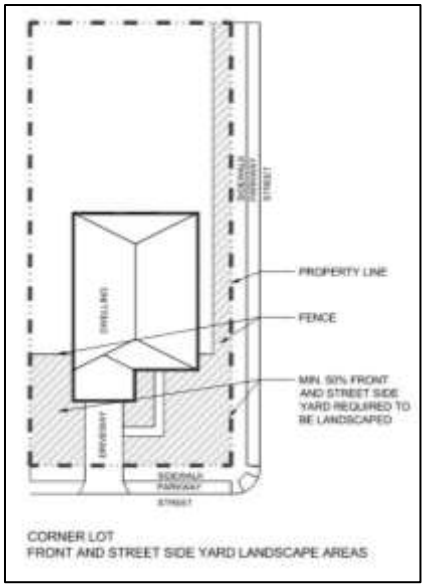


Figure 17.22.060-1 Landscape Diagram Corner Lot

2. Front yard landscaping area ratios.
    a. Hardscape, including paved access and driveway to the garage or parking areas, as well as decorative impermeable hardscape, shall not exceed 50 percent of the front yard.
    b. The landscaped area must cover at least 50 percent of the front yard.
    c. Decorative impermeable hardscape, such as but not limited to concrete, stamped concrete, interlocking pavers, gravel, or landscape rocks, shall not exceed 10 percent of the front yard landscaping area.

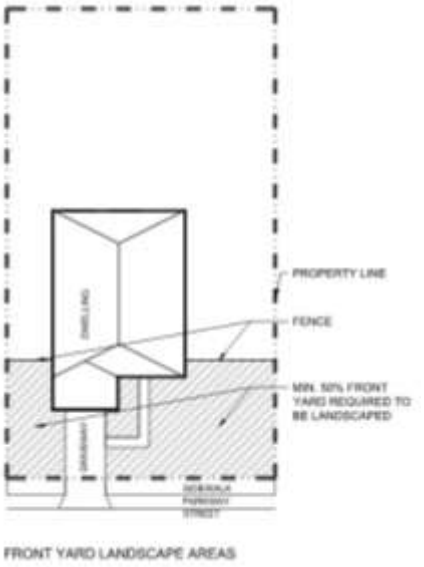


Figure 17.22.060-2 Landscape Diagram Front Yard

3. Front yard landscaping requirements:

   a. Minimize turf (lawn) areas to active play and functional areas where feasible. Warm-season turf is preferred when appropriate.

   b. Synthetic turf (lawn) shall be counted as landscape for the purposes of calculating the front yard landscaping ratio and shall comply with the requirements of section 17.22.130.

   c. At least 2 trees, one 15-gallon and one 24-inch box size, shall be planted in the front yard.

E. Multiple-Family Residential Zones Landscape Standards.

The landscaping requirements shall comply with the provisions of CMC Chapter 17.10.080.

F. Commercial Zones, Industrial Zones, and Non-Residential Development Landscape Standards.

1. In landscaped areas between the right-of-way and buildings or parking areas, plant one tree for every 20 lineal feet. Place trees 4 to 10 feet from the back of the public sidewalk. Include shrubs, ground covers, and mulch in these areas**.**
2. Landscaping around the building perimeter is required at a rate of one tree for every 20 lineal feet. The minimum continuous planter width around the building perimeter shall be 6 to 10 feet.
3. Within the interior side and rear yard areas, plant trees at a rate of one tree per every 20 lineal feet.
4. Provide shrubs and ground cover in all landscaped areas. Shrubs within the required front yard setback must not exceed 42 inches in height.
5. The landscaped area may include stormwater quality features and drainage treatments.
6. Parking lot landscaping. Install landscaping in parking lots to provide shade, help regulate climate, and screen the visual impact of vehicles and pavement. Parking lot landscaping includes perimeter planters along parking lots and drive aisles, tree planting for shade, and a combination of continuous planting strips and planting fingers or islands throughout the parking lot. Parking lot landscape requirements apply to parking lots with five or more spaces.

   a. Provide one tree per 5 parking spaces. Parking lot trees must provide shade for over 50 percent of the parking area within 15 years (CAL Green Code).

   b. Parking lot planter design. Provide landscape planters at least 6 feet wide, with concrete curbing at the end of each parking row, and plant them with trees, shrubs, and ground cover.

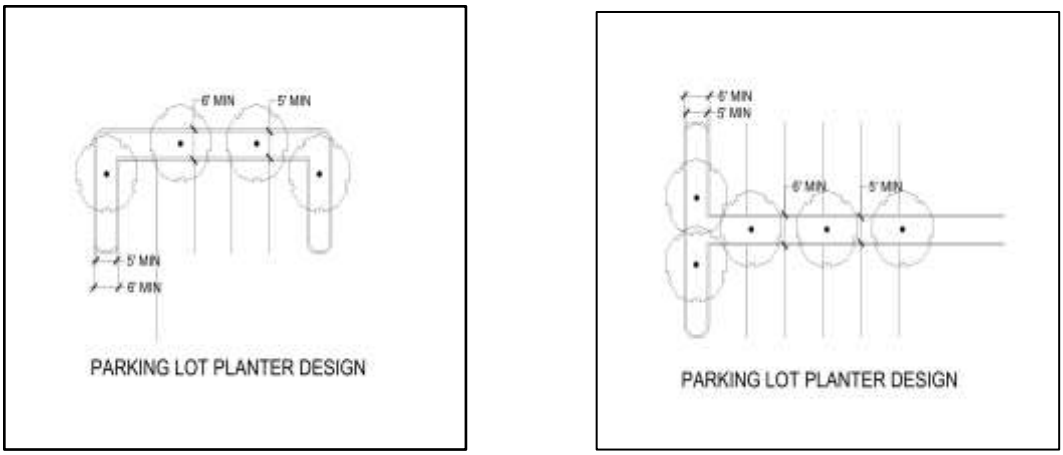


Figure 17.22.060-3 Parking Lot Planter Design

c. Tree wells in parking lots must have concrete curbing, have inside dimensions of at least 5 feet by 5 feet, include trees, shrubs, and ground cover, and must not contain free-standing light fixtures.

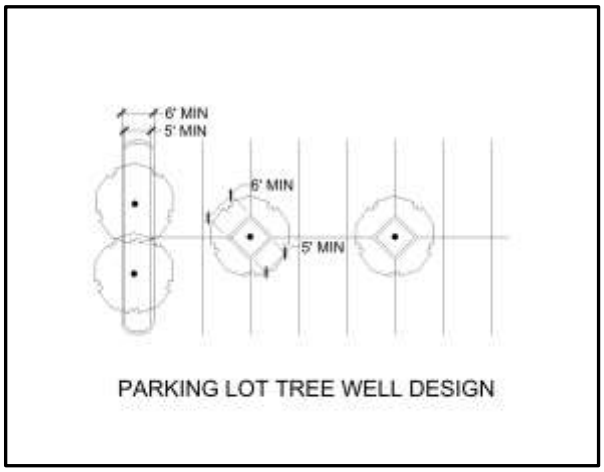


Figure 17.22.060-4 Parking Lot Tree Well Design

d. Unenclosed parking areas must include a 5-foot-wide landscaped strip along the interior side or the rear property lines.

e. At least 10 percent of the total parking lot area must be landscaped with trees, shrubs, and suitable groundcover. The parking lot area should be calculated to include the space used for access drive aisles, parking spaces, vehicle maneuvering zones, landscaped planter strips, fingers or islands, and landscaped tree wells.

f. Exception for solar collectors. The minimum requirements for trees and shrubs may be waived for the portion of the parking lot area with photovoltaic solar collectors, where the collectors serve as shade structures.

7. Tree root barrier. Provide a deep root, linear root barrier for any trees within 5 feet of hardscape. The root barrier will be at least 10 feet long.
8. Planting and landscaping density.
    a. The total number of required trees is the sum of tree plantings in the following areas, including but not limited to streets, landscape areas, front, rear, street-side, and interior-side yards, parking lots, building perimeters, and project entries and focal points. The minimum tree size is 15-gallon. At least 50% of the required trees must be 24-inch box size, no more than 25% may be 15-gallon size, and at least 25% must be 36-inch box size or larger.
    b. All shrubs must be at least 5-gallon size and planted 4 feet on center.
    c. Plant ground cover 12 inches on center for flats and 18 inches on center for 1-gallon size.
    d. Provide mulch at a minimum depth of 3 inches in landscaped areas.
    e. Existing trees are counted towards the total number of required trees.
9. Entries and focal points
    a. Use enhanced landscape treatments to highlight project entries, pedestrian access points, main building entries, architectural features, and other visual focal points, including prominent corners and significant site amenities.
    b. Enhanced landscape treatment for site entries and focal points shall mean the use of a combination of the following features, such as but not limited to:
        i. increase the size of the landscape areas (square feet);
        ii. use specimen size, ornamental or accent trees;
        iii. increase the number of trees;
        iv. use landscape lighting (up light and downlight);
        v. decorative paving such as interlocking pavers, integral color concrete, etc., for hardscape; and
        vi. other landscape features as approved by the Director or the Planning Commission.
    c. Incorporate prominent monumentation at project entries and major corners, coordinating the design and placement with enhanced landscape treatments.
10. Common open space
    a. Enhance common open spaces and outdoor gathering areas with attractive plantings, water features, or art and sculptures.
    b. Provide a vocabulary and uniformity of hardscape elements, such as decorative paving, overhead trellises, outdoor furniture, pedestrian-scale lighting, trash receptacles, etc.

c. Outdoor seating areas must include shade from canopy trees or structures such as trellises, pergolas, or gazebos.

11. The use of Synthetic turf is prohibited in commercial and industrial developments.

12. Comply with the general landscape requirements of CMC Section 17.22.060(G) Landscaping Requirements.

G. General Landscape Requirements for all new developments and redevelopments.

1. Parkway landscaping. The owner of private property adjoining the area between the curb and the sidewalks, known as the parkway, shall be responsible for planting, installing, and maintaining landscaping in the parkway along the entire frontage of the property. This requirement applies to all commercial, industrial, mixed-use, single-family, multifamily, other non-residential developments, mobile home parks, and homeowner associations with landscaped areas. The following are the parkway landscaping requirements:

   a. Landscape materials. Select low water use plants, excluding cactus, roses, and all other plants that contain sharp, pointed, and thorn-type plant structures. Plants shall not exceed a height of 18 inches at maturity.

   b. Plant street trees at the rate of 1 tree per 20 lineal feet of street frontage. Street trees shall have a minimum size of a 24-inch box at the time of planting, or as required by the Public Works Director.

   c. Provide automatic irrigation for street trees and parkway landscaping.

   d. Street Tree Maintenance & Guarantee

      i. For new developments, the applicant shall guarantee the life and health of the street trees for 365 days from the date of installation, and until the Public Works Director accepts the tree as healthy. The project applicant shall replace unhealthy trees.

      ii. Watering and fertilizing the street tree shall be the responsibility of the adjacent property owner.

2. General landscaping design, layout, and diversity.

   a. Vary plant selection and planting patterns. Use a mix of evergreen and deciduous flowering trees. Group shrubs with multiple plant types, heights, and blooming seasons for year-round interest.

   b. Shrubs used for screening must be 15-gallon size and planted 4 feet on center.

   c. Provide a mix of 40% evergreen trees, 30% deciduous trees, and 30% flowering accent trees.

   d. Plant evergreen trees for shade on the south and west sides, and deciduous trees on the north and east sides.

   e. Use evergreen and canopy-shaped trees in parking areas.

f. Planting requirements. Tree staking shall follow the director's approved details. Trees 36-inch box size or larger require tree guying. Trees in turf areas require arbor guards.

g. Ground cover. Use mulch, bark, or gravel as ground cover only within landscaped areas containing shrubs or trees. Do not use these materials alone. Gravel must be three-quarter-inch crushed stone, not smooth. Place materials just below the curb to prevent them from migrating onto sidewalks or streets.

3. Slopes.

a. All graded and compacted slopes must not exceed a 2:1 ratio.

b. All natural, graded, and compacted slopes with a 4:1 ratio or steeper must be planted, irrigated, and mulched. Use low-precipitation irrigation systems to ensure visible growth at final inspection. Spray-head irrigation is prohibited.

c. For slopes with a 4:1 ratio or greater, plant one 15-gallon tree per 20 square feet and one 5-gallon shrub per 10 square feet. For slopes with a 2:1 ratio, plant two 15-gallon trees per 20 square feet and two 5-gallon shrubs per 10 square feet.

d. In addition to trees and shrubs, all slope areas must have appropriate ground cover for erosion control. Slopes with a 3:1 ratio or steeper must include jute netting or an equivalent material, as approved by the Director, to prevent soil erosion.

e. The property owner shall maintain all slopes, retaining walls, cribbing, drainage structures, and other protective devices on the property.

H. Removal and Replacement of Required Landscaping.

Except for single-family residential zones, the removal and replacement of any required landscaping areas are subject to an amendment to the site plan review in accordance with CMC Section 17.04.040, before any removal of trees, shrubs, and ground cover or other landscape features.

I. Landscape and Irrigation Maintenance

The property owner is responsible for maintaining all landscaped areas, including all irrigation systems, in working order, pursuant to CMC Section 17.22.060.

J. Compliance, Violations, and Penalties

The provisions of CMC Section 17.02.120 and CMC Chapter 1.16 through 1.28 shall apply.

17.22.070 Measurements.

A. Measuring Distances.

1. Measurements Are the Shortest Distance. When measuring a required distance, such as the minimum distance between a structure and a lot line, the measurement is taken at the closest point between the two objects.
2. Distances Are Measured Horizontally. When determining distances for setbacks and structure dimensions, all distances are measured along a horizontal plane from the appropriate line, the edge of a building, structure, storage area, parking area, or other object. These distances are not measured by following the topography or slope of the land.
3. Measurements Involving a Structure. Measurements involving a structure are made to the closest support element of the structure. Structures or portions of structures that are entirely underground are not included in measuring required distances.

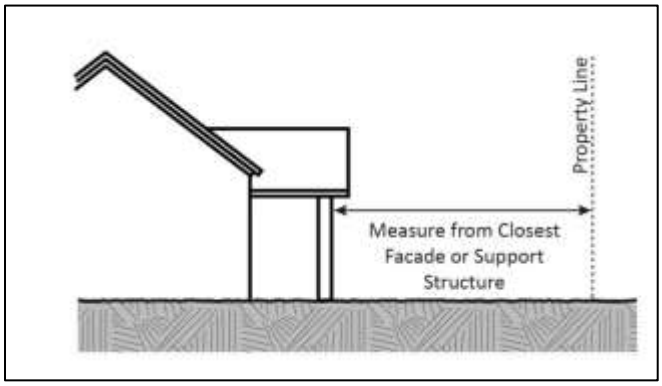


Figure 17.22.070-1 Measuring Distances

B. Measuring Building Height.

Building height is measured from the adjoining curb level to the highest point of the building, exclusive of chimneys and ventilators and other exceptions to building height permitted in the zones; provided. However, where buildings are set back from the street line, the height shall be measured from the average elevation of the finished grade at the front of the building.

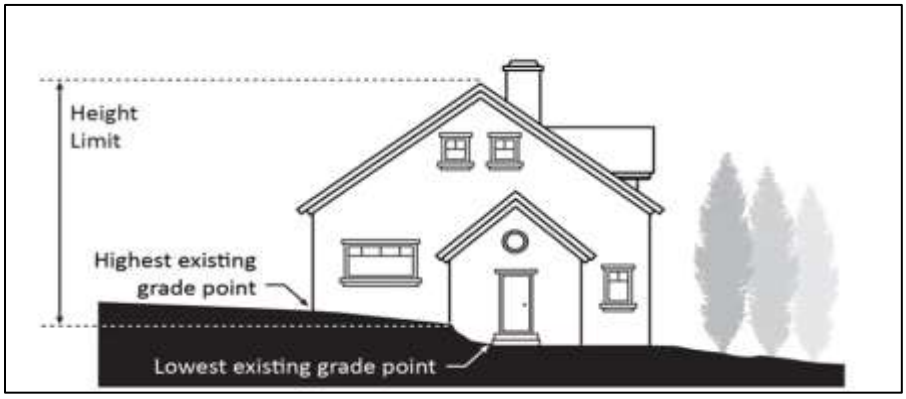


Figure 17.22.070-2 Measuring Building Height

A. Measuring the Height of Fences or Walls.

The height of a fence or wall shall be measured from the midpoint between the highest and lowest finished grades immediately adjacent to both sides of the fence or wall to the top of the fence or wall.

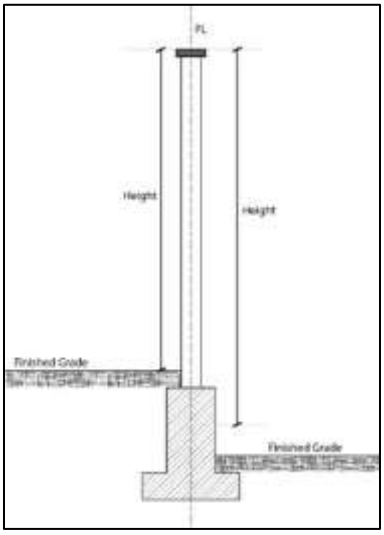


Figure 17.22.070-3 Measuring Height of Fences/Walls

B. Measuring the Height of Decks.

Deck height is determined by measuring from the ground to the top of the floor of the deck directly above the ground below.



Figure 17.22.070-4 Measuring Height of Decks

C. Measuring the Number of Stories.

In measuring the number of stories in a building, the following rules shall apply:

1. An interior balcony or mezzanine shall be counted as a full story if its floor area exceeds one-third of the total area of the nearest full floor directly below it or if it is enclosed on more than two sides.
2. A basement shall be counted as a full story if the vertical distance between finished grade and the finished surface of the floor above the basement is more than six feet at any point.

D. Measuring Lot Width.

Lot width is the horizontal distance between the side lot lines, measured at right angles to the lot depth at a point midway between the front and rear lot lines.

E. Measuring Lot Depth.

Lot depth is measured along a straight line down from the midpoint of the front property line of the lot to the midpoint of the rear property line.

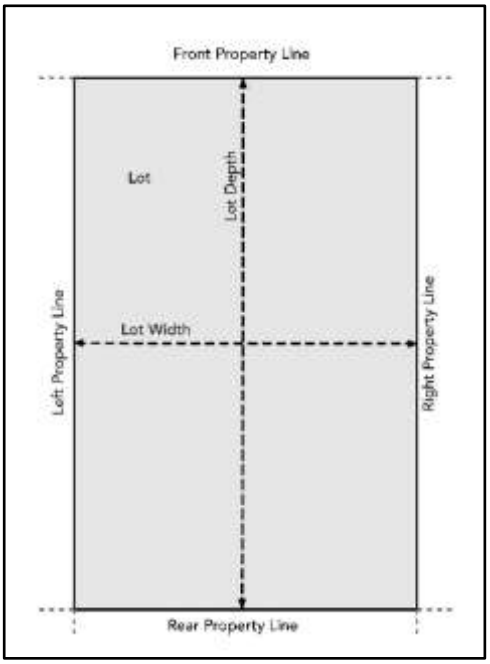


Figure 17.22.070-5 Measuring Lot Depth and Width

F. Calculating Gross Floor Area of Structures.

The floor area of a building is the sum of the gross horizontal areas of all floors of a building or other enclosed structure, measured from the outside perimeter of the exterior walls.

1. Floor Area in Residential Zones. The floor area for buildings in residential zones shall be measured from the outside walls. The total horizontal floor area shall

include any building(s) located on the lot, detached accessory structures, attached and detached garages, and covered structures such as covered patios, porches, decks, and balconies.

2. Floor Area in Non-Residential Zones. The gross floor area shall include the total floor area of all floors of a building, measured from the outside walls, including vents; shafts; covered courts; elevators; stairways; mechanical, electrical, and communications equipment; parking structures; and similar facilities.

G. Calculating Lot Coverage.

Lot coverage is the ratio of the total gross floor area, excluding structures, to the total lot area, typically expressed as a percentage. The footprints of all principal and accessory structures, including garages, carports, covered patios, and roofed porches, shall be summed to determine lot coverage. The following structures shall be excluded from the calculation:

1. Unenclosed and unroofed decks, uncovered patio slab, porches open on three sides, landings, balconies, and stairways less than four feet in height;
2. Eaves and roof overhangs projecting up to 18 inches from a wall;
3. Swimming pools and hot tubs that are not enclosed in roofed structures or decks.

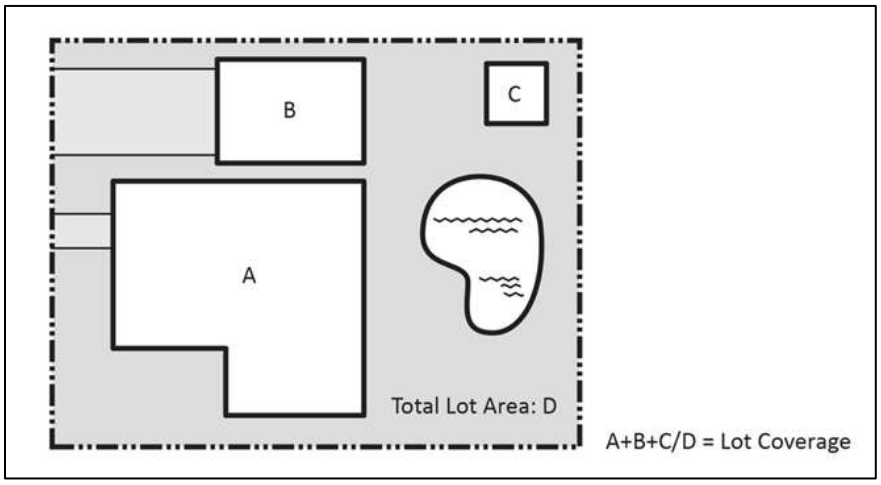


Figure 17.22.070-6 Calculating Lot Coverage

H. Determining Lot Lines. The following shall be used to determine the locations of front, side, and rear lot lines:

1. Front Lot Line. The narrowest boundary line separating a lot from a public or private street; in the case of a lot having no street frontage, the same will mean the narrowest boundary line parallel and closest to the nearest street or highway, as determined by the Community Development Director.

2. Rear Lot Line. A lot line that is most distant from the front lot line.
3. Side Lot Line. Any lot boundary line that is not a front or rear lot line.
4. Access. If access to a public roadway is provided via an easement, the front lot line shall be the line to which the easement is connected.

I. Determining Setbacks. A setback line that defines a required yard is parallel to and at the specified distance from the corresponding front, side, or rear property line. Required setbacks shall be unobstructed from the ground to the sky.

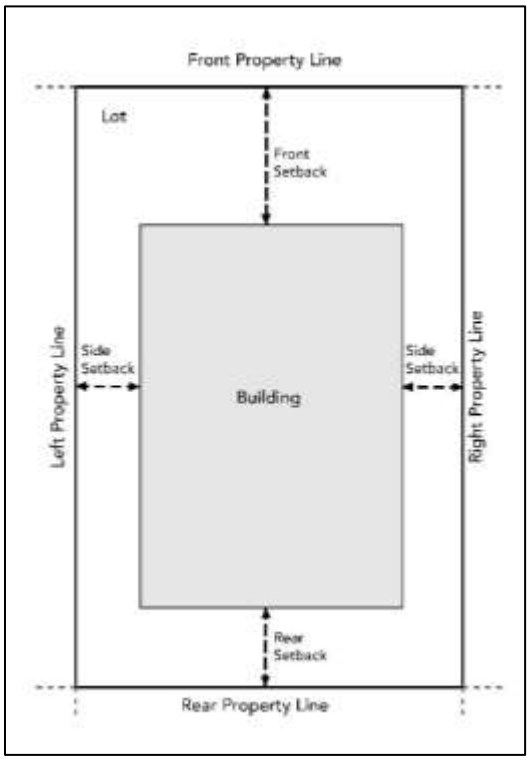


Figure 17.22.070-7 Measuring Setbacks

17.22.080 Outdoor Storage

A. Purpose and Applicability.

This section regulates outdoor storage to support operational needs while minimizing visual impacts on public streets and adjacent properties. These standards apply to commercial and industrial properties proposing outdoor storage. The display or sale of merchandise outdoors is not considered outdoor storage and is regulated separately under CMC Section 17.24.160.

B. Permanent outdoor storage.

1. Permanent outdoor storage is allowed as part of the primary use, provided it is approved under the original planning entitlement. New permanent outdoor storage for an existing use or development requires a Minor Site Plan Review as described in CMC Section 17.04.040.
2. Permanent outdoor storage areas must be located outside required front setbacks and must not obstruct required parking, drive aisles, fire access, or emergency routes. Required parking spaces may not be used for permanent outdoor storage.
3. All outdoor storage areas must be fully screened by a decorative screen wall, landscaping, or a combination of both. Screen wall materials must be concrete, split-face block, stucco over masonry block, or similar materials approved by the Director. The screen wall height may not exceed 8 feet, and stored materials may not exceed that height.

C. Temporary outdoor storage.

Temporary outdoor storage shall require an Administrative Use Permit under CMC Section 17.04.020.

17.22.090 Parking and Loading Requirements.

A. Purpose and applicability.

This section sets parking, loading, and bicycle regulations to ensure safe, convenient, and attractive parking for residents, employees, customers, and visitors. These regulations apply to new developments, building expansions, or changes in use, and must be permanently provided and maintained. They are in addition to other development regulations in the Zoning Code, such as landscaping standards.

B. Off-Street Parking Space Requirements.

Table 17.22.090-1 establishes the minimum number of parking spaces by land use category. A mixed-use project must provide the sum of the requirements for each individual use. When the calculation of the required number of parking spaces results in a fraction of a space, the total number of spaces shall be rounded up to the nearest whole number. Where the parking requirements for a use are not specifically defined in this section, the parking requirements for such use shall be determined by the Director in the manner set forth in CMC 17.04.080 Use Determination. Such determination shall be based on the parking requirements for the most comparable use specified in this section.

Table 17.22.090-1 Off-Street Parking Space Requirements		
LAND USE CATEGORY sf- square feet GLA – gross floor area	**REQUIRED OFF STREET PARKING BY GLA**	**NOTES AND ADDITIONAL REQUIREMENTS**

Residential Uses		
Single-family detached, up to 4 bedrooms	2-car garage	
Single-family detached, 5 bedrooms or more	3-car garage	
Duplex, single-family attached, zero lot line, patio homes	2-car garage per unit	
ADU, detached	See ADU standards in CMC 17.20.080	
Multi-family (apartments, condominiums, townhouses)		
- Studio and 1-bedroom	1 covered space	Plus guest parking
- 2-bedrooms and over	2 covered spaces	Plus guest parking
- 3-bedrooms or more	2.5 covered spaces	Plus guest parking
Single room occupancy (SRO)	1 per room	Plus 2 for management
Senior housing and independent living	1 space per unit,	Plus guest parking
Live-work units		
- 2 bedrooms or less	1 covered space	Plus guest parking
-3 or more bedrooms	2 covered spaces	Plus guest parking
Guest or visitor parking (multi-family developments, live-work units, senior housing and independent living)	1 for each 5 units	
Nursing homes, memory care and skilled nursing facilities and assisted -living facilities	1 per 3 beds	Plus: - 1 per employee, - 1 guest parking per 5 beds - 1 loading and unloading space
Supportive and transitional housing, emergency shelter, low barrier navigation centers	1 per 4 beds	Plus 1 per staff member
Alcohol Service and Sales		
Bars or cocktail Lounges with or without restaurant, nightclub and/or Entertainment	1 per 100 sf for first 3,000 sf plus 1 per 50 sf above 3,000 sf	Plus additional parking with a sit-down restaurant
Alcohol sales for off-site consumption such as liquor stores	1 per 200 sf	Plus 1 per employee
Automotive Sales and Services		

Automobile, RV, ATV, and boat, new or used sales and services; Automobile rental service, except trucks and trailers	1 per 300 sf, plus 1 per 2,000 sf exterior/outdoor sales area	
Automobile services repair (major or minor), automobile parts, tires and accessories Sales	Summation of: -3 per service bay, -1 per employee, -1 per tow truck, -1 per 200 sf of retail, office and customer areas	
Auto car wash, self-service (coin-operated) or mechanical (automated drive-through) stand alone or with gas/service station	Summation of: -1 per employee -2 stacking spaces - 2 per wash bay	
Auto car wash, full service and details (stand-alone)	Summation of: -1 per employee, -5 stacking spaces for each wash lane, -1 each wash bay	Additional requirements under CMC Section 17.24.030
Auto gas/service stations	1 per 200 sf retail space,	Additional requirements under CMC Section 17.24.030
Towing services w/ indoor or outdoor vehicle storage	Summation of: -1 per employee, -1 per tow truck -1 per 200 sf of office areas	
Educational Services and Day Care Facilities		
Commercial nurseries, pre-school and day care centers (children and adult)	1 per 6 individuals	Plus 1 per employee
K-12 Schools and tutoring services	1 per 5 students	Plus 1 per employee

Vocational, trade, technical, colleges, universities and instructional Schools	1 per 5 students	Plus 1 per employee
Private tutoring and educational enrichment (primary through high school)	1 per 5 students	Plus 1 per employee
Food and Beverage Sales		
Catering establishments	1 per employee	
Convenience markets	1 per 200 sf	Plus 1 per employee
Sit Down Restaurants	1 per 100 sf	Plus additional parking for bars
Restaurants – w/ Drive-Thru	1 per 100 sf,	Additional requirements under Section 17.24.070
Quick Service or take out Restaurants (limited to 4 customer seats)	1 per 250 sf	
Food Courts/Halls	1 per 200 sf	
General Merchandise and Retail Trade		
Appliance and Furniture Sales and Repair, electronic sales	1 per 500 sf	
Building Materials, Nursery, or Garden Center	Summation of: - 1 per 200 sf - 1 per employee - 1 per 8,000 sf of outdoor storage	
Retail Stores such as clothing, jewelry, sporting goods, books, office supplies, maker spaces, and similar uses	1 per 250 sf	
Shopping centers 50,000 sf or less	1 per 250 sf	
Grocery store or supermarkets	1 per 250 sf	
Shopping centers with anchors such as but not limited to department stores, warehouse clubs, and supercenters, etc.	1 per 250 sf	The total required parking spaces may be established by a parking study subject to Planning Commission approval
Industrial		
Industrial/manufacturing	1 per 500 sf	On-site ancillary retail sales require additional parking at 1 per 300 sf

Traditional warehousing and distribution	1 per 1,000 sf for first 20,000 sf plus 1 per 2000 sf for the remaining sf	Plus additional parking for office area at 1 per 250 sf
Distribution centers		The total required parking spaces, van spaces, and loading spaces shall be established by a parking study subject to Planning Commission approval
Research and development, multi-tenant industrial	1 per 300 sf	
Outdoor storage	Summation of : -1 per 200 sf of office area, -1 per employee, -1 per 800 sf of outdoor storage area	
Public storage, self-storage, mini-warehouse and similar uses	4 plus 2 for management staff and 1 loading space	Additional requirements under CMC section 17.24.170
Lodging		
Hotels and motels	1 per room or unit and 2 for manager	Additional requirements under CMC 17.24.100
Trailer parks	1 per trailer space plus 1 per 10 trailer spaces	
Medical/Health Care		
Animal hospital/veterinaries	1 per 300 sf	
Hospitals	1 per 2 beds	Plus 1 per 5 employees
Medical and surgical centers – outpatients only	1 per 250 sf	
Medical and dental offices/clinics,	1 per 200 sf	
Medical and diagnostic laboratories including biotech research and development facilities and pharmaceuticals	1 per 400 sf	

Pharmacies	1 per 250 sf	Additional drive-through requirements under CMC 17.24.060
Office		
Administrative and professional offices	1 per 250 sf	
Business support services	1 per 250 sf	
Banking, credit unions, financial services, and check cashing services	1 per 250 sf	
Personal Services		
Barber shops, salons, massage services, body art facilities, other personal care services	1 per 200 sf	
Funeral and mortuary Services	1 per 4 seats or 1 per 35 sf in assembly area plus 1 per employee	
Public and Quasi-Public Uses		
Library and museums	1 per 300 sf	
Government offices and public safety facilities	1 per 250 sf	The total required parking spaces may be established by a parking study subject to Planning Commission approval
Recreation and Entertainment		
Billiard and pool halls	2 per billiards table	
Bowling alleys	4 per lane	
Health clubs, fitness centers, dance studios, gymnasiums, and similar uses	1 per 200 sf	
Indoor shooting range (guns or arrows)	3 per lane, alley or target	Plus 1 per employee
Computer/video arcades	1 per 100 sf	
Recycling		
Collection and/or processing facilities	1 per 1,000 sf	CMC Section 17.24.180
Reverse vending machines	2 plus required parking for primary use	CMC Section 17.24.180

Small collection	2 plus 1 per employee, and required parking for primary use	CMC Section 17.24.180
Places of Assembly		
Public assembly such as but not limited to places of worship, meeting halls, banquet facilities, dancing halls, sport arena, stadiums, etc.	1 per 4 seats or 1 per 35 sf of seating area or main auditorium	1.5 lineal feet on a bench is equivalent to 1 seat. The total required parking spaces may be established by a parking study subject to Planning Commission approval
Single screen or multi-screen theatres and cinemas	1 per 4 seats plus 1 per employee	The total required parking spaces may be established by a parking study subject to Planning Commission approval
Transportation Related Facilities		
Ambulance services, transit and passenger Transportation (including limousine, taxi or autonomous vehicle services)	1 per vehicle	Plus 1 per employee
Express delivery services	1 per vehicle	Plus 1 per employee
Utilities		
Public utility/service structures	1 per service or fleet vehicle	
Public utility/service company offices	1 per 300 sf	Plus 1 per service or fleet vehicle
Wireless communication facilities	1 per service vehicle	

C. General Parking Requirements.

The layout of parking spaces, loading berths, and parking aisles must comply with the following requirements. These requirements apply to both on-street and off-street parking unless otherwise stated.

1. Required parking spaces, loading berths, and parking aisles must not be located within any street right-of-way. All required off-street parking must be on the same site as the main buildings or structures.

2. Parking areas or spaces required by this title may not be eliminated, reduced, or converted below the required standards unless equivalent facilities are provided elsewhere in compliance with this title.

3. Parking spaces must be at least 9 feet wide by 19 feet long, unless larger dimensions are required elsewhere in this code. Parallel parking spaces must be at least 9 feet wide by 22 feet long. Drive aisles must provide at least 25 feet of unobstructed width for vehicle access and maneuvering.

4. Parking aisles shall meet the dimensional requirements of Table 17.22.090-2.

Table 17.22.090-2 Parking Aisle Width		
Angel of Parking	Width (feet)	
	One-Way	Two-Way
Parallel	12	25
30 Degrees	12	25
45 Degrees	14	25
60 Degrees	18	25
90 Degrees	25	25

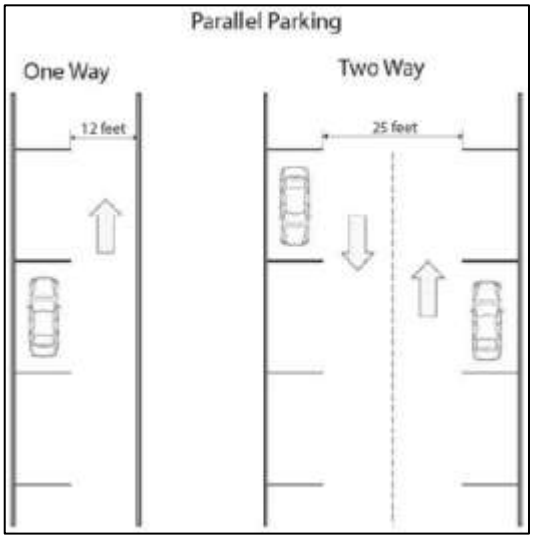


Figure 17.22.090-1 Drive Aisle Parallel Parking

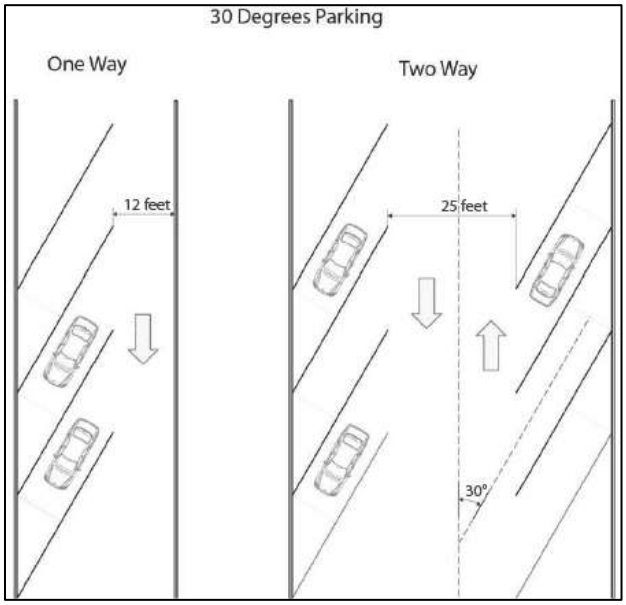


Figure 17.22.090-2 Parking Aisle 30 Degrees

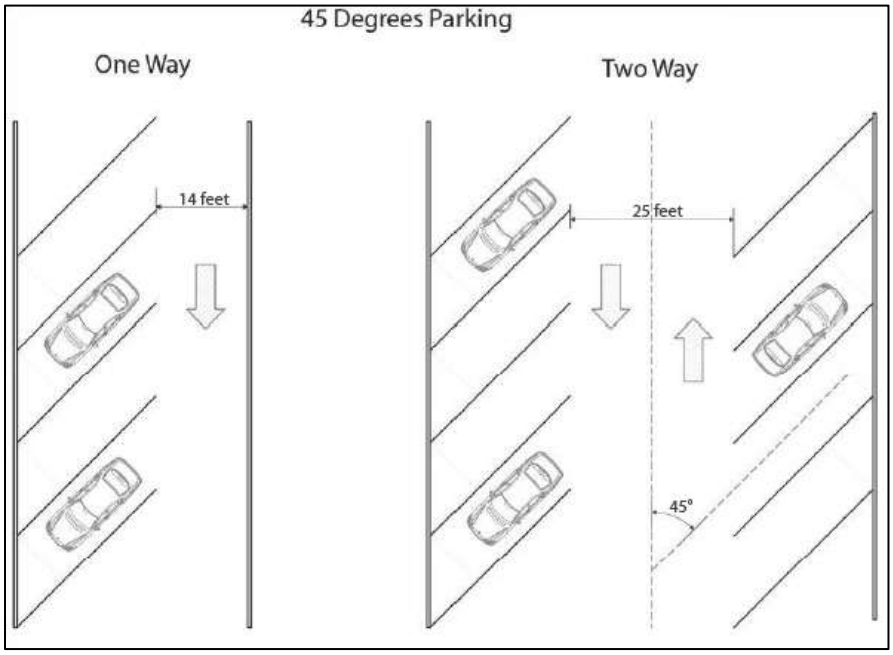


Figure 17.22.090-3 Parking Aisle 45 Degrees

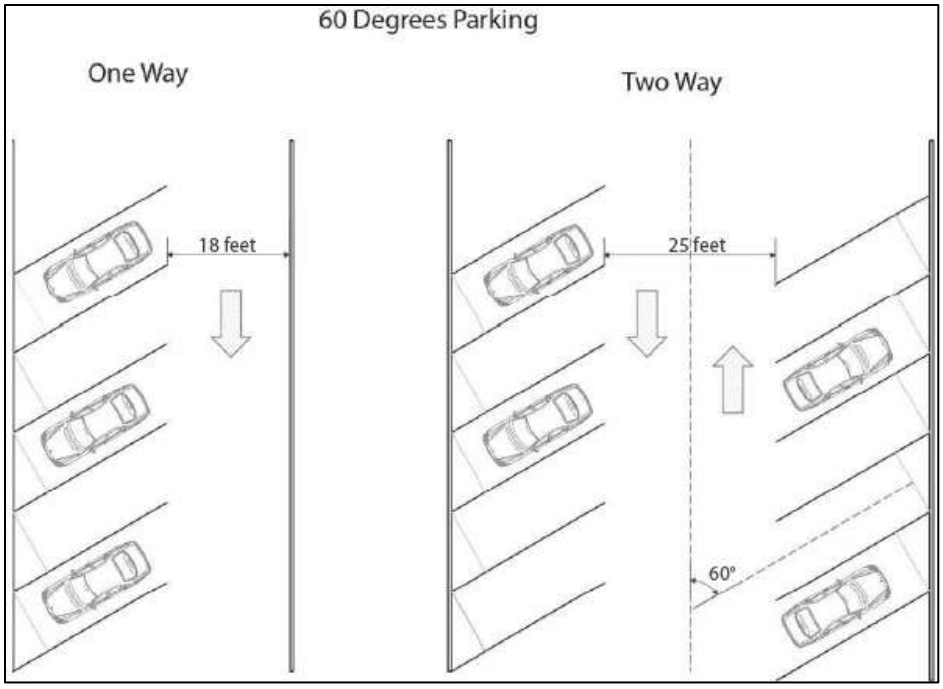


Figure 17.22.090-4 Parking Aisle 60 Degrees

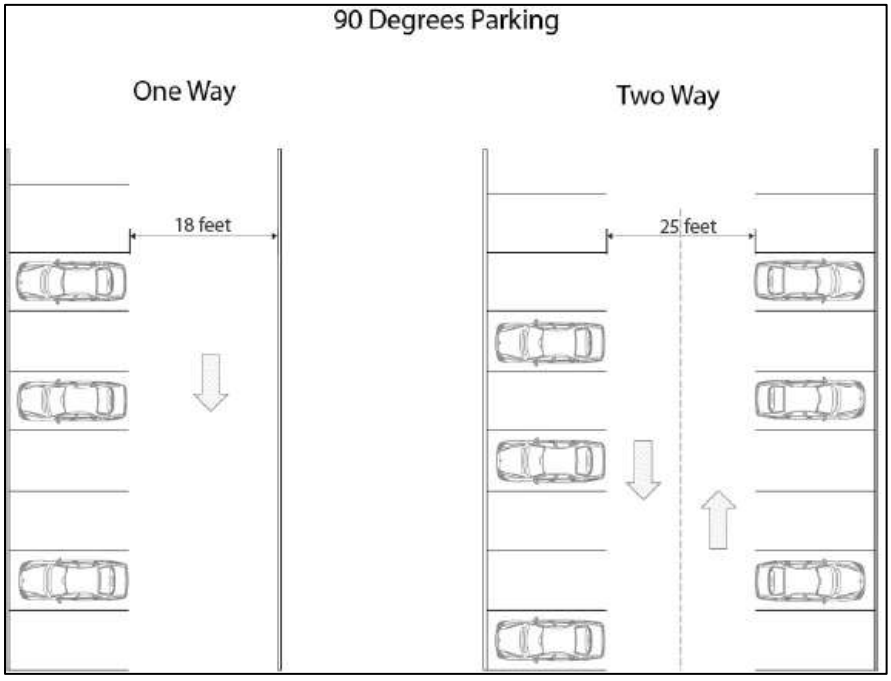


Figure 17.22.090-5 Parking Aisle 90 Degrees

5. Tandem Parking. No more than thirty-five percent (35%) of the total units in a development may use tandem parking spaces. This applies to duplexes, patio homes, zero-lot-line homes, apartments, condominiums, and townhouses.

6. Parking requirements for the disabled.

    a. Parking spaces for the disabled shall comply with the building code and with state and federal law.

    b. The required accessible parking spaces must be reserved by the property owner or tenant for use by people with disabilities for the duration of the approved land use.

    c. Accessible parking spaces may count toward the overall parking requirement for a development or use.

    d. If state or federal law changes the standards for marking, striping, or signing accessible parking spaces, upgrades must be made as required by law.

D. Parking and Driveway Design Improvements.

All public, semipublic, and private parking areas used for vehicle parking shall be improved as follows:

1. All parking areas, drive aisles, and driveways must be paved with all-weather surfaces, such as asphalt, concrete, or brick pavers, and must be constructed to city standards.

2. Garages used for residential purposes must have clear interior dimensions to accommodate two cars: 8 feet by 19 feet for side-by-side parking, or 9 feet by 38 feet for tandem parking. Utilities or storage, such as water heaters, meters, solar energy equipment, laundry appliances, storage areas, or refuse bins, must not encroach on these required dimensions.

3. Where a parking area adjoins a residential zone at the rear or interior side property lines, a 6-foot-high masonry wall must be installed and maintained between the parking area and the residential property.

4. Parking area lights. Free-standing lights must provide between 1 and 5 lumens for ground-level illumination. Lighting must be shielded to prevent glare onto adjacent residential properties. In multi-family and mixed-use zones, lighting fixtures shall not exceed 15 feet in height, measured from finished grade to the top of the fixture. In commercial and industrial zones, fixtures shall not exceed 25 feet in height, measured from finished grade to the top of the fixture.

5. All parking spaces must be permanently marked with double lines, each nine inches from the space’s sidelines. Access lanes must be clearly defined. Install bumpers and wheel stops as needed.

6. All parking area drainage is subject to approval by the city's Public Works Director.

7. Parking spaces and aisles must not exceed a five percent grade.

8. For surface parking spaces next to a landscape planter at least 6 feet wide, a 1-foot overhang is allowed, including the 6-inch curb.

E. Parking Reductions for Mixed Occupancies.

The following reductions may be applied to the otherwise applicable parking spaces required by CMC Section 17.22.090 for developments with mixed occupancies (multi-tenants and different types of uses, such as retail, dining, and services) to account for shared parking space use.

1. Developments with four or more tenant spaces and at least 5,000 square feet of gross floor area may qualify for a fifteen percent (15%) reduction, subject to approval by the Director.

2. Developments with two or three buildings, where at least two buildings exceed 10,000 square feet of gross floor area, may qualify for a fifteen percent (15%) reduction, subject to approval by the Planning Commission.

F. Shared Parking Requirements.

This section establishes an alternative to the required on-site parking subject to specific requirements.

1. Shared parking qualifying criteria. Shared parking serving more than four land uses (multi-tenants, mixed occupancies such as retail, dining, and services) on a site, or serving more than one parcel, may be used if it meets all of the following qualifying criteria, as determined by the reviewing authority:

   a. The peak hours of parking demand across all uses (multi-tenants, mixed occupancies) do not coincide, so peak demand will not exceed the parking provided.

   b. There is no substantial conflict in operating hours between the various uses.

   c. The number of parking spaces provided as determined by the parking study meets or exceeds the minimum (parking spaces) required.

2. Parking Study required. A parking study is required to demonstrate that proposed land uses meet the parking requirements in CMC Section 17.22.090-A and comply with the shared parking qualifying criteria in paragraph 1 of this section. The parking study must be prepared by city staff, the city's consultant,

or the applicant's qualified traffic or parking consultant. A parking study submitted by the applicant may require an independent peer review at the applicant's expense. The parking study must be reviewed and approved by the reviewing authority and may require a shared parking reciprocal easement or similar device as a condition of approval to ensure that projects comply with these requirements.

3. Shared parking. The shared parking for land uses (mixed occupancies or multi-tenants) with more than one parcel requires a shared parking in the form of a recorded reciprocal access and parking easement that runs with the land, to the satisfaction of the director and city attorney, and includes the following:

    a. A guarantee that no substantial change in use will increase parking demand without approval of an amended land use entitlement, such as a site plan review or a conditional use permit.

    b. A reciprocal grant, nonexclusive license, or easement among the business operator(s) and the property owner(s) for access to and use of the shared parking facilities.

    c. Evidence that the reciprocal easement has been recorded with the county recorder's office prior to occupancy by tenants.

G. Off-Site Parking. If on-site parking is not feasible for new or existing sites, off-site parking may be provided, subject to the regulations in this section. All specified distances are measured from the nearest property line of the parking facility to the nearest property line of the site or of the uses being served.

1. Required parking may be provided by an off-site parking facility on another property within 150 feet of the site proposed for the development or use.

2. The applicant must provide a recorded shared parking agreement that describes the intended users and details the arrangement with the owner of the off-site parking facility, in accordance with CMC Section 17.22.030-F. The content of the shared parking agreement must be to the satisfaction of the city attorney.

3. The applicant must provide a pedestrian access plan between the site of the development or use and the off-site parking facility.

H. "Shoppers Lane" Parking District.

1. The City Council finds that the "Shopper's Lane" district is a unique commercial area within the city whose businesses, due to the limited space and orientation of their lots, face unique challenges that often prevent them from satisfying the parking requirements required by this chapter on-site. This can result in lost

opportunities to bring business into the district. On the other hand, there is a large public parking facility within the district that, in the absence of this amendment, businesses cannot legally use to satisfy parking requirements. Therefore, the City Council hereby adopts the following regulations.

2. In addition to any other available exception or credit provided in this chapter, commercial uses located within the territorial limits of the “Shopper’s Lane” district may qualify for a one- for-one credit to satisfy the off-street parking requirements otherwise imposed by this chapter by utilizing either of the following:

    a. On-street parking spaces which are located adjacent to the front or rear property line of the commercial use. This reduction shall not apply to the number of handicapped accessible spaces required.

    b. Spaces available in off-site public parking facilities; provided, that:

    c. There is a public parking facility owned or operated by the city, or any other public agency of which the city is a part, within 300 feet of the use it is to serve, measured in walking distance along the way open to public pedestrian passage:
        i. The vehicle parking spaces located at said facility are made available to the general public and their use is not restricted to private owners, lessees, licensees or other parties.
        ii. The Planning Commission finds that there exist sufficient public parking spaces at said facility to satisfy the off-street parking requirements imposed by this chapter upon the use under consideration. As a condition to Planning Commission consideration, the chief planning official may require an applicant to provide a parking analysis demonstrating that sufficient public parking spaces exist at the facility to accommodate the use.
        iii. The Planning Commission shall have continuing authority to review the status of vehicle parking at public parking facilities within the “Shopper’s Lane” district. If, at a future date, the Planning Commission determines that a public parking facility is no longer available or no longer provides sufficient parking spaces to satisfy the off- street parking requirements for a particular use, the Planning Commission may require the use to provide an alternative means of satisfying off-street parking requirements, which may include the one or a combination of the following: providing off-street parking on the same lot or parcel of land; providing off-street parking at a substitute location allowed under this chapter; or, providing off-street parking at another public parking facility, as set forth in this subsection.

3. This section shall not be construed to prohibit or limit the city’s authority to take any of the following actions:

a. To lawfully close or otherwise restrict access to a public street, alley or public parking facility within the “Shopper’s Lane” district; or

b. To lawfully charge for the use of public parking spaces within the “Shopper’s Lane” district; or

c. To lawfully establish and maintain a parking and/or business improvement district to pay for the expenses of constructing, operating and maintaining public parking within the “Shopper’s Lane” district.

I. Loading Area Requirements.

1. Required loading spaces for various uses.

Table 17.22.090-3 Required Loading Spaces by Uses	
Total Square Feet of Building Space (Gross Floor Area)	Loading Spaces Required:
Commercial and Industrial Buildings	
3,000-20,000	1
20,001-50,000	2
50,001 and over	3
Hospitals, Institutions, Hotels, Office Buildings	
10,000-50,000	1
50,001-100,000	2
100,001 and over	3

2. Standards for off-street loading spaces.

a. Minimum size for loading docks. Each loading space must be at least 12 feet wide, 40 feet long, and have 15 feet of vertical clearance.

b. Minimum size of loading spaces for businesses, delivery, and distribution use. Each off-street loading space must be at least 12 feet wide, 30 feet long, and 15 feet high, exclusive of driveways for ingress and egress and maneuvering areas.

c. Loading spaces for customers. Each loading space may be 12 feet wide, 26 feet long, and 12 feet high.

3. Provide driveways for ingress and egress, along with adequate maneuvering areas, for each required off-street loading space, in accordance with city standards.

4. Location of loading areas. Off-street loading spaces (except those for customers) must be set back 30 feet from the adjoining property lines in any residential zone. Off-street loading spaces must be located behind or beside

buildings and screened from public view with an 8-foot-high decorative masonry or sound-absorbing wall and landscaping.

5. Trailer parking required. One trailer parking space is required for each loading dock door. Each trailer space must be at least 50 feet long, 14 feet wide, and have 14 feet of vertical clearance. Trailer parking must be in a designated area, away from loading bays and travel paths, and screened as required by Section 17.22.080 Outdoor Storage for industrial areas.

6. Any loading space shall not encroach into the adjoining alley or use the alley for access.

7. If loading is permitted in a yard, the yard may count toward the required loading area, provided there is no more than one entry or exit per 60 feet of lot frontage or fraction thereof.

8. Loading space maintained in connection with any existing main building on the effective date of the ordinance codified in this title must continue to be maintained as long as the building remains, unless an equivalent number of such spaces are provided on a contiguous lot that complies with the requirements of this section and CMC Section 17.22.090-F; provided, however, that this regulation does not require maintenance of more loading space than is required for a new building, nor the maintenance of such space for any main building type other than those specified above.

9. Loading spaces required by this title may not be eliminated, reduced, or converted below the required standards unless equivalent facilities are provided elsewhere in compliance with this title.

10. Loading spaces required by this title may occupy a required yard as allowed in the districts, but no part of an alley or street may be used for loading.

J. Bike Parking

1. Short-term bike parking.

   a. All new developments must provide short-term bike parking equal to 5% of required vehicle spaces for all public and semi-public uses, commercial uses, except vehicle sales and services.

   b. Location and Accessibility. Short-term bike parking must be within 100 feet of a building entrance, outside pedestrian walkways, and the public right-of-way. Spaces must be at least 2 feet by 6 feet, with 2 feet of clearance from landscaping, walls, poles, and drive aisles.

c. Security. Each bike parking space must have a secured object anchored so the bicycle can be locked at two points of contact.

2. Long-term bike parking.

a. Long-term bike parking serves employees, students, residents, commuters, and customers. The following spaces are required for all new developments:
   i. Multi-Family Residential. Provide one long-term bike space for every five dwelling units. All long-term bike parking for residential uses must be covered.
   ii. Parking Structure. Provide one long-term bike space for every 25 vehicle spaces.
   iii. Other Uses. Establishments with 25 or more full-time employees must provide one long-term bike space for every 25 required vehicle spaces.

b. Location and Accessibility. Long-term bike parking must be on the same lot as the use it serves and near the facility entrance. Parking may be inside buildings, garages, bike lockers, or under roof overhangs. Spaces must be at least two feet by six feet and must not obstruct pedestrian walkways. Provide 5 feet of clearance between the bike and vehicle parking and 2 feet from landscaping, walls, poles, and drive aisles.

c. Security. All long-term bike parking must be in one of the following:
   i. An enclosed bike locker
   ii. A fenced, covered, or locked bike storage area
   iii. A rack or stand inside a building that is visible from an employee's work area, a parking attendant, or a security guard, or within a restricted area,
   iv. Another secured area approved by the Director.

K. Electric Vehicle Charging.

1. Electric Vehicle charging stations are allowed in any area designated for the parking of vehicles.

2. New or renovated commercial and industrial parking areas with five or more parking spaces shall provide EV charging stations in accordance with Title 24, Part 11 of the California Green Building Standards Code (CALGreen).

3. The California Green Building Standards Code requires that new construction and significant alterations include "EV Capable" parking spaces to comply with Title 24, Part 11 of the California Green Building Standards Code (CALGreen).

L. Parking or Storage of Commercial Vehicles.

1. It is unlawful to park or store any commercial vehicle on property zoned for commercial purposes, except in a space reserved for commercial vehicle parking in the parking area required to be maintained in connection with such commercial use.

2. “Commercial vehicle,” as used in this section, means a vehicle of a type required to be registered under the Vehicle Code that is used or maintained for the transportation of persons for hire, compensation, or profit, or is designed, used, or maintained primarily for the transportation of property.

3. The provisions of this section shall not apply to commercial automobiles, pickups, panel delivery trucks, and station wagons, or the parking of a vehicle temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers.

17.22.100 Performance Standards.

A. Purpose and Intent.

The performance standards in this chapter ensure that uses and activities protect public health and safety and do not adversely impact surrounding properties or the community. These standards apply to all zones. If needed, the city may retain a professional expert or regulatory agency to assess potential impacts, with costs paid by the applicant or business owner.

B. Applicability.

The following performance standards requirements apply to all zones.

1. Location. All uses shall be conducted wholly within an enclosed building unless otherwise permitted or conditionally permitted by other sections of the code.
2. Light and glare. Uses, activities, and processes must not produce significant or direct glare beyond property boundaries. Unless exempt, all outdoor lighting must be recessed or fully shielded downward to minimize light and glare on adjoining properties and public rights-of-way. Each fixture must be directed downward and away from adjoining properties and public rights-of-way, so that no light fixture illuminates areas outside the intended project site.
3. Noise. All land uses and their associated activities shall comply with Chapter 9.40 CMC, Noise.
4. Odor, Particulate Matter, and Air Containment Standards. Sources of odorous emissions, particulate matter, and air containment standards shall comply with the rules and regulations of the South Coast Air Quality Management District and the State Health and Safety Code.
5. Vibration. All uses shall be so operated as not to generate vibration discernible without instruments by the average person while on or beyond the lot upon which the source is located or within an adjoining enclosed space if more than one establishment occupies a structure. Vibration caused by motor vehicles,

trains, and temporary construction or demolition work is exempted from this standard.

6. Heat and Humidity. All uses must be operated to prevent heat and humidity that is perceptible without instruments by the average person on or beyond the lot.

17.22.110 Property Maintenance.

A. Purpose.

All buildings, structures, yards, and improvements must be maintained to preserve the appearance of the immediate neighborhood. Enforcement provisions are provided in CMC Chapter 1.28.

B. Applicability.

The following maintenance requirements apply to all zones, in addition to other general maintenance provisions of this code:

1. All required fences and walls must be kept in good condition and properly repaired at all times.
2. Plants or materials in the required corner cutback area must be maintained to prevent visual obstructions.
3. Off-street parking areas, drive approaches, and driveway access must be kept in good condition. Striping must remain visible.
4. All safety devices and signs must be maintained in working condition.
5. The property owner must maintain all trash, garbage, and refuse enclosures. Trash storage must not create nuisance conditions, such as attracting rodents or insects.
6. The property owner must maintain all on-site landscaping and contiguous planted areas within the public right-of-way, except street trees, and replace any damaged, dead, diseased, or decaying plant materials within 30 days of damage.
7. Changes to landscaping, architectural features, buildings, or structural elements require an amendment to the site plan review in accordance with CMC Section 17.04.040.

17.22.120 Public Improvement Regulations.

A. Maintenance of Improvements and Requirements

All facilities, improvements, and landscaping must be maintained in accordance with the approved site plan. All conditions and requirements from the site plan review must be met throughout the life of the facilities and improvements. Facilities and improvements must remain fully functional and in good repair. Landscape improvements must be kept healthy. Any changes to the approved final landscape

or irrigation plans that alter the character, quantity of plant material, or irrigation system design must be resubmitted to the original approving authority for approval before installation.

B. Dedications, public improvements, and underground utility services in accordance with CMC Title 11, Streets and Sidewalks.

1. Street Improvements. If street improvements do not exist adjacent to a parcel being developed under this chapter, or if existing improvements are not standard in location, design, or condition, new street improvements must be constructed at the ultimate alignment and grade, in accordance with current city standards and specifications.

2. Street improvements include curbs, gutters, cross-gutters, sidewalks, drive approaches, street and alley pavement and base materials, street trees, street signs, streetlights, drainage facilities, fire hydrants, utility relocations, and related facilities.

3. All required street improvements must be constructed in accordance with city conditions, standards, plans, and specifications before any building permits are issued for parcel development. Alternatively, the developer may satisfy these requirements by one of the following methods, as determined by the city engineer:

   a. The developer may post a cash or performance bond, in an amount set by the city engineer, to guarantee construction of the required improvements. All improvements must be completed before occupancy of the developed parcel.

   b. The developer may enter into a written contract with the city, approved by the city engineer and city attorney, agreeing to pay the costs of required street improvements when they are constructed. The contract must be recorded, run with the land, and bind the developer and all successors in interest to the parcel.

4. A state-licensed civil engineer must prepare and submit public improvement drawings for city approval.

5. Parcel developments subject to the requirements of this chapter are also subject to the requirements of CMC Title 11, Streets and Sidewalks.

6. Underground Utility Services. All new utility service lines installed to serve new or existing buildings or structures as part of the development must be placed underground. Utility service lines include electricity, telephone, and cable television. Appurtenant equipment such as transformers, metal cabinets, and terminal boxes may be installed aboveground with approval from the appropriate authority.

17.22.130 Street Naming.

A. Purpose

These provisions establish procedures for naming new public and private streets in the city to promote uniformity and prevent public confusion.

B. Naming criteria.

Streets shall be named as follows:

1. Street names should be pleasant, appropriate, easy to read, and contribute to community pride. Street names should be easily understood by the public, including children, in emergencies.
2. The following street names are not acceptable: numerical names (1st, 2nd, etc.) except within the historic districts of the Covina Town Center Specific Plan; alphabetical letters (A, B, C, etc.); frivolous, complicated, or undesirable names; unconventional spelling; compound names; or names of living or deceased persons, except for pioneer family names or historic persons.
3. Continuous streets should retain their existing names wherever possible and feasible.
4. Duplication of existing or proposed street names is prohibited. Similar-sounding names are treated as duplicates, regardless of spelling.

C. New Public or Private Streets.

1. The applicant for a development that includes new streets must submit proposed street names and any required fee to the city for approval.
2. The Director or designee, after consulting with public safety staff, will approve all street names in the city.

17.22.140 Synthetic or Artificial Turf

Reserved

17.22.150 Tree Preservation.

A. Purpose and intent.

1. The purpose of this chapter is to preserve and protect mature trees that represent a significant resource to the community. Large mature trees, particularly those of native species, provide habitat for birds and wildlife, moderate climatic extremes, add beauty to the community, increase property values, improve air quality, and represent a historic resource.

   The intent of this chapter is to ensure that new development addresses the preservation of significant healthy and mature trees to the greatest extent that is reasonable and that activities on properties with existing development are conducted in a manner that minimizes harm and destruction of such trees.

2. This chapter does not create any liability for damages or impose any duty of care or maintenance on the City or its officers and employees. Responsibility

for maintaining trees in a safe and healthy condition rests with the person in possession of public property or the owner of private property where the tree is located or under their control.

B. Definitions.

For the purpose of this chapter, the following definitions shall apply:

"Damage" means any action that harms, destroys, removes, or relocates a tree, including injury to its roots or other parts. This includes, but is not limited to, burning, applying toxic substances, operating equipment or paving within the dripline, altering grade, trenching or excavating, excessive watering, or similar activities.

"Diameter at standard height" is the diameter of a tree trunk as measured four and one- half feet above the mean natural grade of the ground in which it is growing.

"Dripline" shall mean an imaginary line on the ground at the furthest extension of the canopy around the circumference of the tree.

"Heritage trees" are protected trees that meet one or more of the following criteria:

1. Trees of the following species with a trunk diameter, as measured at standard height, of at least 10 inches for a single-trunk tree or with a combined diameter of at least 22 inches for multiple-trunk trees:
    a. Quercus, all species (oaks).
2. Individual trees or groups of trees designated as heritage tree(s) by the City Council pursuant to CMC Section 17.22.150(L).

"Tree removal permit" means a permit to remove one or more heritage trees.

C. Prohibition and permit required.

Except as otherwise specified in this chapter, no one shall damage any heritage tree on any lot or parcel of land within the City unless a Tree Removal Permit is first obtained as provided herein.

D. Application, fees, review process, and procedures.

1. Application and fees shall be filed with the Planning Division in the format and checklist prescribed or issued by the Director.
2. A report prepared by a certified arborist or a licensed forester, with qualifications satisfactory to the Director. The report shall address the following:
    a. Evaluates the heritage tree(s) subject to the tree removal permit and addresses all relevant issues, including the size, species, health, aesthetics, monetary value, and condition of the tree(s).
    b. Provides recommendations for preserving the health of the subject heritage tree(s), mitigating the impact of the permit request, and implementing future maintenance measures, when necessary, along with assessing their effectiveness.

3. The Director may waive the tree report requirement for a tree-removal request for an existing single-family residence as a permitted use in the zone. The Director may also waive any other information deemed unnecessary for processing the application.
4. The Director may, without further action, deny any application that lacks the required information or permit the applicant to amend the application.

E. Exemptions**.**

The provisions of this chapter shall not apply to:

1. Street trees that are maintained by the City and located within any public right-of-way as described in CMC Chapter 11.36.
2. Routine maintenance is designed to ensure the continued health of the tree. Routine maintenance does not include removing branches in any one year that would bear over 10 percent of the tree's live foliage, or reducing the tree's height by more than twenty-five percent (25%). All such maintenance shall be undertaken in a manner that conforms with the standards of the Western Chapter of the International Society of Arboriculture.
3. An emergency caused by the tree's dead, deceased, or hazardous conditions, as determined by a visual inspection conducted by a licensed forester, certified arborist, the Director, or a designee.
4. Emergency or routine maintenance by a public utility necessary to protect or maintain an electrical power or communication line and structures appurtenant thereto.
5. Trees planted, grown, or held for sale by a licensed nursery.
6. Repair and maintenance of existing parkways, highways, streets, and/or other public facilities.

F. Notification**.**

1. No public notice is required for the consideration of a Tree Removal Permit for which the Director has approval authority.
2. For an application for a Tree Removal Permit presented to the Planning Commission, notice shall be given pursuant to the noticing requirements in Chapter 17.02.070.
3. When an application for a Conditional Use Permit, Variance, Planned Community Development (PCD), Zone Change, or Tentative Map for a subdivision is filed concurrently, the required legal notices for that application shall include notice that a Tree Removal Permit application will also be considered.

G. Findings**.**

1. Prior to approving a Tree Removal Permit, the Director must determine that at least one of the following provisions applies:

a. The subject tree(s) are naturally damaged and diseased to a degree that cannot be reasonably corrected or restored to health.

b. The action is necessary to maintain the health and viability of the subject tree(s) or other nearby trees.

c. The subject tree(s) pose a substantial threat to existing structures and to significant improvements on the property.

d. There is no reasonable development alternative, and retention of the subject tree(s) would constitute a substantial economic hardship.

2. In the case of a Tree Removal Permit, the Planning Commission, in addition to the above, at least one of the following applies:

    a. The proposed damage is necessary because alternative plans either cannot achieve the intended improvement, would be prohibitively costly, or the tree's location prevents the reasonable and efficient use of the property for an authorized purpose.

    b. The proposed damage interferes with utility services or streets and highways either within or outside of the subject property, and no reasonable alternative to such interference exists other than damaging the subject tree(s).

    c. The tree's condition, due to disease or the risk of falling, cannot be remedied by preservation methods without damaging the tree.

3. In rendering a decision, the approval authority shall consider shade, scenic beauty, forest cover loss, wildlife preservation, historic value, aesthetics, and overall community welfare.

H. Conditions of approval.

In rendering a decision on a Tree Removal Permit application, the approval authority may impose conditions of approval, including but not limited to:

1. Replanting of a replacement tree of equivalent value and species.

2. Relocation of the subject tree(s) to an alternative location.

3. Payment of in-lieu mitigation fees to plant and/or preserve the subject tree(s) on property or sites where the city can assure the long-term viability of the subject tree(s).

4. Preparation of a monitoring and/or mitigation program by a city-approved certified arborist or licensed forester and provision of adequate financial security to assure implementation of the program.

5. Such other conditions as may be necessary to assure the tree preservation permit is consistent with the findings and purpose of this chapter.

I. Tree preservation and propagation fund.

The City shall establish a tree preservation and propagation fund using money collected as civil penalties, in-lieu mitigation fees, and other penalties or fees

related to this chapter. These funds shall be used exclusively to cover the costs of planting replacement trees or preserving native trees on property or sites where the City has reasonable assurance of the trees' long-term viability.

J. General requirements.

The following standards shall apply citywide:

1. At the time of planting, any heritage tree provided pursuant to this chapter shall be of a health, size, height, and trunk caliper that conforms with the current edition of ANSI Z60.1: American Standards for Nursery Stock.
2. Utility companies shall practice good arboricultural practice.
3. Heritage trees shall only be trimmed in a manner consistent with the standards of the Western Chapter of the International Society of Arboriculture.
4. It is the responsibility of the property owner to maintain all heritage trees in a sound, healthy, and attractive manner. This shall include, but is not limited to, the provision of adequate water, trimming to prevent excessive overgrowth and entanglement, removal of dead or dangerous branches, and the avoidance of practices that endanger the tree(s).
5. Trenching and excavation under the dripline of a heritage tree shall only be undertaken using hand tools.
6. Protective fencing shall be installed around the dripline of all heritage trees during construction.
7. Utility trenches and footings shall not be placed under the dripline of a heritage tree without prior city approval.
8. Irrigation systems shall be designed to meet the needs of the tree(s) on the property.
9. Prior to the issuance of building, grading, demolition, and construction permits, the applicant shall:
    a. Obtain a tree preservation permit if subject to this chapter.
    b. Submit final tree report to the Director, unless waived pursuant to CMC 17.22.150(E) Exemptions.
    c. Submit all required security deposits and agreements.
    d. A copy of the city-approved final tree report shall be kept on the site at all times, and the developer shall follow all recommendations therein.

K. Exemption from the Solar Shade Control Act.

The City is exempt from the provisions of Chapter 12 (commencing with Public Resources Code Section 25980), Division 15 of the Public Resources Code, which is known as the Solar Shade Control Act.

L. Designation of heritage trees.

1. The City Council, the Planning Commission, or any property owner or concerned citizen of Covina may nominate a tree or a cluster of trees for heritage status if they are not otherwise defined as heritage tree(s) by this chapter.
2. Before the Planning Commission considers a heritage tree nomination, the Planning Department must receive a signed statement from the tree owner consenting to the designation and acknowledging the restrictions and covenants in this chapter.
3. Within 60 days of receiving a complete heritage tree nomination, the Planning Commission shall hold a public hearing. Notice must be mailed at least 10 days before the hearing to the property owner and any other parties the planning official deems appropriate. The Commission shall forward its recommendation to the City Council within 60 days of the hearing. The City Council shall then hold a public hearing within 45 days of receiving the recommendation, with comparable notice, and render a decision to approve or deny the designation. Either the Planning Commission or the City Council may continue hearings as necessary.
4. When evaluating a nomination for heritage status, the approval authority shall consider:
    a. The age, history, species, and location of the tree(s) along with their relative importance to the community.
    b. Whether the tree(s) occupy a location of significant aesthetic importance to the image of the community or a neighborhood thereof.
    c. Unique or special characteristics and the image created by the planting and spacing of a group of trees.
    d. The environmental value of the tree(s) is as a wildlife and biotic habitat, and for erosion prevention.
    e. The economic and social impact on the owner of the property or properties where the tree(s) are located.

M. Penalties**.**

1. Each separate violation of this chapter shall constitute a misdemeanor offense. Inflicting damage to or removing multiple trees in violation of this chapter shall constitute a separate offense for each tree.
2. In addition to or in lieu of criminal penalties, the city may pursue civil or private remedies, including but not limited to:
    a. Development moratoria of up to 10 years for any deliberate and egregious violation involving heritage trees.
    b. Recovery of all reasonable costs and overhead expenses associated with enforcement and correction to the standards of this chapter.

c. Payment into the tree preservation and propagation fund in an amount equivalent to the value of the tree(s) illegally damaged.

d. The ability to enter property and correct violations at the owner's expense.

e. Require planting of alternative trees in locations on or off the subject site.

3. The city shall have the authority to place liens on property to recover costs and penalties for violations of this chapter.

17.22.160 Walls, Fences, Hedges, and Screening.

A. Purpose.

This chapter regulates the height and location of walls and fences to ensure adequate light, air, and privacy, while maintaining views and connectivity. It also establishes buffers between different land uses and prevents visual obstructions at street and driveway intersections.

B. Permit requirements for all walls and fences.

1. Application, fees, review, approval process, and permit requirements.

a. A wall and fence permit is required for all new or replacement walls and fences, including retaining walls, regardless of height or location. The director issues these permits.

b. A building permit is required for all new construction and replacement of existing walls and fences, regardless of height or location. The Building Official issues these permits.

c. All walls and fences require a Minor Site Plan Review as described in CMC Chapter 17.04.040, unless submitted with land use entitlements or other planning applications.

d. Applications, fees, and submittal materials must be filed with the Planning Division using the format or checklists prescribed by the Director.

e. The approval, conditional approval, or denial of the wall and fence permit by the Director shall be effective and final 10 days from the date of the decision, unless an appeal is filed pursuant to CMC 17.02.090 Appeals within such period.

C. Walls, fences, and hedges in Residential Zones.

1. Walls, fence, and screening height, Table 17.22.160-C.

Table 17.22.160-1 Wall, Fence, and Screening Height		
Locations of Walls, Fences, and Screening	**Location or Minimum Setback of Wall/Fence (1)**	**Maximum Height (2)**
Required front yard area	0 ft (at front property lines)	4 ft solid, up to 5 ft if 50% of fence/wall is visually open **(5)**
Required rear and interior side yard area (along rear and interior property lines)	0 ft	6 ft up to 8 ft
Required street side yard area (corner side property lines)	5 ft **(3)**	6 ft up to 8 ft. Must comply with height at the required front yard setback
Reverse corners side yard area	0 ft **(4)**	6 ft up to 8 ft. Must comply with visibility/corner cutoff area requirements of 90% visually open **(5)**
At intersections of streets, alleys, and driveways and within the visibility/corner cut off areas	10 ft **(4)**	4 ft solid; may increase to 5 ft if 90% of wall/fence is visually open **(5)**

Table Notes:

(1) All walls and fences subject to planning permits and building permits under CMC Section17.22.160-B.

(2) Any walls and fences above 6 feet high must submit additional information and plans as required by the building official prior to the approval and building permit issuance.

(3) The total replacement of an existing wall or fence along the street side property line without the 5-foot setback may be allowed on a case by case basis, subject to the director review and approval.

(4) Must comply the requirements of the visibility/corner cutoff areas under CMC Section 17.22.XXX-D, unless otherwise allow by other provisions of this section.

(5) A wall or fence visually open means the materials are wrought iron, tubular steel or similar materials and the fence pickets are between 2 to 4 inches apart.

2. Height measurement for walls and fences with grade differences. Measure height from the finished grade at the base to the top of the fence or wall. If ground levels differ between adjoining parcels, measure from the midpoint between the lowest grades of each property.

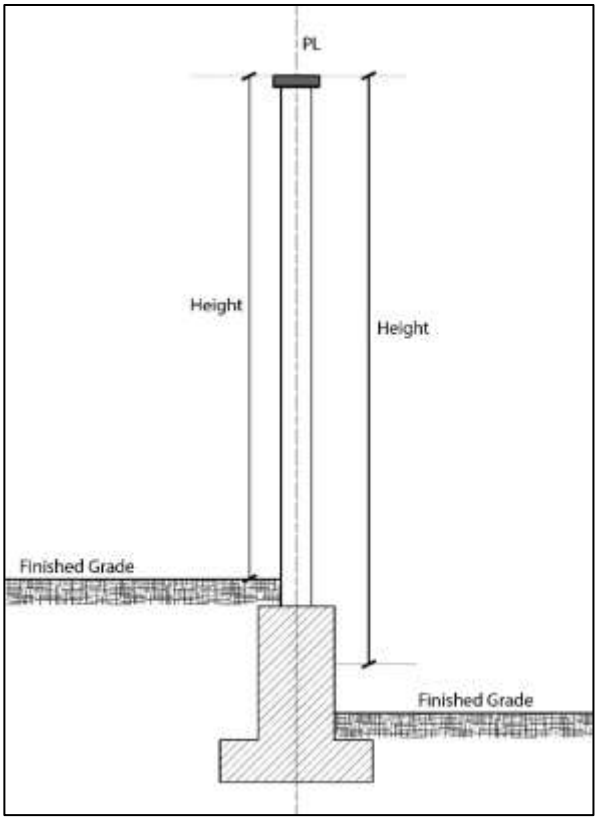


Figure 17.22.160-1 Measuring Wall Heights

3. Fences, walls, and hedges within visibility/corner cutoff areas. The following regulations apply to all intersections of streets, alleys, and private driveways to ensure adequate visibility for vehicles, unless otherwise specified in this section. No visual obstructions are allowed within visibility/cutoff areas. In hillside areas, grading must be included in corner cutoff treatments to provide reasonable intersection visibility.

   a. A corner cutoff area is required at all street and alley intersections. The cutoff line shall form a 45-degree angle with the property line and pass through the intersection of the yard setback lines at the lot corner to ensure visibility.

   b. A corner cutoff area is required on each side of a private driveway intersecting a street or alley. The cutoff lines shall form a 45-degree angle with the property line and pass through a point at least 10 feet from the driveway's edge at the street or alley right-of-way.

   c. For irregular lots where a 45-degree line cannot ensure visibility, the cutoff shall be defined by a line from a point on the front (or rear) property line more than 17 feet from its intersection with the side property line to a point on the side property line more than 17 feet from the same intersection.

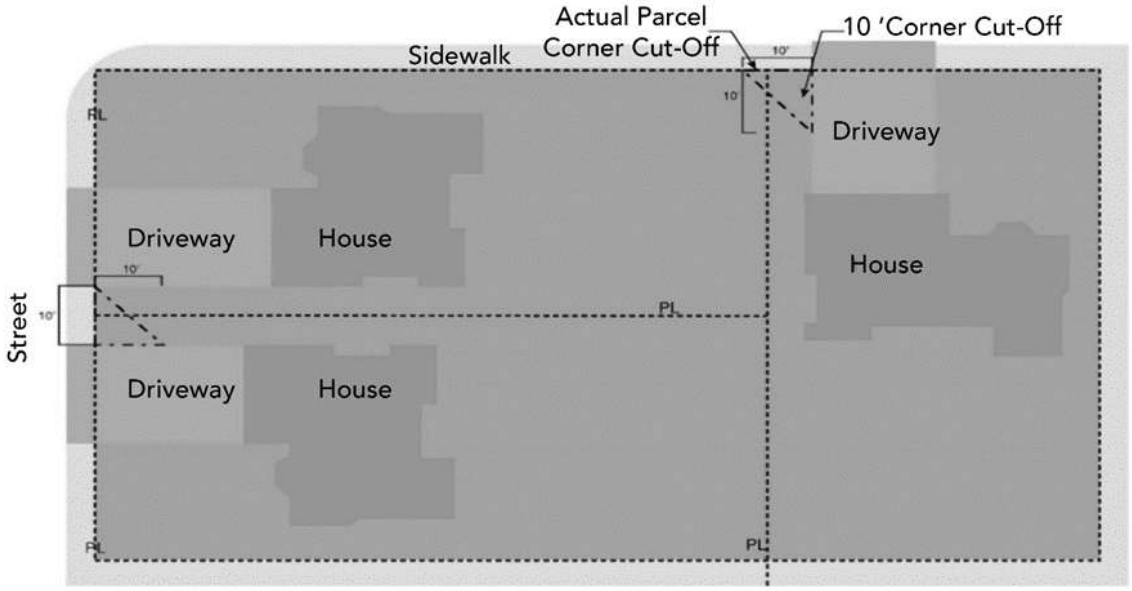


Figure 17.22.160-2 Corner Cutback Area

d. In visibility/corner cutoff areas, walls and fences may be up to 8 feet high but must remain at least 90% visually open, using pilasters and wrought iron or similar materials. Landscape hedges are not permitted.

4. Design Standards for residential walls and fences.

   a. Acceptable materials for walls and fences include, but are not limited to, precision block with stucco, split-face block, slump block, tubular steel, wrought iron, wood, vinyl, and vinyl pickets. Chain-link fences are prohibited.

   b. Fencing must be professionally constructed and installed using treated, durable, and low-maintenance materials.

   c. All walls and fences adjacent to the public right-of-way must have a graffiti-resistant, aesthetically treated surface.

   d. Pilasters must not exceed the maximum allowed wall or fence height in any yard area. A projection of up to 9 inches above the maximum height is permitted for decorative caps and architectural features such as lights or finials. Pilasters may be up to 18 inches square in width and must be spaced no closer than 15 feet apart.

D. Walls and fences abutting rail lines.

1. Block or sound attenuation walls up to 10 feet high may be constructed along properties abutting the commuter rail line or other locations as determined by the director.

2. Anyone constructing such a wall must plant, irrigate, and maintain fast-growing, drought-tolerant vines along the wall facing the rail line to reduce the potential for graffiti.

E. Walls and fences for lots with slopes.

A fence or wall between five and six feet high may be constructed at the top of a slope on each lot if all of the following conditions are met:

1. Where the top of the slope is a property line between adjoining lots held under separate ownership.
2. Where the difference in vertical elevation between the top and the toe of the slope is six feet or more.
3. Where the slope between the property line and the toe of the slope is two feet horizontal to one foot vertical or greater.
4. Walls and fences that are higher than eight feet in height shall be terraced and separated by a minimum distance of three feet. Refer to Figure 17.20.160-3, example of Walls for Terraced Lots.

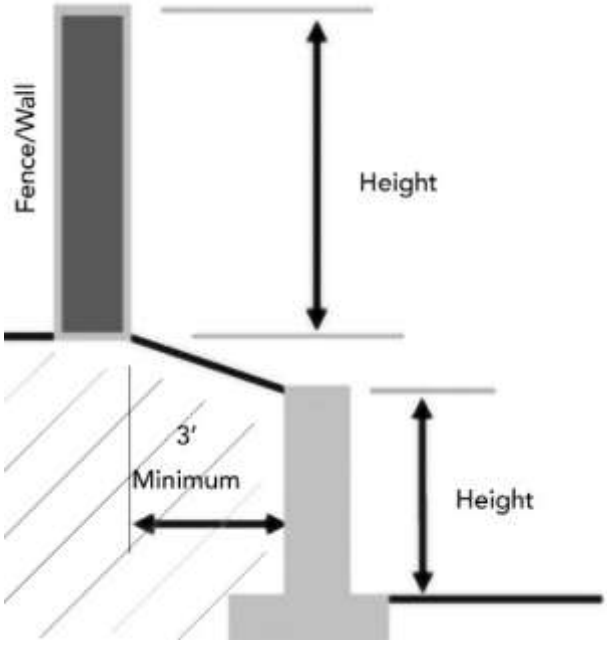


Figure 17.22.160-3 Example of Walls for Terraced Lots

F. Walls and fences for pools, spas, and similar features

Walls and fences for pools, spas, and similar features shall be enclosed in compliance with building code requirements.

G. Walls and fences for tennis courts or other sports court areas.

Fences over six feet high are permitted to enclose tennis courts or other sports court areas located in the rear half of the lot. Any portion above six feet must be

constructed of wire mesh or similar material with no more than 10 percent solid surface. Compliance with fire safety access requirements is required.

H. Temporary fencing. Nothing in this section shall be deemed to prohibit the installation of a temporary fence around construction projects, provided it complies with the building code and other applicable requirements of this zoning code.

I. Walls and fences screening between different land uses. Install a solid perimeter wall at least 6 feet high along property lines separating commercial, industrial, or mixed-use zones from residential zones. A landscape strip at least 5 feet wide is required adjacent to the wall.

J. Walls, fences, screening, and storage for commercial and industrial zones and nonresidential uses.

1. Required walls and fences.

    a. Install a wall or fence between 6 and 8 feet high along the interior side and rear property lines.

    b. In visibility/corner cutoff areas, reduce wall and fence heights to no more than 3 feet in any required front yard landscaped area abutting a street, as required by CMC Section 17.22.160-J3.

    c. Property perimeter walls shall include decorative materials such as concrete panels or split-face blocks, with a cap or similar features that are architecturally integrated into the buildings' design.

    d. Walls and fences along property lines that are not used for screening, loading, or outdoor storage areas may use wrought iron, tubular steel, or similar materials. Chain link, barbed wire, and razor wire are prohibited.

2. Walls and fences for screening, loading, and outdoor storage areas.

    a. All loading areas, loading doors, and storage areas must be screened from public view by a decorative screen wall and dense landscaping, including trees, shrubs, and berms.

    b. The minimum screen wall height for loading and storage areas is 10 feet, but the maximum height visible from a public street must not exceed 8 feet. A landscaped berm or planter may be used to reduce the perceived height.

    c. Items stored in screened outdoor storage areas must not be stacked higher than the screen wall. A six-foot unobstructed clearance must be maintained from the screened wall along any side or rear property line.

3. Visibility/corner cutback area. The following regulations shall apply to all intersections of streets, alleys, and/or private driveways to ensure adequate visibility for vehicular traffic. There shall be no visual obstruction within the visibility/cutback area.

    a. A corner cutback area is required at all intersections and intersecting streets. The cutback area shall be defined by a horizontal line drawn from a point on the front, side, or rear property line, the point being not less than

25 feet measured from the intersection of the front, side, or rear property lines, or the prolongation of such property lines, to a point similarly located on the intersecting property lines;

b. A corner cutback area is required on each side of any private driveway and/or alleys intersecting a street or alley. The cutback line shall be in a horizontal plane, making an angle of 45 degrees with the side, front, or rear property line, as the case may be. They shall pass through a point not less than 10 feet from the edges of the driveway or the alley where it intersects the street or alley right-of-way.

17.22.170 Water-Efficient Landscape Regulations

A. Purpose and intent.

This section ensures that landscape design, installation, and maintenance in the city comply with the State of California's Model Water Efficient Landscape Ordinance (MWELO), and CMC Chapter 17.22.060 Landscaping Requirements.

B. State Model Water Efficient Landscape Ordinance.

1. The City adopts the State of California's MWELO, as set forth in sections 490 through 495 of Division 2.7, Chapter 2, Title 23 of the California Code of Regulations.
2. A registered and licensed landscape architect must prepare the "landscape documentation package" for all new developments or redevelopment projects. Re-landscaping of yards less than 2,500 square feet in single-family zones is exempt from this requirement.

Chapter 17.24
Specific Use Regulations

17.24.010 Adult-Oriented Business
17.24.020 Alcohol Sales and Public Convenience
17.24.030 Automobile Service Stations
17.24.040 Battery Energy Storage System Facilities
17.24.050 Body Art Facilities
17.24.060 Cannabis Regulations and Prohibitions
17.24.070 Drive-through Facilities
17.24.080 Drive-up Kiosks
17.24.090 Drop-off Bins
17.24.100 Gated Community Design Regulations
17.24.110 Hotels and Motels
17.24.120 In-Home Businesses and Cottage Food Operations
17.24.130 Massage Facilities
17.24.140 Mobile Food Facilities
17.24.150 Model Home Sales Office
17.24.160 Outdoor Advertising Structure
17.24.170 Outdoor Dining and Display within Public-Right-of-Way
17.24.180 Public Storage Facilities
17.24.190 Recycling Collection Facilities
17.24.200 R-TP Residential Zone (Trailer and Mobile Home Parks)
17.24.210 Short Term Rentals
17.24.220 Smoke Shop and Tobacco Stores
17.24.230 Temporary Uses
17.24.240 Vehicle Impound Yards
17.24.250 Wireless Communication Facilities

17.24.010 Adult-Oriented Business.

A. Purpose

It is the intent of this chapter to prevent community-wide adverse economic impacts, increased crime, decreased property values, and the deterioration of neighborhoods which can be brought about by the concentration of adult-oriented businesses in close proximity to each other or proximity to other incompatible uses such as schools for minors, churches, and residentially zoned districts or uses. The City Council finds that it has been demonstrated in various communities that the concentration of adult-oriented businesses causes an increase in the number of transients in the area, and an increase in crime, and in addition to the effects described above can cause other businesses and residents to move elsewhere. It is, therefore, the purpose of this chapter to establish reasonable and uniform regulations to prevent the concentration of adult-oriented businesses or their close

proximity to incompatible uses, while permitting the location of adult-oriented businesses in certain areas.

B. Definitions.

1. Establishment of an Adult-Oriented Business. As used herein, to “establish” an adult- oriented business shall mean and include any of the following:

   a. The opening or commencement of any adult-oriented business as a new business;

   b. The conversion of an existing business, whether or not an adult-oriented business, to any adult-oriented business defined herein;

   c. The addition of any of the adult-oriented businesses defined herein to any other existing adult-oriented business; or

   d. The relocation of any such adult-oriented business.

2. “Specified anatomical areas,” as used herein, shall mean and include any of the following:

   a. Less than completely and opaquely covered human (a) genitals or pubic region; (b) buttocks; and (c) female breast below a point immediately above the top of areola;

   b. Human male genitals in a discernibly turgid state, even if completely and opaquely covered;

   c. Any device, costume or covering that simulates any of the body parts included in subsections (B)(1) or (2) of this section.

3. “Specified sexual activities,” as used herein, shall mean and include any of the following, whether performed directly or indirectly through clothing or other covering:

   a. The fondling or other erotic touching of human genitals, pubic region, buttocks, anus, or female breast;

   b. Sex acts, actual or simulated, including intercourse, oral copulation, or sodomy;

   c. Masturbation, actual or simulated;

   d. Excretory functions as part of or in connection with any of the other activities described in subsections (C)(1) through (3) of this section.

4. “Adult-oriented businesses” means any one of the following:

   a. “Adult arcade,” as used in this chapter, is an establishment where, for any form of consideration, one or more still or motion picture projectors, or similar machines, for viewing by five or fewer persons each, are used to show films, computer generated images, motion pictures, videocassettes, slides or other photographic reproductions 30 percent or more of the number of which are distinguished or characterized by an emphasis upon

the depiction or description of specified sexual activities or specified anatomical areas.

b. “Adult bookstore,” as used in this chapter, is an establishment that has 30 percent or more of its stock in books, magazines, periodicals or other printed matter, or of photographs, films, motion pictures, videocassettes, slides, tapes, records or other form of visual or audio representations which are distinguished or characterized by an emphasis upon the depiction or description of specified sexual activities and/or specified anatomical areas.

c. “Adult cabaret,” as used in this chapter, means a nightclub, restaurant, or similar business establishment which: (a) regularly features live performances which are distinguished or characterized by an emphasis upon the display of specified anatomical areas or specified sexual activities; and/or (b) which regularly features persons who appear seminude; and/or (c) shows films, computer generated images, motion pictures, videocassettes, slides, or other photographic reproductions 30 percent or more of the number of which are distinguished or characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas.

d. “Adult hotel/motel,” as used in this chapter, means a hotel or motel or similar business establishment offering public accommodations for any form of consideration which: (a) provides patrons with closed-circuit television transmissions, films, computer generated images, motion pictures, videocassettes, slides, or other photographic reproductions 30 percent or more of the number of which are distinguished or characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas; and (b) rents, leases, or lets any room for less than a six-hour period, or rents, leases, or lets any single room more than twice in a 24- hour period.

e. “Adult motion picture theater,” as used in this chapter, is a business establishment where, for any form of consideration, films, computer generated images, motion pictures, videocassettes, slides or similar photographic reproductions are shown, and 30 percent or more of the number of which are distinguished or characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas.

f. “Adult theater,” as used in this chapter, means a theater, concert hall, auditorium, or similar establishment which, for any form of consideration, regularly features live performances which are distinguished or characterized by an emphasis on the display of specified anatomical areas or specified sexual activities.

g. “Modeling studio,” as used in this chapter, means a business which provides, for pecuniary compensation, monetary or other consideration, hire or reward, figure models who, for the purposes of sexual stimulation of patrons, display specified anatomical areas to be observed, sketched,

photographed, painted, sculpted or otherwise depicted by persons paying such consideration. “Modeling studio” does not include schools maintained pursuant to standards set by the State Board of Education. “Modeling studio” further does not include a studio or similar facility owned, operated, or maintained by an individual artist or group of artists, and which does not provide, permit, or make available specified sexual activities.

h. “Adult enterprise,” as used in this chapter, means a car wash, massage parlor, barber shop, lingerie show and/or any other economic organization and/or activity which includes any display of specified anatomical areas, but which is not an adult arcade, adult bookstore, adult cabaret, adult hotel/motel, adult motion picture theater, adult theater and/or modeling studio.

5. “Church,” as used in this chapter, is a structure which is used primarily for religious worship and related religious activities.

6. “Distinguished or characterized by an emphasis upon,” as used in this chapter, shall mean and refer to the dominant or essential theme of the object described by such phrase. For instance, when the phrase refers to films “which are distinguished or characterized by an emphasis upon” the depiction or description of specified sexual activities or specified anatomical areas, the films so described are those whose dominant or predominant character and theme are the depiction of the enumerated sexual activities or anatomical areas.

6. “Regularly features,” with respect to an adult theater or adult cabaret, means a regular and substantial course of conduct. The fact that live performances which are distinguished or characterized by an emphasis upon the display of specified anatomical areas or specified sexual activities occur on two or more occasions within a 30-day period; three or more occasions within a 60-day period; or four or more occasions within a 90-day period, shall to the extent permitted by law be deemed to be a regular and substantial course of conduct.

7. “School,” as used in this chapter, is any child or day care facility, or an institution of learning for minors, whether public or private, offering instruction in those courses of study required by the California Education Code and maintained pursuant to standards set by the State Board of Education. This definition includes a nursery school, kindergarten, elementary school, middle or junior high school, senior high school, or any other establishment, organization, firm, business and/or person offering specialized instruction.

8. “Seminude” means a state of dress in which clothing covers no more than the genitals, pubic region, buttocks, areola of the female breast, as well as portions of the body covered by supporting straps or devices.

C. Allowable Zones.

No adult-oriented business shall be established or located in any zone in the City other than Industrial (I), and in no case shall an adult-oriented business be established or located within certain distances of certain specified land uses or zones as set forth below:

1. No such business shall be established or located within 500 feet of any other adult- oriented business.
2. No such business shall be established or located within 500 feet of any existing residential zone or use, park, church, or school.
3. The distances set forth above shall be measured as a radius from the primary entrance of the Adult-Oriented Business to the property lines of the property so zoned or used without regard to intervening structures.

D. Permit Requirements.

It shall be unlawful to establish or operate, or cause or permit to be operated , any adult entertainment establishment without first obtaining a conditional use permit from the planning commission consistent with the requirements of CMC Chapter 17.04 (Land Use Entitlements, Permits and Planning Applications), and CMC Chapter 17.02 (General Provisions and Administration).

E. Violations and Penalties.

Criminal violation. It shall be unlawful for any person, firm, partnership, or corporation to violate any provision or to fail to comply with any of the requirements of this section. Any persons, firm, partnership, or corporation violating any provision of this section or failing to comply with any of its requirements shall be deemed guilt of a misdemeanor, and upon conviction thereof, shall be punished by a fine, or by imprisonment not to exceed six months, or by both such fine and imprisonment. Each such person, firm, partnership, or corporation shall be deemed guilty of a separate offense for each and every day or any portion thereof during which violation of any of the provisions of this section is committed, continued, or permitted by such a person, firm, partnership, or corporation, and shall be deemed punishable therefor as provided in this section.

17.24.020 Alcohol Sales and Public Convenience or Necessity.

A. Applicability.

1. A Conditional Use Permit is required for the following establishments:
    a. Propose to sell liquor.
    b. Propose to change the type of on-sale liquor license or off-sale liquor license.
    c. Change its operation and business by expanding the floor area for serving on-sale liquor or increasing the retail space for off-site sales of liquor.
2. A conditional use permit is not required for on-sale liquor, as an ancillary use in conjunction with a Bona-fide eating establishment or hotel use.

B. Findings.

In addition to the findings required pursuant to CMC 17.04.030-D, prior to approving a conditional use permit for any type of on-sale liquor use, the Planning Commission must find as follows:

1. On-sale liquor establishments:
    a. The requested use does not fall within 700 feet, measured from the property line of the proposed use to the property line of a use for religious worship, school, park, playground, residential, or any similar sensitive use.
    b. The requested use does not fall within 700 feet, measured from the property line of the proposed use to the property line of an existing liquor on-sale use.
    c. The requested use at the proposed location will not adversely affect the economic welfare of the nearby community.
    d. The exterior appearance of the structure of the proposed use will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood as to cause blight, deterioration, or substantially diminish or impair the property values within the neighborhood.
2. Off-sale liquor establishments:
    a. The requested use does not fall within 700 feet, measured as pedestrians travel, from a place used exclusively for religious worship, school, park, playground, residential or any similar sensitive use.
    b. The requested use does not fall within 700 feet, measured as pedestrians travel, from the proposed use to the property line of an existing liquor, off-sale use.
    c. However, the Planning Commission may find that the public convenience or necessity for the proposed use outweigh the distance restrictions upon additional findings that:
        i. The immediate neighborhood requires and needs such services.
        ii. Not greater than five percent of the sales floor area or 1,000 square feet, whichever is less, shall be used for the display or sale of alcoholic beverages.
        iii. The requested use at the proposed location will not adversely affect the economic welfare of the nearby community.
        iv. The exterior appearance of the structure of the proposed use will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood so as to cause blight or deterioration, or substantially diminish or impair the property values within the neighborhood.
    d. The requested use at the proposed location will not adversely affect the economic welfare of the nearby community.

e. The exterior appearance of the structure of the proposed use will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood so as to cause blight or deterioration or substantially diminish or impair the property values within the neighborhood.

3. On-sale liquor in conjunction with lodges or meeting halls:

   a. That the requested use does not fall within 700 feet, as pedestrians travel, from a place used exclusively for religious worship, school, park, playground, residential, or any similar sensitive use. However, the Planning Commission may find that the public convenience or necessity for the proposed use outweighs the distance restrictions, upon additional findings that the immediate neighborhood requires and needs such services:

      i. The requested use at the proposed location will not adversely affect the economic welfare of the nearby community.

      ii. The exterior appearance of the structure of the proposed use will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood so as to cause blight or deterioration or substantially diminish or impair the property values within the neighborhood.

C. Public Convenience or Necessity.

1. Applicability.

   The Planning Commission shall make the determinations of public convenience or necessity (PCN) relating to the sale of alcoholic beverages (including beer and wine) required by Cal. Business and Professions Code § 23958.4.

2. Finding of Public Convenience or Necessity (PCN).

   When required by the ABC regulations, the decision-making authority shall also consider adoption of a finding of public convenience or necessity (PCN). Applications for a finding of PCN shall be made, reviewed, and considered in accordance with this Section 17.24.150. Findings. A determination of public convenience shall be based upon the following findings:

   a. The public convenience would be served by the establishment of the proposed use.

   b. The proposed use is not anticipated to be the source of nuisance behavior associated with excessive consumption of alcoholic beverages.

   c. The proposed use would not be detrimental to the public health, safety, or welfare.

   d. The proposed use would not increase the severity of existing law-enforcement or public-nuisance problems in the surrounding area.

e. The proposed use is consistent with the objectives, policies, general land uses, and programs of the general plan and any applicable specific plan.

17.24.030 Automobile Service Stations.

A. Purpose.

These standards regulate the development, operation, and maintenance of automobile service stations, including those offering gasoline, diesel, electricity, hydrogen, compressed natural gas, propane, or other emerging fuels. The intent is to ensure safe operations, a clean and orderly appearance, and effective mitigation of impacts such as traffic, congestion, excessive pavement, lighting, litter, hazardous materials, and noise.

B. Applicability.

These standards apply to new construction and reconstruction or major renovations of automobile service stations. These standards shall not be so construed as to replace or reduce any minimum zoning, building, or other municipal code requirements of more general application; provided, however, that whenever the requirements of this section are more restrictive, or impose greater minimum requirements, the requirements of this section shall control.

C. Development and Design Standards.

1. Minimum site area, minimum street frontage, and building or structure size.

   a. A minimum site area of 22,500 square feet is required for automobile service stations with ancillary uses such as minor auto repair, convenience stores, quick service restaurants, automated car washes, or similar uses. A minimum street frontage of 150 feet and a building size of at least 1,200 square feet, exclusive of canopies, are required. One accessory structure up to 150 square feet is permitted.

   b. A minimum site area of 15,000 square feet is required for automobile service stations limited to fuel sales only. Ancillary uses are prohibited. A minimum street frontage of 125 feet is required. One building up to 600 square feet, exclusive of canopies, is permitted.

2. Building setbacks.

Table 17.24.030-1 Building Setbacks for Automobile Service Stations

Buildings/structures setback (ft)	Front (ft)	Rear (ft)	Interior side (ft)	Street side (ft)
Buildings for car wash, convenience store, quick service restaurants, or automobile repair services	25	5	5	20

Fuel/pump islands and canopies	20	20	20	20
Buildings/structure adjacent to single-family, multi-family or mixed-use zones	25	25	25	25
Accessory structures such as trash enclosure areas, public telephone booth	25	5	5	25
Ancillary equipment/devices such as air compressors	25	5	5	25

3. Maximum lot coverage is 40 percent of the total lot size, including the canopy. The canopy may not cover more than 20 percent of the lot area.
4. Traffic and driveways.
    a. Provide a maximum of two driveways or means of access for an automobile service station.
    b. The minimum driveway opening is 25 feet and the maximum is 40 feet in width. No more than 35 percent of the street frontage may be used for curb cuts.
    c. Driveways must be at least 20 feet from the end of a curb corner or a common property line. The director may approve deviations if site constraints are demonstrated and all other development standards are met.
    d. Any driveway provided at the rear of the building shall be a minimum width of 15 feet.
    e. Submit a traffic study analyzing traffic flow and patterns during fuel tank deliveries and when all fueling stations are fully occupied. The study is subject to review by the Director and the City Engineer.
5. Pump islands.
    a. A minimum distance of 20 feet is required between the centerlines of two pump islands, and between the centerline of a pump island and the building face.
    b. Each pump island must provide stacking space for at least two vehicles behind the vehicle at the pump closest to any entrance or exit driveway.
    c. Canopies over pump islands must have a minimum clearance of 16 feet to allow vehicle movement and accommodate oversize vehicles.
6. Canopy design.
    a. Canopy design must match the architectural style of the primary building.
    b. Provide decorative materials and caps to the base of the pump island columns for a minimum of 6 feet.

c. Canopy fascia shall match the color and texture of the primary building. Corporate branding color stripes may be allowed up to a maximum of two sides of the canopy.

d. Provide architectural treatment to the top of the canopy roof, such as, but not limited to, a pitched roof, a mansard roof, and a decorative cornice.

e. All light fixtures must be recessed and not projected below the canopy that creates glare and spillage.

7. All other site development standards, including but not limited to public improvements, parking and loading requirements, equipment and trash enclosure screening, walls, fences, and screening, lighting, performance standards, and property maintenance, shall be in accordance with CMC Chapter 17.22 General Development Standards.

8. Landscaping. In addition to the landscaping standards in CMC Section 17.22.060, the following requirements apply:

   a. Provide a raised planter with a minimum size of 650 square feet at the intersection of two or more streets.

   b. Maintain a minimum 10-foot-wide landscaped area in the front and street-side yard setbacks for planting trees, shrubs, and ground cover.

9. Signage shall comply with the CMC Chapter 17.26.

B. Operational Standards

1. Location of Activities. All services, activities, and operations must be conducted entirely within the enclosed ancillary structure(s), except as follows:

   a. The dispensing of fuel products from pump islands, vehicle charging, air and water services, and the display of proposed tanks for sale.

   b. Minor emergency repairs, including replacement of headlights, turn indicator bulbs, or windshield wipers.

2. Automobile service stations shall be limited to the sale of motor fuels and lubricating oils, as well as new and used tires, windshield wiper blades, fuel tank caps, radiator pressure caps, radiator hoses, hydraulic and cooling fluids, automobile lamp replacements, spark plugs, batteries, and other replacement parts.

3. Repairs or replacements that require removing the transmission or differential, body and fender repair, painting, tire recapping, or upholstery are prohibited.

4. Product deliveries to an automobile service station may occur at any time, except at sites adjacent to residential zones, where deliveries are prohibited between 10:00 p.m. and 6:00 a.m.

5. All automobile service stations must provide public restrooms, air, and water facilities for customers.

6. Alcohol sales in conjunction with a convenience store must comply with CMC Section 17.24.020, and are subject to a conditional use permit and permits from the State Alcoholic Beverage Control Department.
7. Outdoor display or storage of products for sale is prohibited unless the city approves an administrative use permit in accordance with CMC Section 17.24.230.
8. Hazardous Materials. Obtain all necessary permits for the storage and use of hazardous materials. All automotive fluids shall be recycled or removed in accordance with applicable state and federal standards.
9. Propane Tank Sales. Propane tank displays must be located outside required setback areas and be stored securely. The city may require landscaping or other screening to conceal propane tanks from public view.
10. Mechanical Equipment. All hydraulic hoists and pits, all equipment for lubrication, greasing, automobile washing, and permitted repairs shall be enclosed entirely within a building.
11. All ground-mounted gasoline vapor recovery units and venting pipes must be partially enclosed with a six-foot-high decorative solid-screen wall and landscaping. These units may not be located in any required setback area. The city may approve deviations if site constraints are demonstrated and all other development standards are met.
12. Automatic Car Wash.
    a. Applicants shall provide a queuing study prepared by an independent traffic engineer licensed by the State of California. The applicant shall provide the study at its own expense.
    b. Applicants shall provide a noise study prepared by an independent acoustical engineer licensed by the State of California. The applicant shall provide the study at the applicant's sole expense.
13. Trash Receptacles. Place trash receptacles at the building entrance and at each pump island. The premises must be kept free of litter or waste. Remove waste or litter from receptacles at least once each day the business is open.

C. Discontinuation of an Automobile Service Station Use or Structure. An automobile service station that has been legally established and conforms to all standards of Title 17 shall not be re-established if such use has been discontinued for a continuous period of 12 months or more.

D. Legal Nonconforming. Any automobile service station that is lawfully operating in the city, does not conform to the provisions of this chapter, and was legally established prior to the date this section was adopted shall be considered a legal nonconforming use. Except as provided below, legally established nonconforming automobile service stations and ancillary uses on the site of such stations shall be subject to CMC Section 17.04.090, Nonconforming structures, Uses and Parcels.

1. Modifications to existing automobile service stations or ancillary uses. Automobile service station uses, and structures related thereto, shall not be enlarged, extended, reconstructed, or moved to a different portion of the lot or parcel of land occupied by such use unless in compliance with the provisions of this chapter. If conformity with standards adopted pursuant to this chapter causes hardship due to the existing configuration of on-site buildings or structures, a variance may be applied for, pursuant to CMC Section 17.20.050.

17.24.040 "Battery Energy Storage System Facilities.

A. Purpose.
This section establishes standards for the installation and use of battery energy storage system facilities. The standards are intended to protect the health, welfare, safety, and quality of life of the general public, ensure compatible land uses in areas affected by battery energy storage facilities, and mitigate the environmental impacts of battery energy storage facilities.

B. A Battery Energy Storage System Facility shall require a conditional use permit in the Industrial (I) zone, per CMC Section 17.12.020. The conditional use permit shall not be approved unless the Battery Energy Storage System Facility application addresses the operational standards necessary to protect public health, safety, and general welfare, including, but not limited to, the following:

1. A Commissioning Plan to document and verify that the system and its associated controls and safety systems are in proper working condition;

2. Fire Safety Compliance Plan;

3. Operation and Maintenance Manual;

4. Emergency Operations Plan;

5. Noise Study;

6. Decommissioning Plan; and

7. Procedural manual for safe shutdown and safe start-up following cessation of emergency conditions.

C. Except for a Noise Study, the above-listed plans shall be reviewed and approved by the Los Angeles County Fire Department."

17.24.050 Body Art Facilities.

A. Purpose

The regulation of the tattoo and/or body art facilities is necessary to ensure that their secondary effects do not pose a threat to residents of the City of Covina, or lead to blight and loss of property values of residential neighborhoods and businesses in close proximity to such uses, and to protect against harmful impacts on other sensitive land uses. This chapter contains content-neutral regulations to address such negative secondary impacts while providing sufficient avenues of communication for those wishing to open and operate tattoo and/or body art facilities, and providing a reasonable number of locations for such facilities to locate within the city

B. Definition.

“Body art facility” means the specified building, section of a building, or vehicle where body art is performed, as more specifically defined in CMC Chapter 5.38, Body Art Practitioners and Establishments.

C. Zoning and Land Use Standards

1. Body art facilities are allowed in zones where they are listed as permitted or conditionally permitted uses in the Use Tables of CMC Chapter 17.10, Commercial Zones.
2. Standards for body art facilities shall be as follows:
    a. Except as otherwise provided in this chapter, each body art facility must comply with CMC Chapter 5.38 Body Art Practitioners and Establishments.
    b. The body art facility shall be designed to screen body art performed on a client's “specified anatomical areas,” as defined in CMC Section 17.24.010, Adult Oriented Businesses, from view by persons outside the facility. Signage, advertising, or images depicting “specified anatomical areas” shall not be placed in the windows or be visible to persons outside the facility.
    c. Body art facility signage shall comply with CMC Chapter 17.26 Sign Regulations.
    d. Any design or modification to a site or building where a body art facility proposes to locate shall remain subject to site plan review under CMC Chapter 17.04 Land Use Entitlements, Permits, and Planning Applications.
3. Body art cannot be provided as an accessory to other permitted uses, such as a barber and/or beauty shop, without first complying with this chapter's provisions, and cannot be operated as an in-home business.

17.24.060 Cannabis Regulations and Prohibitions

A. Purpose

It is the purpose and intent of this chapter to implement the provisions of the Medicinal and Adult-Use Cannabis Regulation and Safety Act (“MAUCRSA”) to accommodate the needs of medically ill persons in need of cannabis for medicinal

purposes as recommended by their health care provider(s), and to provide access to same. It is also the purpose and intent of this chapter to provide access to adult-use cannabis for persons aged 21 and over as authorized by the MAUCRSA, while imposing sensible regulations on the use of land to protect the city's residents, neighborhoods, and businesses from disproportionately negative impacts. It is the purpose and intent of this chapter to regulate cannabis microbusinesses in a responsible manner to protect the health, safety, and welfare of the residents of the city and to enforce rules and regulations consistent with state law.

B. Definitions

For purposes of this chapter, the following definitions shall apply. All definitions pertaining to cannabis regulation that appear in Business and Professions Code Section 26001, as codified by the MAUCRSA, are hereby incorporated by reference. Any California code sections set forth below shall include any amendments that are made to those sections.

"Applicant" means a person or entity that submits an application for a conditional use permit under this chapter.

"Cannabis" has the same meaning as in Section 26001 of the Business and Professions Code. "Cannabis" means all parts of the plant Cannabis sativa Linnaeus, Cannabis indica, or Cannabis ruderalis, whether growing or not; the seeds thereof; the resin, whether crude or purified, extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin. "Cannabis" also means the separated resin, whether crude or purified, obtained from cannabis. "Cannabis" does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination. For the purpose of this chapter, "cannabis" does not mean "industrial hemp" as defined by Section 11018.5 of the Health and Safety Code.

"Cannabis business" means a cannabis microbusiness.

"Cannabis business permit" means a permit issued by the city, pursuant to Chapter 5.80 CMC, to a cannabis business that must be obtained before any commercial cannabis activity may be conducted in the city.

"Cannabis microbusiness" has the same meaning as in Section 26001 of the Business and Professions Code. "Cannabis microbusiness" means a commercial cannabis business comprised of at least three out of the following four uses on the same premises: (1) a cannabis retailer, (2) a manufacturer, (3) a cultivation site with canopy space of less than 10,000 square feet, and (4) a cannabis distributor. To qualify as a cannabis microbusiness, the cannabis business must engage in a minimum of three out of the four above referenced uses.

"Cannabis products" has the same meaning as in Section 11018.1 of the Health and Safety Code. "Cannabis products" means cannabis that has undergone a process whereby the plant material has been transformed into a concentrate,

including, but not limited to, concentrated cannabis, or an edible or topical product containing cannabis or concentrated cannabis and other ingredients.

“Cannabis retailer” has the same meaning as in Section 26001 of the California Business and Professions Code and shall mean any establishment which engages in the retail sale of cannabis for medical or adult-use purposes consistent with the Medicinal and Adult-Use Cannabis Regulation and Safety Act.

“Canopy space” means all areas occupied by any portion of a cannabis plant whether contiguous or noncontiguous on any one site. When cannabis plants occupy multiple horizontal planes (as when plants are placed on shelving above other plants) each plane shall be counted towards the total canopy space.

“Commercial cannabis activity” has the same meaning as in Section 26001 of the Business and Professions Code. “Commercial cannabis activity” includes the cultivation, possession, manufacture, distribution, processing, storing, laboratory testing, packaging, labeling, transportation, delivery, or sale of cannabis and cannabis products.

“Conditional use permit” or “permit” means a permit issued pursuant to Chapter 17.62 CMC.

“Cultivation” has the same meaning as in Section 26001 of the Business and Professions Code. “Cultivation” means any activity involving the planting, growing, harvesting, or trimming of cannabis.

“Cultivation site” means a location where commercial cannabis is planted, grown, harvested, dried, cured, graded, or trimmed, or a location where any combination of those activities occurs.

“Day care center” has the same meaning as in Section 26001 of the Business and Professions Code. “Day care center” means a child day care facility other than a family day care home, and includes infant centers, preschools, extended day care facilities, and school age childcare centers, and childcare centers licensed pursuant to Section 1596.951 of the Health and Safety Code.

“Delivery” has the same meaning as in Section 26001 of the Business and Professions Code. “Delivery” means the commercial transfer of cannabis or cannabis products to a customer.

“Director” means the director of community development.

“Distribution” has the same meaning as in Section 26001 of the Business and Professions Code. “Distribution” means the procurement, sale, and transport of cannabis and cannabis products between licensees.

“Distributor” has the same meaning as in Section 26001 of the Business and Professions Code. “Distributor” means a cannabis business that is authorized to engage in the distribution of cannabis and cannabis products.

“Fully enclosed and secure structure” means a space within a building, greenhouse or other structure which has a complete roof enclosure supported by connecting walls extending from the ground to the roof, which is secure against unauthorized

entry, provides complete visual screening, and which is accessible only through one or more lockable doors and inaccessible to minors. The fully enclosed and secure structure must have valid electrical, plumbing, and building permits, if required by other provisions of this code.

“Indoor commercial cultivation” means the commercial cultivation of cannabis by a cannabis business that occurs within a completely enclosed building that is not a greenhouse or other similar agricultural structure.

“Indoors” means within a fully enclosed and secure structure. The term “indoors” shall only apply to the cultivation of cannabis for personal use.

“Licensee” has the same meaning as in Section 26001 of the Business and Professions Code. “Licensee” also means any person holding a license to engage in commercial cannabis activity issued by the Department of Cannabis Control.

“Manufacture” has the same meaning as in Section 26001 of the Business and Professions Code. “Manufacture” means to compound, blend, extract, infuse, or otherwise make or prepare a cannabis product.

“Manufacture area” is the area of the cannabis business site where cannabis or cannabis products are manufactured.

“Manufacturer” has the same meaning as in Section 26001 of the Business and Professions Code. “Manufacturer” means a licensee that conducts the production, preparation, propagation, or compounding of cannabis or cannabis products either directly or indirectly or by extraction methods, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis at a fixed location that packages or repackages cannabis or cannabis products or labels or relabels its container.

“Manufacturing site” means a cannabis business that produces, prepares, propagates, or compounds cannabis or cannabis products, directly or indirectly, by extraction methods, independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis.

“Outdoor commercial cultivation” means the cultivation of cannabis by a cannabis business that occurs outdoors or within a greenhouse or other similar agricultural structure, and includes “mixed-light cultivation” and “outdoor cultivation.”

“Outdoors” means any location that is not within a fully enclosed and secure structure.

“Owner” means any of the following: a person with an aggregate ownership interest of 20 percent or more in the cannabis business, unless the interest is solely a security, lien or encumbrance; or an individual who manages, directs, or controls the operations of the commercial cannabis business, including but not limited to:

1. A member of the board of directors of a nonprofit.
2. A general partner of a commercial cannabis business that is organized as a partnership.

3. A nonmember manager or manager of a commercial cannabis business that is organized as a limited liability company.
4. The trustee(s) and all persons who have control of the trust and/or the commercial cannabis business that is held in trust.
5. An individual with the authority to provide strategic direction and oversight for the overall operations of the commercial cannabis business, such as the chief executive officer, president or their equivalent, or an officer, director, vice president, general manager or their equivalent.
6. An individual with the authority to execute contracts on behalf of the commercial cannabis business.
7. When an entity is an owner in a commercial cannabis business, all entities and individuals with a financial interest in the entity shall be disclosed to the city and may be considered owners of the commercial cannabis business. For example, this includes all entities in a multi-layer business structure, as well as the chief executive officer, members of the board of directors, partners, trustees and all persons who have control of a trust and managing members or nonmember managers of the entity. Each entity disclosed as having a financial interest must disclose the identities of persons holding financial interests until only individuals remain.

“Person” shall mean any individual, firm, partnership, joint venture, association, corporation, limited liability company, estate, trust, business trust, receiver, syndicate, or any other group or combination acting as a unit.

“Possession” means to have, own, control, or possess.

“Private residence” means a house, an apartment unit, a mobile home, or other similar dwelling that is lawfully permitted to be used as a residence.

“Secured area” is all cultivation areas, manufacture areas and storage areas, and includes areas where cannabis or cannabis products are loaded onto vehicles or other conveyances for delivery or transportation.

“State license” means any license required by the state of California for the operation of a cannabis business, including but not limited to licenses issued under Division 10 of the Business and Professions Code.

“Storage area” is any area where cannabis or cannabis products are stored.

“Youth center” means:

1. any public or private facility that is primarily used to host recreation or social activities for minors, including, but not limited to:
    a. Private youth membership organizations or clubs;
    b. Social service teenage club facilities;
    c. Video arcades where 10 or more video games or game machines or devices are operated, and where minors are legally permitted to conduct business; or

d. Similar amusement park facilities; and

e. Must be used for youth activities at least 60 percent of the time in a calendar year.

2. It shall also include a park, playground or recreational area specifically designed to be used by children which has play equipment installed, including public grounds designed for athletic activities such as baseball, softball, soccer, or basketball or any similar facility located on a public or private school grounds, or on city, county, or state parks.

3. This definition shall not include any private martial arts, yoga, ballet, music, art studio or similar studio of this nature nor shall it include any private gym, athletic training facility, pizza parlor, dentist office, doctor's office primarily serving children or a location which is primarily utilized as an administrative office or facility for youth programs or organizations. Notwithstanding the foregoing, any pizza parlor with a video arcade where 10 or more video games operated shall be considered a "youth center."

C. Conditionally Permitted Uses and Prohibitions

1. Except as expressly authorized pursuant to this title, all commercial cannabis activity is prohibited in the city.

2. Cannabis businesses shall only be permitted in the following zones:

3. Cannabis retailers (delivery only and/or storefront sales) shall be permitted only in the CC community commercial zone (central business), and RC regional commercial zone (highway).

4. Cannabis microbusinesses shall be permitted only in the light manufacturing zone.

5. The outdoor cultivation of cannabis by any person is prohibited within the city limits.

6. Any indoor cultivation for personal use that does not meet the standards set forth in this section is prohibited.

D. Permits and Approvals Required

1. Conditional Use Permit. Every property for which a cannabis business is proposed to be established, maintained, operated, or conducted in the city shall obtain a conditional use permit, pursuant to CMC Chapter 17.04, as modified by this section.

2. Cannabis Business Permit. Every person who proposes to establish, maintain, operate, or conduct a cannabis business in the city shall obtain a cannabis business permit pursuant to Chapter 5.80 CMC.

3. Business License. Every person who proposes to establish, maintain, operate, or conduct a cannabis business in the city shall obtain a business license.

4. State License. Every person who proposes to establish, maintain, operate, or conduct a cannabis business in the city and every property for which a cannabis

business is proposed to be established, maintained, operated, or conducted shall obtain all state licenses for the activity to be conducted.

5. Development Agreement. Before commencing any commercial cannabis activity and as a condition of issuance of a conditional use permit, an applicant shall enter into a development agreement with the city setting forth the terms and conditions under which the cannabis business will operate, which is in addition to the requirements of this chapter. These conditions shall include, but not be limited to, public outreach and education, payment of community benefit fees and other charges as mutually agreed upon, approval of architectural plans (including site plan, floor plan, and elevation), provisions for termination of the agreement or invalidation or revocation of the conditional use permit, indemnification of the city and all officials and employees thereof from actions by third parties, including but not limited to, enforcement of conflicts between state and federal law, or actions challenging the issuance of a permit to the cannabis business, and such other terms and conditions that will protect and promote the public health, safety, and welfare of all persons in the city.
6. Operation and Management Plan. Before commencing any commercial cannabis activity, the cannabis business shall submit an operation and management plan to the Director for approval by the Director and Chief of Police. The operation and management plan shall, at minimum, address the following: the security measures that will be implemented to protect the customers and employees as well as the general community; water preservation; financial record keeping; procedures for safely and securely storing and transporting cannabis and cannabis products; inventory control; accounting measures; identify any hazardous materials that may be used by the business and how they will be stored and disposed of; how currency will be stored and taken off site; any other information requested by the Director and Chief of Police.
7. Duty to Maintain Copies of All Permits, Licenses, Permits and Conditions of Approval. A copy of all conditional use permits, cannabis business permits, business license, state license, or other permit or license required by the city, county, or state for the establishment or operation of a cannabis business shall be maintained on site along with all conditions of approval associated thereof. Such permits may be inspected from time to time by city, county or state representatives or law enforcement personnel and shall be furnished immediately upon request. The on-site manager, in addition to the property owner, business owner, or representative, shall be responsible for ensuring compliance with all applicable codes, permits, licenses, and conditions of approval.

E. Compliance with State and Local Laws and Regulations

It is the responsibility of the owners and/or operators of any cannabis business within the city to ensure that they operate in a manner compliant with this chapter, all applicable state and local law, and any other regulations promulgated thereunder, including but not limited to the MAUCRSA.

F. Procedures and Findings for Approval of Conditional Use Permit

1. A conditional use permit shall be processed in accordance with the procedures set forth in Chapter 17.04 CMC, Conditional Use Permits, with the following exceptions:
    a. Any provision that requires the approval by the planning commission with appeal to the city council shall be replaced with the requirement that the planning commission make a recommendation on the conditional use permit and that the approval of such permit shall be made by the city council.
    b. Any procedures pertaining to noticing and the setting of a public hearing before the planning commission shall also apply to the city council.
2. An applicant for a conditional use permit shall comply with the California Environmental Quality Act ("CEQA"). No conditional use permit shall be granted to a cannabis business until the requisite CEQA review has been conducted.

G. Development Standards

All cannabis businesses shall comply with the following requirements, and the following applicable requirements of this section shall be deemed conditions of all conditional use permit approvals. Failure to comply with applicable requirements contained in this code shall be grounds for revocation of any permit issued in compliance with this code.

1. Underlying Zone Standards. The establishment of a cannabis business shall comply with all applicable city zoning site development standards of the zone in which the cannabis business is located, the building and construction codes, maximum occupancy loads, fire codes, and health and safety regulations in effect in the city, except as explicitly modified by this chapter. Nonconforming uses or properties must be brought into conformity with all applicable standards, including, but not limited to, parking, landscaping, and signage.
2. Maximum Number. A maximum of one cannabis business shall operate in the city for every 15,000 residents, with any fraction of that ratio being rounded down to the nearest whole number.
3. Proximity to Sensitive Uses. No cannabis business shall be established or located within 600 feet of a school providing instruction in kindergarten or any grades one through 12, a day care center, a youth center, or a park. The distance between any cannabis business and any school, day care center, youth center, or park shall be measured in a straight line, without regard to the boundaries of the city and intervening structures, from the nearest property line of the site containing the cannabis business to the nearest property line of the school, day care center, youth center, and park.
4. Cannabis Microbusiness. A cannabis microbusiness shall comply with the development standards for each component of the business. For example, if a cannabis microbusiness is comprised of a cultivation site, distributor and cannabis retailer, then it shall comply with the development standards for each

of those uses. In the event of any conflict between the standards, the director shall determine which standards apply.

5. Cultivation.
    a. Outdoor commercial cultivation is prohibited.
    b. Indoor commercial cultivation shall not exceed 10,000 square feet of cultivation area.
    c. The cultivation area shall comply with licensing requirements established by the California Department of Cannabis Control.
    d. Secure Area. The secure area shall be fully enclosed within a minimum six-foot-tall fence or wall. All loading, unloading and distribution areas shall be screened from view from the right-of-way by the building or solid masonry wall no less than six feet.
    e. Pesticides and fertilizers shall be properly labeled and stored to avoid contamination through erosion, leakage, or inadvertent damage.
    f. The cultivation of cannabis shall at all times be operated with all applicable state and local laws and shall be operated in such a way as to ensure the health, safety, and welfare of the public, the employees working at the cultivation site, visitors to the area, neighboring properties, and the end users of the cannabis being cultivated; to protect the environment from harm; to ensure the security of the cannabis being cultivated; and to safeguard against the diversion of cannabis.
    g. The operations and management plan identified in CMC 17.24.060(D)(6) shall include a cultivation plan that meets or exceeds minimum legal standards for water usage, conservation and use; drainage, runoff, and erosion control; watershed and habitat protection; proper storage of fertilizers, pesticides, and other regulated products to be used on the parcel; and a description of the cultivation activities and schedule of activities during each month of growing and harvesting, or explanation of growth cycles and anticipated harvesting schedules for all-season harvesting. The operations and management plan shall also include a description of a legal water source, irrigation plan, and projected water use and identify the source of electrical power and plan for compliance with applicable building codes and related codes. The operations and management plan shall also address public nuisances that may derive from the cultivation site.
6. Manufacturing
    a. The manufacture of cannabis products shall be undertaken in a manner that ensures the health, safety, and welfare of the public, the employees of the cannabis business, visitors, and neighboring properties, and must be in full compliance with state law.
    b. It is unlawful for any person under the age of 21 to be present within the area where the manufacture of cannabis products is occurring.

c. It is unlawful for any person to employ another person under the age of 21 at a cannabis manufacturing facility.

d. Entrances into any area where cannabis products are made, stored, or kept must be locked at all times with entry strictly controlled. The specifics of such entry system must be set forth in the operations plan.

e. It is unlawful for the manufacturing site to be open to the public.

7. Distribution

a. Transportation safety standards, in addition to those imposed by the state of California, shall be approved by the chief of police including, without limitation, the type of vehicles in which cannabis or cannabis product may be distributed, and minimal qualification for persons eligible to operate such vehicles.

b. A list of the make, model and license plate of all vehicles used for distribution shall be registered with the police department before a vehicle may be used to transport cannabis and cannabis products.

c. A person conducting distribution shall comply with requirements of Business and Professions Code Section 26070(c) through (n).

8. Cannabis Retailers.

a. Cannabis retailers may operate as a delivery only model, storefront sales only, or both storefront sales and delivery.

b. No cannabis retailer that sells cannabis or cannabis products for adult use shall be open to the public between the hours of 9:00 p.m. and 9:00 a.m. Consistent with state law, the city shall not restrict the hours of operation of a cannabis retailer that sells cannabis or cannabis products for medicinal use.

c. Cannabis retailers shall verify the age and all necessary documentation of each individual to ensure the customer is not under the age of 18 years. If the customer is 18 to 20 years old, a cannabis retailer shall confirm the customer's possession of a valid doctor's recommendation and/or Health and Safety Code Section 11362.71 identification card (medical marijuana card). For adult-use purchases, cannabis retailers shall verify that all customers are 21 years of age or older for the purchase of cannabis or cannabis products.

d. Individuals must show their government-issued identification in order to gain access into the cannabis retailer. The government-issued identification and, if applicable, doctor's recommendation or medical marijuana card must also be shown at the point- of-sale station at the time of purchase. Doctor recommendations shall not be obtained or provided at the retail location. A cannabis retailer shall only sell adult-use cannabis and adult-use cannabis products to individuals who are at least 21 years of age. A retailer shall only sell medicinal cannabis or medicinal cannabis products to individuals who

are at least 18 years of age, but not yet 21, if those individuals are in possession of a valid physician's recommendation.

e. Cannabis retailers may have only that quantity of cannabis and cannabis products to meet the daily demand readily available for sale on site in the retail sales area of the retailer. Additional product may be stored in a secured, locked area to which customers, vendors, and visitors shall not have access.

f. All restroom facilities shall remain locked and under the control of management.

g. The cannabis retailer shall notify patrons of the following through posting of a sign in a conspicuous location:

   i. Secondary sale, barter or distribution of cannabis is a crime and can lead to arrest.

   ii. Loitering on and around the cannabis business is prohibited by California Penal Code Section 647(e) and that patrons must immediately leave the site and not consume cannabis in the vicinity of the cannabis retail site or on the property or in the parking lot.

   iii. A warning that patrons may be subject to prosecution under federal cannabis laws.

   iv. That the use of cannabis may impair a person's ability to drive a motor vehicle or operate machinery.

h. Cannabis retailers shall only serve customers who are within the permitted premises, or at a delivery address that meets the following requirements:

   i. The sale and delivery of cannabis goods shall not occur through a pass-through window or a slide-out tray to the exterior of the premises.

   ii. Cannabis retailers shall not operate as or with a drive-in or drive-through at which cannabis goods are sold to persons within a motor vehicle.

   iii. No cannabis goods shall be sold and/or delivered by any means or method to any person within a motor vehicle.

   iv. All cannabis goods sold by a retail business shall be contained in child-resistant packaging.

i. Cannabis retailers shall record point-of-sale areas and areas where cannabis goods are displayed for sale on the video surveillance system. At each point-of-sale location, camera placement must allow for the recording of the purchase and sale of cannabis goods, or any person in the retail area, with sufficient clarity to determine identity.

j. Limited Access Areas. A cannabis retailer shall establish limited-access areas and permit only authorized individuals to enter the limited-access areas. Authorized individuals include individuals employed by the cannabis retailer as well as any outside vendors, contractors, or other individuals

conducting business that requires access to the limited access area. All individuals granted access to the limited access area shall be at least 21 years of age, and if not employed by the cannabis retailer, shall be escorted at all times by an employee of the permittee. A cannabis retailer shall maintain a log of all individuals who are not employees who are granted access to the limited access area. These logs shall be made available to the city manager, police chief, or their designees upon request.

k. Delivery. Prior to commencing delivery operations, a cannabis retailer shall provide the following information to the city:

i. Proof of ownership of the vehicle or a valid lease for any and all vehicles that will be used to deliver cannabis or cannabis products.

ii. The year, make, model, color, license plate number, and numerical vehicle identification number (VIN) for any and all vehicles that will be used to deliver cannabis goods.

iii. Proof of insurance for any and all vehicles being used to deliver cannabis goods.

iv. The cannabis business shall provide the city with the information required by this section in writing for any new vehicle that will be used to deliver cannabis or cannabis goods prior to using the vehicle to deliver cannabis or cannabis goods. The cannabis business shall provide the city with any changes to the information required by this section in writing within 30 calendar days.

H. Security

1. A cannabis business shall implement sufficient security measures to deter and prevent the unauthorized entrance into areas containing cannabis or cannabis products and to deter and prevent the theft of cannabis or cannabis products at the cannabis business. The specific security measures shall be identified in the operations plan. Except as may otherwise be determined by the city manager and/or chief of police, these security measures shall include, but shall not be limited to, all of the following:

a. Perimeter fencing and exterior lighting systems (including motion sensors) for after- hours security as approved by the police chief and/or the community development director where applicable.

b. Preventing individuals from remaining on the premises of the cannabis business if they are not engaging in an activity directly related to the permitted operations of the cannabis business. In cases in which the individual will not voluntarily leave the premises, the cannabis employee shall contact the police department.

c. Establishing limited access areas accessible only to authorized cannabis business personnel.

d. All finished cannabis goods at non-retail cannabis businesses shall be stored in a secured and locked vault or vault-equivalent during non-

operating hours. All safes and vaults used to store cash and/or cannabis goods shall be burglary-resistant and fire- resistant. All cannabis and cannabis products, including live clone plants that are being sold, shall be kept in a manner as to prevent diversion, theft, and loss.

e. Sensors shall be installed to detect entry and exit from all secure areas and shall be monitored in real time by a security company licensed by the State of California Bureau of Security and Investigative Services.

f. Panic buttons shall be installed in all cannabis businesses with direct notification to the police department dispatch and shall be configured to immediately alert dispatch for the police department.

g. A professionally installed, maintained, and monitored real-time alarm system shall be installed by a security company licensed by the State of California Bureau of Security and Investigative Services. The cannabis business shall maintain up-to-date records and existing contracts on the premises that describe the location and operation of each security alarm system, a schematic of security zones, the name of the licensed alarm company, and the name of any vendor monitoring the premises.

h. A cannabis business shall only use commercial-grade, nonresidential door locks.

i. Any security measures, such as bars, installed on the windows or the doors of the cannabis business shall be installed only on the interior of the building.

j. Security personnel shall be on site during regular business hours and must have a verified response security patrol when closed. Security personnel must be licensed by the State of California Bureau of Security and Investigative Services personnel and shall be subject to the prior review and approval of the police chief, with such approval not to be unreasonably withheld.

k. Cannabis businesses shall have the capability to remain secure during a power outage and shall ensure that all access doors are not solely controlled by an electronic access panel to ensure that locks are not released during a power outage.

l. Entrance areas are to be locked at all times and under the control of a designated responsible party that is either: (a) an employee of the cannabis business; or (b) a licensed security professional.

m. Each cannabis business shall have an accounting software system in place to provide point-of-sale data as well as audit trails of both product and cash, where applicable.

n. Each cannabis business shall demonstrate to the police chief, city manager or their designee’s compliance with the state’s track and trace system for cannabis and cannabis products.

o. Exterior vegetation shall be planted, altered and maintained in a fashion that precludes its use as a hiding place for persons on the premises.

p. Emergency access and emergency evacuation plans that are in compliance with state and local fire safety standards.

q. Installation of “mosquitos” (high-pitch frequency devices) as a deterrent to vandalism/loitering.

2. Video Surveillance. The cannabis business shall install 24-hour security video surveillance cameras of at least high-definition (HD) quality with a night vision capability, and must record in color. The video surveillance system shall meet the following requirements and shall be included in the operations plan:

a. All entrances and exits to and from the cannabis business must be monitored by the video surveillance system. All entrances and exits to the cannabis business shall be recorded from both indoor and outdoor vantage points.

b. All interior spaces within the cannabis business which are open and accessible to the public, all interior spaces where cannabis, cash, or currency, is being stored for any period of time on a regular basis and all interior spaces where diversion of cannabis could reasonably occur must also be monitored by the video surveillance system.

c. All exterior cameras shall be in weather-proof enclosures, shall be located so as to minimize the possibility of vandalism, and shall have the capability to automatically switch to black and white in low light conditions.

d. Video shall be of sufficient quality for effective prosecution of any crime found to have occurred on the site of the cannabis business and shall be capable of enlargement via projection or other means.

e. The video security system must be compatible with software and hardware utilized by the city as determined by the police chief and set forth in the operations and management plan.

f. Surveillance video must be recorded to a device that is securely located on the premises and all footage must be maintained for a minimum of 90 days. The video surveillance system specifications must be set forth in the operations plan before the city issues a certificate of occupancy for the facility.

g. All video surveillance systems must be equipped with a failure notification system that provides prompt notification to the cannabis business of any prolonged surveillance interruption and/or the complete failure of the surveillance system.

h. A cannabis business is responsible for ensuring that all surveillance equipment is properly functioning and maintained so that the playback quality is suitable for viewing and the surveillance equipment is capable of capturing the identity of all individuals and activities in the monitored area.

All video surveillance equipment shall have sufficient battery backup to support a minimum of four hours of recording in the event of a power outage.

i. Camera placement shall be capable of identifying activity occurring within 20 feet of all points of ingress and egress and shall allow for the clear and certain identification of any individual and activities at the cannabis business.

j. The video surveillance system shall be capable of recording all predetermined surveillance areas in any lighting conditions. If the cannabis business has a cannabis cultivation area, a rotating schedule of lighted conditions and zero-illumination can occur as long as ingress and egress points to those areas remain constantly illuminated for recording purposes.

k. Areas in which cannabis is grown, cured, manufactured, or stored shall have camera placement in the room at a height that provides a clear, unobstructed view of activity without sight blockage from lighting hoods, fixtures, or other equipment.

l. Cameras shall also be placed at each location where weighing, packaging, transport, preparation, or tagging activities occur.

m. At least one camera must be dedicated to record the access points to the secured surveillance recording area.

3. Each cannabis business shall identify a designated security representative/liaison who shall be reasonably available to meet with the city manager and/or chief of police regarding any security related measures and/or operational issues. The designated security representative/liaison shall, on behalf of the cannabis business, annually maintain a copy of the current operations and management plan, that shall include a security plan, on the premises of the business, to present to the city manager and/or chief of police upon request that meets the following requirements:

   a. Confirms that a designated manager will be on duty during business hours and will be responsible for monitoring the behavior of employees.

   b. Identifies all managers of the cannabis business and their contact phone numbers.

   c. Confirms that first aid supplies and operational fire extinguishers are located in the service areas and the manager’s office.

   d. Confirms that burglar, fire, and panic alarms are operational and monitored by a licensed security company 24 hours a day, seven days a week, and provides contact information for each licensed security company.

   e. Identifies a sufficient number of licensed, interior, and exterior security personnel who will monitor individuals inside and outside the cannabis business, the parking lot, any adjacent property under the cannabis business’s control, and ensure that the parking lot is cleared of employees and their vehicles one-half hour after closing.

4. The cannabis business shall cooperate with the city whenever the city manager and/or chief of police makes a request, with or without prior notice, to inspect or audit the effectiveness of any security plan or of any other requirement of this chapter.
5. A cannabis business shall notify the city manager within 24 hours after discovering any of the following:
    a. Significant discrepancies identified during inventory. The level of significance shall be determined by the regulations promulgated by the city manager.
    b. Diversion, theft, loss, or any criminal activity involving the cannabis business or any agent or employee of the cannabis business.
    c. The loss or unauthorized alteration of records related to cannabis, customers or employees or agents of the cannabis business.
    d. Any other breach of security.
6. Compliance with the foregoing requirements shall be verified by the city manager and/or chief of police prior to commencing business operations. The city manager and/or chief of police may supplement these security requirements once operations begin.

I. Additional Performance Standards

1. Restriction on Alcohol and Tobacco Sales or Consumption. A cannabis business shall not allow the sale, dispensing, or consumption of alcoholic beverages, tobacco, or hookah on the premises of the cannabis business.
2. Restriction on Cannabis Consumption. A cannabis business shall not allow the consumption of cannabis, cannabis products, or hookah on the premises of the cannabis business.
3. Graphics. No cannabis or cannabis products or graphics depicting cannabis or cannabis products shall be visible from the exterior of the cannabis business, or on any of the vehicles owned or used as part of the cannabis business. No outdoor storage of cannabis or cannabis products is permitted at any time.
4. Reporting and Tracking of Product and of Gross Sales. Each cannabis business shall have in place a point-of-sale or management inventory tracking system to track and report on all aspects of the cannabis business including, but not limited to, such matters as cannabis tracking, inventory data, gross sales (by weight and by sale) and other information which may be deemed necessary by the city. The cannabis business shall ensure that such information is compatible with the city's recordkeeping systems. In addition, the system must have the capability to produce historical transactional data for review. Furthermore, any system selected must be approved and authorized by the city manager prior to being used by the permittee.

5. All cannabis and cannabis products sold, distributed, or manufactured shall be cultivated, manufactured, and transported by state licensed facilities that maintain operations in full conformance with the state and local regulations.
6. Emergency Contact. Each cannabis business shall provide the city manager with the name, telephone number (both land line and mobile, if available) of an on-site employee or owner to whom emergency notice can be provided at any hour of the day.
7. Signage and Notices.
    a. In addition to the requirements otherwise set forth in this section, business identification signage for a cannabis business shall conform to the requirements of this title, sign regulations of the city, including, but not limited to, seeking the issuance of a city sign permit.
    b. No signs placed on the premises of a cannabis business shall obstruct any entrance or exit to the building or any window.
    c. Each entrance to a cannabis business shall be visibly posted with a clear and legible notice indicating that smoking, ingesting, or otherwise consuming cannabis on the premises or in the areas adjacent to the cannabis business is prohibited.
    d. Business identification signage shall be limited to that needed for identification only and shall not contain any logos or information that identifies, advertises, or lists the services or the products offered. No cannabis business shall advertise by having a person holding a sign and advertising the business to passersby, whether such person is on the premises of the cannabis business or elsewhere including, but not limited to, the public right-of-way.
    e. Signage shall not depict any image of cannabis or cannabis products. No banners, flags, snipe signs, billboards, or other prohibited signs may be used at any time.
8. Manufacturing, Storage and Distribution Areas. All manufacturing, storage and distribution shall be within a fully enclosed building or accessory structure, except that outdoor loading docks may be used for loading for distribution provided the loading docks are fully screened from public view by a building or solid masonry wall as provided above.
9. Cleanliness. All exterior areas of any cannabis business, including the building, landscaping, and parking areas, shall be maintained in a clean and orderly manner free of trash, weeds, and debris. The cannabis business shall comply with Chapter 9.65 CMC regarding graffiti removal and prevention.
10. Lighting. A cannabis business shall comply with the city's lighting standards including, without limitation, fixture type, wattage, illumination levels, and shielding, and secure the necessary approvals and permits as needed. For a standalone cannabis business, the cannabis business shall ensure that minimum lighting levels in exterior building and parking lot areas are adequate

for the safe operation of vehicles and other modes of travel. The cannabis business shall submit an exterior lighting plan that includes a photometric survey of proposed light standards, heights, fixtures, light sources, spacing and shielding.

11. Noise. A cannabis business shall comply with all applicable standards of Chapter 9.40 CMC.

12. Odor Control. A cannabis business shall comply with the applicable standards of CMC 9.42.020. Odor control devices and techniques shall be incorporated in all cannabis businesses to ensure that odors from cannabis are not detectable off site. Cannabis businesses shall provide a sufficient odor absorbing ventilation and exhaust system so that odor generated inside the cannabis business that is distinctive to its operation is not detected outside of the cannabis business, anywhere on adjacent property or public rights-of-way, on or about the exterior or interior common area walkways, hallways, breezeways, foyers, lobby areas, or any other areas available for use by common tenants or the visiting public, or within any other unit located inside the same building as the cannabis business. Failure to control odors from being detectable from outside the cannabis business shall constitute a public nuisance and shall be grounds for suspension or revocation of the conditional use permit. As such, cannabis businesses must install and maintain the following equipment, or any other equipment which the director or his/her designee(s) determine is a more effective method or technology:

    a. An exhaust air filtration system with odor control that prevents internal odors from being emitted externally; and

    b. An air system that creates negative air pressure between the cannabis business's interior and exterior, so that the odors generated inside the cannabis business are not detectable on the outside of the cannabis business.

13. Minors.

    a. Persons under the age of 21 years shall not be allowed on the premises of a cannabis business and shall not be allowed to serve as a driver for a mobile delivery service. It shall be unlawful and a violation of this chapter for any person to employ any person at a cannabis business who is not at least 21 years of age.

    b. The entrance to the cannabis business shall be clearly and legibly posted with a notice that no person under the age of 21 years of age is permitted to enter upon the premises of the cannabis business.

    c. Notwithstanding the above, persons aged 18 to 20 years shall be allowed on the premises of a cannabis business if they can produce a physician's recommendation. In that event, such persons can lawfully purchase cannabis for the sole purpose of addressing the medical need that is the subject of the physician's recommendation.

14. Signage. From a public right-of-way, there should be no exterior evidence of the manufacturing or cultivation of cannabis or cannabis products except for any signage authorized by this code.

15. Management. A manager with operational authority shall be on the premises during all times the use is operating and must be included on the associated cannabis business permit.

16. Cannabis Waste. All waste and disposal containers shall be stored in a secure area, and under the control of the cannabis business's staff.

17. Windows. All windows of the cannabis business shall be secured and all cannabis securely stored.

18. Compliance With Other Laws. A cannabis business, and all operations conducted therein, and all equipment used must be in compliance with all applicable state and local laws, including all building, electrical, and fire codes.

19. Copies of State Permits. The applicant shall provide the city with copies of all applications, plans and security plans submitted to the state for a state license.

20. Parking. On-site parking shall be provided as follows:

    a. Cannabis Retailers. One parking spot for each 200 square feet of gross floor area plus one parking spot for each employee, unless otherwise determined by the director pursuant to a traffic and parking study.

    b. Cannabis Microbusiness. One parking spot for each employee on the maximum working shift, or not less than one parking spot for each 500 square feet of gross floor area, whichever amount is greater, unless otherwise determined by the director pursuant to a traffic and parking study.

    c. If the director determines that a traffic and parking study is warranted, such study shall be at the applicant's expense and review may be made by filing a separate application and making payment of established fees. A determination of the number of parking spaces that must be provided by the cannabis business may include, but shall not be limited to the following considerations: A traffic/parking study supports the finding that the number of parking spaces actually needed for the development is less or greater than that required by the code; traffic and pedestrian safety will not be affected by the modification of parking requirements; and that any reduced parking will not impact the health, safety and welfare of the public. The determination may also be conditioned to ensure compliance with the findings and the intent of this chapter and to ensure that additional parking spaces will be provided per code requirements should demand for parking increase on site.

J. Promulgation of Regulations, Standards, and other Legal Duties

1. In addition to any regulations adopted by the city council, the city manager is authorized to establish any additional rules, regulations and standards governing the issuance, denial or renewal of cannabis business permits, the ongoing operation of cannabis businesses and the city's oversight, or

concerning any other subject determined to be necessary to carry out the purposes of this chapter.

2. Regulations shall be published on the city's website.

3. Regulations promulgated by the city manager shall become effective upon date of publication. Cannabis businesses shall be required to comply with all state and local laws and regulations, including but not limited to any rules, regulations or standards adopted by the city manager.

K. Limitations on City's Liability

1. To the fullest extent permitted by law, the city does not assume any liability whatsoever, with respect to approving any permit pursuant to this chapter or the operation of any cannabis business approved under to this chapter.

2. As a condition of approval of a permit as provided in this chapter, the applicant or its legal representative shall do the following:

   a. Execute an agreement indemnifying the city from any claims, damages, injuries, or liabilities of any kind associated with the operation of the cannabis business, issuance of a permit to a cannabis business, or the prosecution of the cannabis business or its owners, managers, directors, officers, employees, or its qualified patients or primary caregivers for violation of federal or state laws;

   b. Maintain insurance in the amounts and of the types that are acceptable to the city council or designee; and

   c. Reimburse the city for all costs and expenses, including but not limited to legal fees and costs and court costs, which the city may be required to pay as a result of any legal challenge related to the city's approval of the conditional use permit or cannabis business permit or related to the city's approval of a cannabis activity. The city, at its sole discretion, may participate at its own expense in the defense of any such action, but such participation shall not relieve the applicant of any of the obligations imposed hereunder.

L. Indoor Cultivation for Personal Use

1. The indoor cultivation of seven or more cannabis plants in a private residence is prohibited.

2. The indoor cultivation of six or fewer cannabis plants in a private residence shall be permitted to the extent permitted by state law, and subject to the following standards:

   a. The maximum number of cannabis plants that may be cultivated per private residence is limited to six, regardless of the number of persons that reside in the private residence. Only one person may register for each private residence, and a person may not register at more than one private residence in the city.

b. The cultivation shall only occur either inside of a private residence, or inside of a fully enclosed and secure structure located upon the grounds of a private residence.

c. Cultivation lighting shall not exceed 600 watts. The cultivation shall not draw more power than the structure and electrical service is designed to handle and shall not constitute a fire hazard.

d. The use of compressed gases, including but not limited to carbon dioxide and butane, for cultivation or processing is prohibited.

e. The property shall remain at all times a private residence with a legal and functioning kitchen, bathrooms and bedrooms for their intended use and such cultivation shall not prevent the property's primary use as a residential use. The cultivation activities shall be conducted in a manner that maintains a clear and unobstructed path to outdoor window(s) and interior door(s) at all times.

f. If cultivation occurs in a garage, it shall be conducted in a manner that does not reduce required off-street parking.

g. The cultivation area shall include an adequate ventilation and filtration system to ensure that odors from cultivation are not detectable beyond the subject property, and shall be designed to prevent mold and moisture in order to protect the health and safety of persons inhabiting the residence.

h. Any chemicals used for cultivation shall be properly and safely stored outside the habitable area of the residence.

i. The cultivation shall not use more water than is reasonably required to cultivate the maximum number of permitted cannabis plants.

j. The cultivation area shall comply with all applicable provisions of the building and fire codes.

k. The cultivation area shall not adversely affect the health or safety of nearby residents by creating dust, glare, heat, noise, noxious gases, odor, smoke, traffic, vibration or other impacts and shall not be hazardous due to the use or storage of materials, processes, products or wastes, or from other actions related to the cultivation.

l. The maximum plant height of any indoor cultivated cannabis plant shall not exceed six feet, as measured from the base of the floor to the highest point of the cannabis plant(s).

m. The fully enclosed structure where the cannabis cultivation is occurring must have valid building, electrical, and plumbing permits, if applicable.

n. Any cannabis cultivation that does not meet the requirements set forth in this section is prohibited, is unlawful and constitutes a public nuisance.

M. Exceptions

1. To the extent that the following activities are permitted by state law, nothing in this chapter shall prohibit a person 21 years of age or older from:
    a. Possessing, processing, purchasing, transporting, obtaining or giving away to persons 21 years of age or older, without compensation whatsoever, not more than 28.5 grams of cannabis not in the form of concentrated cannabis;
    b. Possessing, processing, purchasing, transporting, obtaining or giving away to persons 21 years of age or older, without compensation whatsoever, up to eight grams of cannabis in the form of concentrated cannabis;
    c. Smoking or ingesting cannabis or cannabis products in a manner consistent with California Health and Safety Code Section 11362.3;
    d. Possessing, transporting, purchasing, obtaining, using, manufacturing, or giving away cannabis accessories to persons 21 years of age or older without compensation whatsoever; or
    e. Engaging in the indoor cultivation of six or less live cannabis plants within a single private residence or inside an accessory structure located upon the grounds of a private residence that is fully enclosed and secured, to the extent such cultivation is authorized by California Health and Safety Code Sections 11362.1 and 11362.2, and to the extent that such cultivation complies with CMC 17.24.050(L).
2. This chapter shall not prohibit any person from transporting cannabis through the jurisdictional limits of the City for delivery or distribution to a person located outside the City, where such transport does not involve delivery or distribution within the jurisdictional limits of the City.
3. This chapter shall also not prohibit any commercial cannabis activity that the city is required by state law to permit within its jurisdiction pursuant to the MAUCRSA.

N. Violations and Penalties

In addition to any other enforcement permitted by Chapter 17.02 CMC, the City Attorney may bring a civil action for injunctive relief and civil penalties against any person or entity that violates this chapter. In any civil action brought pursuant to this chapter, a court of competent jurisdiction may award reasonable attorneys' fees and costs to the prevailing party. Notwithstanding the penalties set forth in Chapter 17.02 CMC, this chapter does not authorize a criminal prosecution, arrest, or penalty inconsistent with or prohibited by Health and Safety Code Section 11362.71 et seq. or 11362.1 et seq., as the same may be amended from time to time. In the event of any conflict between the penalties enumerated under Chapter 17.02 CMC and any penalties set forth in state law, the maximum penalties allowable under state law shall govern.

O. Public Nuisance Prohibited

It is hereby declared to be unlawful and a public nuisance for any person owning, leasing, occupying, or having charge of any parcel within the city to create a public nuisance in the course of cultivating, manufacturing, selling, or distributing cannabis or any part thereof in any location, indoor or outdoor. A public nuisance may be deemed to exist, if such activity produces:

1. Odors which are disturbing to people of reasonable sensitivity or present on adjacent or nearby property or areas open to the public.
2. Repeated responses to the cannabis business by law enforcement personnel.
3. A repeated disruption to the free passage of persons or vehicles in the neighborhood, or excessive noise, exceeding the noise levels set by Chapter 9.40 CMC, which is disturbing to people of normal sensitivity on adjacent or nearby property or areas open to the public.
4. Any other impacts on the neighborhood that are disruptive of normal activity in the area including, but not limited to, grow lighting visible outside the building, excessive vehicular traffic or parking occurring at or near the cannabis business, and excessive noise emanating from the cannabis business.
5. Outdoor growing and cultivation of cannabis.

17.24.070 Drive-through Facilities.

A. Types of Drive-through facilities.

The following uses may include drive-through facilities:

1. Pharmacies and Drug Stores.
2. Banks and Credit Unions.
3. Eating places such as restaurants, fast food restaurants, and cafes.
4. Dry cleaning and laundry services.
5. Other land use deemed appropriate by the director, as determined pursuant to the procedures established in Chapter 17.04.070 CMC.

B. Development Standards.

The following standards shall govern the establishment and operation of drive-through facilities:

1. Development Standards. Uses incorporating drive-through facilities shall comply with each of the following development standards:
    a. Minimum lot area shall be one-half acre and may be reduced when the establishment is within an integrated commercial center or as modified by the planning commission.
    b. Maximum lot coverage shall not exceed 40 percent of the lot area.

c. The minimum gross floor area incorporating a drive-through facility shall be 2,000 square feet, excluding associated outdoor seating areas.

d. Setbacks. Building setbacks shall follow the requirements of the underlying commercial zoning districts.

e. An additional setback is required when the lot is adjacent to residentially zoned properties or residential land use. The building, including the drive-through lane and windows, shall maintain a minimum 25-foot landscaped setback from street property lines

f. Maximum building height shall not exceed 35 feet.

2. Parking. The parking requirements shall comply with Chapter 17.22.090 CMC. The gross floor area for outdoor seating shall be subject to the same parking requirements.

3. Site Design.

a. Buildings shall be oriented toward the street with drive-through lanes, pick-up windows, and off-street parking spaces oriented toward the rear or side yards.

b. Decorative low garden walls shall be provided to screen the parking lot and the drive-through lane from the view of the public street.

c. All service and loading areas shall be screened from public view to the extent possible.

d. Pedestrian routes shall not cross driveways or stacking lanes to reach the building's entrance.

e. Site design shall minimize pedestrian and vehicle conflicts by creating opportunities for courtyards, plazas, outdoor seating areas, and landscaped pathways that promote safe and convenient pedestrian movement.

f. Pedestrian access and coordinated site furnishings to enhance the bus stops, if near or adjacent to the project site, shall be required as feasible.

g. Outdoor seating areas shall be oriented close to the main building entries, and design the area as an integral part of the project and not simply left-over areas of a site.

h. Reciprocal access between adjacent parking areas shall be provided, where feasible, so that vehicles are not required to enter the street in order to move from one area to another on the same or adjacent sites.

i. The number of curb cuts shall be minimized to reduce pedestrian conflicts along the street and encourage walkability and accessibility.

j. All utility mechanical equipment such as electric and gas meters, electrical panels, cable boxes, and junction boxes must be located in a utility room within the building.

k. Any outdoor mechanical equipment on a roof, side of a structure, or on the ground shall be screened from public view. The screening method must be

architecturally integrated with the building design in terms of materials, color, shape, and size.

4. Drive-Through Lane Design. The following requirements apply to any use with drive- through facilities:
    a. Each drive-through lane shall be separated from the circulation routes necessary for ingress and egress from the property or access to any parking spaces.
    b. Drive-through lane shall have a minimum width of 12 feet.
    c. Each drive-through lane shall provide clear pavement markings for the entrance and direction of traffic flows.
    d. Discourage stacked drive aisles that create conflict.
    e. Drive-through restaurants must submit a traffic study to determine the vehicle stacking capacity and the design and location of the ordering and pick-up windows. The traffic study shall address the following issues:
        i. Nature of the product or service being offered.
        ii. Method by which the order is processed.
        iii. Time required to serve a typical customer.
        iv. Arrival rate of customers and peak demand hours.
        v. Anticipated vehicular stacking required.
5. Architecture.
    a. Building entries shall be located toward the street where a pedestrian can access directly off the public sidewalk to define the street frontage and denote pedestrian areas.
    b. Prototypical, corporate architecture and color schemes shall be avoided. The use of fluorescent paints and bright colors is prohibited.
    c. Building elevations shall have articulation. Avoid blank walls by:
        i. Varying the planes of the exterior walls in depth and/or direction, and adding window openings and/or entrances and other relief;
        ii. Adding vertical pilasters, which may reflect the internal building structure;
        iii. Adding vertical trellis, green screens, or other landscape features;
        iv. Changing color and texture along the wall surface;
        v. Adding trims, projections, and reveals along different wall surfaces; and
        vi. Articulating the building facade by varying juxtaposition of building elements.

d. Covered walkways at building street frontages and decorative overhead trellis shall be provided for outdoor seating areas. Use the same materials and colors for the covered walkways as with the building.

e. Ladders for roof access shall be from the inside of the building.

f. Storefront windows shall be kept clear and visible to the public right-of-way, free of any frosting or window treatments that obstruct visibility into the business.

g. A decorative covered structure over the pick-up windows shall be provided to add depth and variation to the facade.

6. Landscaping and Lighting

a. The minimum on-site landscaping shall equal 10 percent of the lot area, excluding the required front, side, and rear yards.

b. Comply with the landscaping requirements of CMC Section 17.22.060.

c. Trees shall be planted within parking lots to provide heat-reducing shade. Select evergreen and canopy shade tree species for a parking lot.

d. Any play structures shall be placed indoors. The indoor play structure shall be ancillary to the restaurant's use and shall not dominate the main building.

e. Lighting shall be provided within parking lots. The lights must be directed and shielded to prevent light and glare from intruding onto adjacent sites.

7. Signs. A sign program is required prior to the issuance of building permits and installation of any signs. Corporate signage shall not dominate the building facade.

C. Maintenance**.**

1. The premises shall be kept clean, and the operator shall make all reasonable efforts to see that no trash or litter originating from the use is deposited on adjacent properties.

2. Adequate trash containers shall be provided. The employees shall pick up trash originating from the site, both on site and within 50 feet of the site's perimeter, daily.

3. No undesirable odor shall be generated on site.

4. All merchandise, wares, crates in the form of temporary and permanent storage, displays, and goods offered for sale shall be maintained wholly within the building. Storage of any kind is contained completely within an enclosed structure.

D. Noise.

Noise emanating from sound systems, including intercom and public address systems, shall not be audible beyond the property line.

17.24.080 Drive-up Kiosks

Drive-Up Kiosks, as defined in the CMC Chapter 17.28 Glossary. The following requirements apply to any use of a drive-up kiosk:

A. Development Standards.

1. Drive-up kiosks shall be set back a minimum of 50 feet from all alleys, streets, highways, and on-site collector roads.
2. Kiosks shall be located at least 50 feet away from any other building.
3. Kiosks shall not be located where they conflict with pedestrian walkways or vehicular drive aisles.
4. The maximum building size shall be 100 square feet, and the building shall be affixed to a permanent foundation.
5. Kiosks shall have one-way drive-up lanes at least 12 feet wide.
6. Entrances and exits shall be clearly marked and not conflict with traffic movement in and around the commercial center.
7. The building and roof materials shall be in a natural color, require no painting, and be designed in the same architectural style as the primary buildings in the center. If no architectural style is established, the building design shall complement the center.
8. Lighting shall be indirect and not reflect on adjoining property.

B. Landscape Requirements.

1. A kiosk shall be surrounded by a minimum six-foot-wide landscape strip, except at the entrance, drive-up window, or walk-up window.
2. Planters shall be enclosed by a six-inch-wide reinforced, continuous curb at a height to be determined by the Director.
3. A detailed landscaping plan, including common and botanical plant names, quantities, sizes, heights, and spacing for each, shall be submitted for the Director’s review and approval.

C. Signs.

Signs shall conform to the sign regulations, except that only wall signs shall be permitted, no roof signs or signs above the building's ceiling shall be allowed, and no more than five percent of each wall may be devoted to signs.

D. Parking

One parking space shall be provided for each employee on duty. If parking spaces have been removed from the center property, they shall be replaced unless a surplus of spaces exists. In that case, a parking plan shall be submitted for the Director's review demonstrating how the overall property complies with city parking requirements.

E. Maintenance.

All facilities and landscape areas shall be continuously maintained and kept free of trash and debris.

F. Abandonment.

Removal of Abandoned Uses. Any drive-up kiosk that has been abandoned for 15 or more consecutive days shall be removed from the site at the director's request. Failure to remove the structure from the site within 30 days after receiving written notice may result in prosecution for a violation.

G. Violations**.**

Violations of any of the prescribed criteria for kiosks shall be cause for revocation and voiding of the permit and/or license, subject to the same public hearing procedures in CMC 17.02.120.

17.24.090 Drop-Off Bins

A. Location.

1. Shall be located in parking areas to avoid conflict with vehicular and pedestrian traffic.
2. Bins shall be set back at least 50 feet from all alleys, streets, highways and on-site collector roads.
3. Bins shall be located at least 50 feet from any buildings.
4. Bins shall be located on raised concrete pads at least six inches above the adjacent finished grade.

B. Landscaping.

There shall be at least two feet of raised planter around each drop-off bin or facility.

17.24.100 Gated Community Design Regulations

A. Design Features of Entry and Exit Gates.

1. Gate Material. The moving portion of the gate shall be constructed of material that is at least 80 percent open. Typically, wrought iron or other decorative material is used.
2. Lighting. Lighting fixtures shall be installed and maintained at the access points to ensure vehicle and pedestrian safety. The required lighting shall be automatically controlled to turn on during the hours of darkness.
3. Pedestrian Access. Each access point shall provide pedestrian access and a walkway that is separate from the driving lanes and links directly to the public sidewalk. Pedestrian walkways shall meet all accessibility standards required by the Americans with Disabilities Act.
4. Emergency vehicle access is required. Each project must receive approval from the Los Angeles County Fire Department.

5. Turnaround feature. Each gate access point shall have an area that allows traffic to safely maneuver a turnaround when the gate is closed, in compliance with the Public Works Standard Drawing for Residential Project Gate Entrance.
6. Stacking area. Each access point shall show an area of sufficient length and width to safely stack traffic coming onto the property from the adjacent roadway, Public Works Standard Drawing of Residential Project Gate Entrance.

B. Access and Circulation Details.

1. The entry and exit gates shall comply with the Public Works Standard Drawing of Residential Project Gate Entrance.
2. No encroachment into publicly owned right-of-way. The gates, operating equipment and fencing shall be located wholly within the private portion of the property. The property line shall be clearly indicated on the site plan. Swing gates are not allowed to encroach into the public right-of-way. The drives, streets and lanes inside a gated community are to remain private.

17.24.110 Hotels and Motels.

A. Purpose.

This section establishes development standards and operational requirements for hotels to ensure high-quality development and to mitigate impacts such as crime, urban blight, and excessive use of public resources.

B. Occupancy standards.

1. Each hotel shall have at least 25 guest rooms, and no room shall be less than 280 square feet.
2. No hotel guest room shall be rented to any person for continuous occupancy for more than 30 consecutive calendar days, counting portions of calendar days as full days. Hotel guest rooms may not be rented for less than one day.

C. Development Standards.

These standards shall not be so construed as to replace or reduce any minimum zoning, building, or other municipal code requirements of more general application; provided, however, that whenever the requirements of this section are more restrictive, or impose greater minimum requirements, the requirements of this section shall control.

1. Lobby size. The lobby must be at least 300 square feet, plus 25 square feet for every five rooms. It must be conveniently accessible to all entrances and corridors, and the front desk must be located to support employee and guest activities.
2. Setbacks. Comply with the following setbacks requirements:

Table 17.24.110-1 Setbacks for Hotels and Motels

Setbacks (feet)	Abutting or Adjacent to Residentially-Zoned Property	Abutting or Adjacent to Non residentially-Zoned Property
Front	35	25
Interior Side	25	15
Street Side	25	20
Rear	25 feet for a two-story hotel or 35 feet in building height measured from the peak or the parapet of the roof; for each foot of building height above 35 feet add 1.5 feet of building setback up to a maximum of 60 feet.	

3. Site layout, Parking, and Circulation.
    a. Hotel projects shall be designed with the hotel building(s) plotted at the street/front building setback line, with the overnight parking area located at the rear or side of the building(s).
    b. Hotel projects must align the primary (long) axis of the building parallel to the street. Alternatives may be considered for sites with narrow street frontages.
    c. Provide a separate guest drop-off area at the main entrance that does not interfere with the primary driveway network. The Planning Commission may waive the requirement for a separate guest drop-off area if the project includes additional amenities beyond the minimum required.
    d. Parking spaces shall be located in areas that are readily accessible to all rooms and any ancillary uses.
    e. Parking standards shall comply with CMC 17.22.xxx. Provide electric vehicle charging stations in accordance with CalGreen Standards.
    f. All buildings separated by a parking lot must be connected by pedestrian pathways at least ten feet wide, with shade structures and seating provided at intervals.
4. Equipment screening. All mechanical equipment and utility connections, including HVAC units, electrical meters, and gas meters, must be screened from public view. Rooftop equipment must not exceed the height of the roof parapet that conceals it.
5. Comply with CMC Section 17.22.160 wall fences and screening.

C. Design Standards.

1. Hotel design must include varied design elements and colors to minimize monotony and repetition across all wall planes. Articulation is required on all elevations.
2. Hotel design must use materials that convey permanence and beauty, such as brick, stone, tile, marble, granite, concrete, steel, and glass, on all sides of the building.
3. Break up large wall expanses with varied heights, setbacks, color arrangements, facade elements, or landscaping.
4. Enhance pedestrian walkways with landscaped setbacks, planters, trees, stamped concrete, and other decorative features.
5. The main entrance shall be clearly visible from the abutting street and/or principal driveway area.
6. Incorporate a prominent feature at the main hotel entrance, such as a water feature, public art, or landscaping.
7. Use light-scaping, such as uplights and downlights, to accentuate the hotel's architectural design.

E. Landscaping Standards.

1. Comply with all applicable landscape standards of CMC Section 17.22.060.
2. At least 10 percent of the total site area must be landscaped, not including required setback areas.
3. Larger trees and shrubs must be placed at vehicular and pedestrian entrances and site focal points.
4. Provide a minimum 6-foot landscaped strip around buildings, excluding walkways, driveways, and parking stalls.
5. Provide a landscaped buffer at least 5 feet wide along all sides of parking lots that are not adjacent to a residential zone.

F. Amenities.

1. Provide the following minimum on-site amenities.
   a. A pool and spa with an adjacent seating area. The pool and seating area must be buffered from any driveway, parking stall, or pedestrian walkway by a landscaped strip at least 7.5 feet wide. Pool areas shall be fully enclosed by a security fence five to six feet high, constructed of wrought iron, brick, or other ornamental materials.
   b. A minimum of 10 square feet of conference meeting area shall be provided for each guest room. Such room(s) shall be conveniently accessible from the kitchen and service areas.

c. Each development may include the following ancillary uses: cafes, grab-and-go markets, gift shops, on-sale liquor, business services, and fitness centers.

d. The development shall include sufficient storage, janitorial, and related space to accommodate all maintenance and procurement operations.

2. Additionally, provide two of the following on-site amenities:

a. Valet parking

b. Spa services (if not provided as an amenity to meet one of the above requirements)

c. An indoor pool;

d. Fire pits and an outdoor patio (if not provided as an amenity to meet one of the above requirements);

e. Indoor or outdoor recreation court (basketball, volleyball, etc.);

f. A water play area;

g. Penthouse suites with full balconies;

h. Concierge services;

i. Participation in a regional airport shuttle service;

j. Overnight laundry and dry-cleaning services;

k. Office space/workspace rental program;

l. Pet amenities, including, but not limited to, acceptance of cats and dogs in rooms, complimentary pet treats, availability of pet bedding, crates, food and water bowls, and a listing of local pet services, such as pet walkers, pet sitters, veterinarians, pet shops, and groomers. Pet play/exercise areas are strongly encouraged.

3. Other amenities may be considered in lieu of one of the required amenities, subject to Director approval

G. A Market Feasibility Study is required. The City may hire a consultant to prepare the study or require the applicant to do so, subject to independent peer review. The applicant is responsible for all associated costs. The study must address at least the following:

1. A complete listing of proposed facilities, amenities, and services (e.g., number and type of rooms, meeting space square footage, recreational amenities, business services such as data ports, workstations, etc., in-room amenities such as refrigerators and microwaves, laundry service, food service such as restaurants or coffee shops, etc.

2. Provide details on the hotel's business model, ownership, and franchise.

3. Provide a business and financial history of the proposed developer and any potential operators, including principals, experience, years in business,

capitalization, project list, number of units owned, average rates, and occupancy rates.

4. Assess whether the proposed hotel is financially feasible by addressing an unmet need for hotel rooms in the city. Include an analysis of the economic environment and projected future conditions that affect hotel operations and accessory uses.
5. Analysis of the proposed hotel's projected market base.
6. Three-and five-year projected occupancy rates, projected average daily rate for the proposed hotel, and revenue per available room trends for hotels within the city.
7. Estimate the hotel's market share for the first five years and indicate whether it will primarily attract guests from existing hotels in the city.
8. Analyze the economic impact on existing hotels, including estimated market dilution and any potential adverse effects on the financial viability of current hotels.

H. Public Safety Standards.

No hotel shall create an unreasonable or excessive demand for police services. To demonstrate compliance with this standard, an application for a hotel conditional use permit must include the following information:

1. A management plan that describes how the hotel will address potential criminal activities at the site.
2. A lighting plan that demonstrates how the hotel's proposed lighting will illuminate the site to the extent necessary for a peace officer to adequately observe the property from a patrol car.
3. A site plan designed to allow for visibility from the public right-of-way for peace officers in patrol vehicles.
4. Hotel operators must always maintain a current point of contact with the Covina Police Department and Los Angeles Fire Department for law enforcement, public health, and safety issues. A police and fire inspection is required when a hotel changes ownership or operator.
5. Hotel owners and employees must be trained to identify criminal activity.
6. Install a security camera system with access for the Covina police department. Recordings must be retained for at least 30 days.
7. Hotels that provide entertainment shall obtain an entertainment permit.

17.24.120 In-Home Businesses and Cottage Food Operations

A. In-Home Businesses and Cottage Food Operations.

In-Home Businesses and Cottage Food Operations may be conducted from a residence, subject to the following conditions:

1. No customers, clients, prospective customers, or clients shall visit the site to conduct or consider business.
2. No sales, delivery, or storage of merchandise shall be permitted at the residence except for limited storage of arts and crafts products made at the house.
3. The business shall not interfere with the use of the garage for parking purposes.
4. No commercial or identifying signs shall be used. The residential address shall not be used for advertising purposes or on any business stationery, fliers, cards, or handouts.
5. In no way shall the appearance of the structure or the activity therein be altered or conducted to be reasonably recognized as serving a nonresidential purpose.
6. The business shall not cause disturbances such as noise, odors, glare, smoke, temperature changes, electrical interference, or groundwater pollution.
7. No mechanical equipment shall be used, except that which is normal and customary for residential use. Equipment used shall be limited to 1.0-horsepower motors and shall be operated on normal household electrical current.
8. No person other than residents of the immediate household may be employed or engaged in the conduct of the business.
9. The following uses are expressly prohibited for consideration as a home occupation business: vehicular repair, firearms or weapon sales, and the manufacturing of substances or products.
10. Arts and crafts and similar hobby work are exempt from the prohibition against manufacturing if the businesses meets the following criteria:
    a. Limit gross sales to a maximum of $20,000 per year.
    b. Prohibit activities which can be heard on adjacent properties between 6:00 p.m. and 10:00 a.m., and on Sundays. Activities must comply with standard noise regulations between 10:00 a.m. and 6:00 p.m.
    c. Prohibit activities and storage which are visible from adjacent properties or public rights-of-way.
11. Only in-home businesses that are found by the director or the designee to meet these standards and to be compatible with residential uses shall be permitted.
12. Once approved, the in-home business license shall be valid until December 31st of that year. Thereafter, the applicant shall apply for renewal; if approved, the license shall be valid until December 31st of the following year. Only one in-home license shall be permitted per household.
13. Cottage food operations may operate as in-home businesses, subject to compliance with the California Department of Public Health and the following requirements:

a. All cottage food businesses shall be limited to producing and selling the low-risk baked and shelf-stable foods as defined in Health and Safety Code Section 113758.

b. Any foods not covered by Health and Safety Code Section 114365.5(a), including prepackaged foods and hot beverages (cocoa, coffee, cider, and tea), are prohibited from being sold by cottage food operations.

c. The sale of food by cottage food operations from residential properties shall be limited to the hours between 8:00 a.m. and 6:00 p.m.

d. Cottage food operations shall obtain all necessary health permits from the County of Los Angeles Department of Public Health (Environmental Health) before an in-home business license is issued.

17.24.130 Massage Facilities

A. Purpose and Intent.

The purpose of this section is to provide standards for massage establishments, where allowed in compliance with the Covina Municipal Code (CMC), Title 17 Zoning, and Title 5, Chapter 5.36 Massage Establishments. The City recognizes the potential for unlawful activities associated with massage therapy that can threaten the community's quality of life if not properly regulated. Prostitution and other businesses engaged in illegal activities may use the guise of a massage establishment to shroud their activities. They can pose significant risks to massage patrons and massage technicians when improperly or insufficiently trained or managed. The regulations established in this section are to protect the health, safety, and welfare of the residents and visitors of the City. They are consistent with all applicable laws of the State of California. This section provides clear direction and purpose for establishing and operating massage businesses in Covina.

B. Applicability.

This section applies to all businesses proposing to conduct massage, including accessory massage services or businesses as defined in CMC Chapter 5.36.

C. Massage Establishments.

Massage establishments as defined in CMC Chapter 5.36 shall be permitted in Community Commercial (CC) and Regional Commercial (RC) zones, provided that the massage establishment obtains a Conditional Use Permit pursuant to CMC Chapter 17.04, complies with the requirements of Chapter 5.36, and all other local and state requirements for such a use.

D. Accessory Massage Services.

Accessory massage services as defined in CMC Chapter 5.36 shall not be subject to the application of this Section or the requirements of Chapter 5.36. However, the primary business must obtain an Administrative Conditional Use Permit to include the accessory massage service as part of its business operation. The

primary business must occupy at least 70% of the gross floor area of the business location.

E. Application-Massage Establishment.

Applications for massage establishments pursuant to Chapter 5.36 shall be filed with the community development department, together with the filing fee established by City Council resolution. The application shall be accompanied by information and materials determined necessary by the community development department and reasonably related to areas of lawful city concern and authority, including, but not limited to, a site plan, a floor plan, and documentation demonstrating that all licensing requirements have been met.

F. Approval-Massage Establishments.

In conjunction with the approval of a Conditional Use Permit or Administrative Conditional Use Permit (as applicable) pursuant to Chapter 17.04.020 CMC, a massage establishment may be approved unless the Planning Commission makes the following findings:

1. The applicant or any of the applicant's proposed employees, after a full hearing by administrative proceeding or state court, has aided and abetted any of the offenses listed in this section;
2. The applicant has made a false, misleading, or fraudulent statement or omission of fact to the city in the permit application;
3. The application does not contain all of the information required by this section;
4. The massage establishment, as proposed by the applicant, does not comply with all applicable laws, including, without limitation, health, zoning, fire and safety requirements, regulations, and standards;
5. The applicant has not satisfied the requirements of this chapter in the time specified; or
6. The location of the proposed massage establishment has within a twelve (12) month period prior to the submittal of the application:
    a. Been the site of a violation of this chapter, or any similar criminal or civil ordinance, law, rule, or regulation of the State of California or any other public agency related to the operation of massage establishments and where an action for nuisance abatement has been sustained.
    b. Been the site of a massage establishment that was closed due to criminal activity and where an action for nuisance abatement has been sustained. For purposes of this subsection, closure due to criminal activity includes voluntary closure of a massage establishment after there have been arrests at the location or other notices relating to criminal activity,
    c. Been the site of a massage establishment where violations have not been addressed in the time specified in the notice of violation or administrative citation and where an action for nuisance abatement has been sustained.

G. Denial.

If the application is denied for failure to comply with this chapter, the applicant, owner, and operator of the massage establishment may not reapply for a period of five (5) years from the date the application was denied.

H. Noncompliance-Massage Establishments.

The planning commission may revoke approval of the massage establishment upon a determination at a public hearing that the above conditions or the conditions set forth in Chapter 5.36 are not being met. Notification of the hearing shall be in accordance with standard notice procedures. The applicant or any interested person may appeal the decision of the planning commission to the city council within 10 calendar days of the planning commission hearing. The applicant shall be responsible for all city enforcement costs associated with the revocation of a permit as a result of the violation of applicable conditions.

17.24.140 Mobile Food Truck Facilities

A. Permits and Approvals

1. The mobile food facility operator must have the express written permission of the site owner and the on-site business owner, if different, where it intends to operate.
2. The mobile food facility operator must possess a valid permit, certificate or other required approval from the Los Angeles County department of public health to sell food and/or beverages to the public.
3. The mobile food facility operator must possess a valid administrative conditional use permit for a mobile food facility and pay all applicable fees.
4. The mobile food facility operator must possess a valid city of Covina business license.
5. All food products sold or provided from the mobile food facility shall comply with all labeling requirements established by the state of California and the operator must obtain all required permits, including without limitation health permits, to sell or provide such items.

B. Operations and Sales

1. No alcoholic beverages, general merchandise or commercial sales other than food are permitted from a mobile food facility.
2. No amplified music or other sound may be emitted from a mobile food facility.
3. A mobile food facility may only sell food to the public between the hours of 2:00 p.m. and 9:00 p.m. on any day; provided, however, that a mobile food facility may occupy the site for up to one hour prior to opening and up to one hour after closing in order to setup and take down operations for that day.

4. No mobile food facility shall discharge any liquid (e.g. water, grease, oil, etc.) onto the site or into any public streets, storm drains, catch basins, or sewer facilities. All discharges shall be contained and properly disposed of by the operator;
5. An operator shall maintain a clearly designated litter receptacle in the immediate vicinity of the mobile food facility, marked with a sign requesting use by patrons. Prior to leaving the site, the operator shall remove of all trash generated by the operation and within a 25-foot radius of the mobile food facility;

C. Parking, Access, and Safety

1. While the mobile food facility is occupying the site, there must be sufficient remaining off-street parking to meet minimum requirements under the Covina Municipal Code and the mobile food facility may not obstruct access to the remaining off-street parking.
2. The mobile food facility may not sell or distribute any item in a manner than causes any person to stand in a public highway, alley or street.
3. No portion of a mobile food facility may encroach onto a public sidewalk, including any signage, equipment or furniture related to its operations.
4. Such other conditions as the City Manager, or designee may require to protect the health, safety and welfare of the community.

17.24.140 Model Home Sales Office

A. Intent.

Model homes may be used as offices solely for the sale of homes within a new subdivision or recorded tract, subject to the following conditions:

1. Approval of a model home sales office shall be for a two-year period. Upon the expiration of the two-year period, the model home sales office use shall be terminated and the structure restored back to its original condition. Extensions may be granted by the director of community development in one-year increments up to a maximum of two additional years or until 90 percent of the development is sold, whichever is less.
2. The subdivider shall submit to the city a cash deposit, letter of credit, or other security determined satisfactory by the city to ensure the restoration of the residential dwelling unit and removal of the model home sales office use.
3. The model home sales office is to be used only for transactions involving the sale, rental, or lease of lots or structures within the subdivision or tract in which the model home sales office is located.
4. The subdivider’s failure to remove a model home sales office and restore residential dwelling unit, or failure to apply for an extension of the administrative conditional use permit before the expiration of the permit, will result in the

subdivider's forfeiture of the security provided and a halt in further construction or inspection activity on the project site, and may result in an enforcement action to ensure restoration of the residential dwelling unit.

5. The subdivider shall complete street improvements and provide temporary parking at a rate of two spaces per model home sales office to the satisfaction of the director of community development prior to commencement of sales activities and prior to the display of any model homes. The parking spaces shall be located within an off-street facility, subject to the following conditions:

   The model home sales office, model homes, and on-street parking spaces shall be coordinated with the construction phasing such that there are no resident homeowners living in the homes located adjacent to the gated and secured areas of the street;

B. Parking and Fences.

1. The model homes, model home sales office, and on-street parking shall be secured with a decorative fence and gate across the street that is kept locked during nonoperating hours.
2. All fences proposed in conjunction with model homes and model home sales offices shall be constructed and installed outside of the public right-of-way.
3. The subdivider shall provide an area for off-street overflow parking to the satisfaction of the director of community development. The overflow parking area shall be located adjacent to the model home sales office, in an outside secured area, appropriately signed, and provided with a drive approach constructed to applicable city standards.
4. Parking shall be permitted only within and on the project site. Parking along adjacent or perimeter streets shall not be used to satisfy the model home sales office parking requirements.
5. The parking spaces shall be striped and shall conform to the city's applicable standards.

C. Landscaping.

The subdivider shall provide temporary landscaping, including a minimum of 36-inchbox trees, within the on-street parking area and a planter area surrounding the overflow parking area.

D. Flags and Signs.

Flags, pennants, or other on-site advertising shall be regulated in accordance with the city's sign regulations. The use of signs shall require submittal of a separate sign permit application for review and approval by the planning division prior to installation.

17.24.160 Outdoor Advertising Structure

A. Allowable Zones.

Outdoor advertising structure zones shall be created in the same manner as property is reclassified from one zone to another within the city, as set forth in CMC 17.04 Land Use Entitlements, Permits and Planning Application. When such a zone is created, it shall be designated on the city's official zoning map as an overlay zone by adding the parenthetically enclosed letter "S" after the zoning symbol that indicates the zone in which the property is included. Outdoor advertising structure zones shall be referred to as "S zones."

B. Permitted Zones.

In addition to all other permitted uses on properties within an S zone, the erection and maintenance of outdoor advertising structures shall be permitted, subject to the regulations set forth in this code.

C. Restricted to certain zones.

"S" zones shall be overlaid only upon the following zones as the same are defined in this title: M-1 zones and C-P zones directly adjacent to freeway right-of-way.

D. Use Limitations

No person shall use, locate, construct or maintain an outdoor advertising structure on any property except in an S zone. The location and maintenance of outdoor advertising structures on such properties shall comply with the following regulations:

1. The total area of an outdoor advertising structure shall not exceed 800 square feet, nor be less than 300 square feet.
2. No advertising structure shall exceed an overall height of 35 feet, measured from the finished grade of the lot upon which the sign is located; nor shall the bottom of the structure be less than 12 feet above the grade.
3. Structures shall be supported by not more than two columns, which columns shall be metal, or material equal to or stronger than metal.
4. The standards for material used as a border around the sign area, as well as the screening on the back of single-faced structures, shall be as set forth by resolution of the city council, which resolution and standards therein may be amended from time to time, as necessary, to ensure the protection and preservation of the public health, safety and general welfare.
5. All outdoor advertising structures shall be maintained so as not to be unsightly to a person of normal sensibility, nor in such a manner as to constitute a nuisance at law. The Director shall be responsible for the enforcement of this subsection.
6. Outdoor advertising structures shall be located in compliance with the following:
    a. No outdoor advertising structure shall be located other than in compliance with all setback requirements of the zone underlying the S zone upon which the same is located, and

b. No outdoor advertising structure shall be located within 400 feet, as measured along the street on one side thereof, of any property zoned for or used for residential, agriculture, church, school, park, hospital or civic center purposes, and

c. No outdoor advertising structure, except for bidirectional signs, shall be located within 450 feet, as measured along the street on one side thereof, of any other outdoor advertising structure whether or not on the same lot, and

d. No outdoor advertising structure shall be located within two feet of any other building or structure, except that bidirectional outdoor advertising structures may be located adjacent to one another if the distance between the same does not exceed 18 inches.

7. Advertising displays adjacent to landscaped freeways shall be subject to CMC Section 17.24.160-E.

E. Advertising displays adjacent to landscaped freeways.

Notwithstanding any other provisions of this code regarding outdoor advertising structures adjacent to a landscaped freeway, the following provisions apply:

1. Outdoor advertising structures adjacent to a landscaped freeway must comply with the following provisions:

a. Any outdoor advertising structure adjacent to a landscaped freeway shall comply with Caltrans requirements.

b. In addition to required Caltrans provisions, any outdoor advertising structure adjacent to a landscaped freeway shall be required to have an accompanying development agreement approved by the Covina City Council.

c. Any outdoor advertising structure adjacent to a landscaped freeway shall be required to obtain a conditional use permit that complies with CMC Chapter 17.04.

d. Development Standards. In addition to the provisions of this chapter, any outdoor advertising structure adjacent to a landscaped freeway must comply with the following development standards:

i. Height: Not to exceed 85 feet as measured from the finished grade of the outdoor advertising structure to the highest element of the outdoor advertising structure.

ii. The size of the advertising panel shall be no larger than 700 square feet in area.

iii. Outdoor Advertising Structure Display Panel(s). An outdoor advertising structure may be single-sided or double-sided, so the face of the advertising panel is designed to be primarily visible to freeway vehicular traffic. A maximum of two advertising panels per outdoor advertising structure is allowed.

2. Outdoor Advertising Structure Display Panel Disposition. An outdoor advertising structure display panel may be either digital or static.

3. A lighting study will be required, reviewed, and approved by the planning department.

F. Exempt advertising displays.

The provisions of CMC Section 17.24.160E shall not apply to any of the following listed advertising structures or signs used exclusively to:

1. Advertise the sale or lease of the property on which the advertising display is placed.

2. Designate the name of the owner or occupant of the premises upon which the advertising display is placed, or to identify the premises.

3. Advertise the business conducted, goods manufactured or produced, or services rendered upon the property upon which the advertising display is placed.

G. Removal of prohibited structures.

Notwithstanding any other contrary provisions of this code regarding the removal of nonconforming uses, any advertising structure that is now, or may hereafter be, in violation of any of the provisions of CMC Sections 17.24.160-A through 17.24.160-G shall be removed within three years of the effective date of the ordinance codified in this title, except:

1. Outdoor advertising structures having supporting columns of wood shall be removed within one year of the effective date of the ordinance codified herein.

2. Outdoor advertising structures which comply as to location and zone, but not construction, shall be made to comply or be removed within one year of the effective date of the ordinance codified herein.

3. Outdoor advertising structures which may become nonconforming due to the future landscaping of a section or section of a freeway shall be removed within three years of the time the freeway landscaping has been completed or accepted, and the character of the section or sections has been changed from a freeway to a landscaped freeway.

17.24.170 Outdoor Dining and Display within Public Right-of-Way

A. Purpose and intent.

This chapter establishes regulations that permit limited outdoor dining and commercial display in the public right-of-way as an ancillary use for adjacent primary businesses on private property. Outdoor dining and display must not restrict public access or detract from the area's image and appearance.

B. Definitions.

1. “Outdoor dining” is defined as the use of an adjacent, outside area by a food or beverage establishment for the same eating and drinking activities that occur within the establishment. The outdoor dining area may be located in a public right-of-way pursuant to this chapter.
2. “Outdoor display area” is defined as the area in which goods are placed outside a building for display or sale purposes, and in conjunction with permanent commercial uses located inside adjacent buildings. The display area may be on private or public property, pursuant to this chapter.
3. “Chair” shall mean either a distinct piece of furniture designed to allow one person to sit upon the same, or when seating is provided on a bench or other similar structure, then every 20 inches of seating space shall be considered as the equivalent of one chair for determining seating capacity.

C. Encroachment.

Outdoor dining and display shall be permitted to encroach into the public right-of-way pursuant to this chapter in the following areas:

1. Within the Covina Town Center Specific Plan, the encroachment is on Citrus Avenue, Badillo Street, College Street, School Street, Italia Street, Orange Street, Cottage Street and San Bernardino Road.
2. The encroachment is on or abutting Shoppers Lane.

D. Location.

1. Outdoor dining and display in the public right-of-way shall not extend beyond the boundaries of the primary business property to which such activity is subordinate.
2. Outdoor display may not encroach more than two feet into the public right-of-way.
3. Outdoor dining may extend into the public right-of-way; however, it must maintain a clear pedestrian pathway the full width of the property. The pathway shall maintain a minimum unobstructed passageway of five feet as measured from the dining area to any obstruction, including but not limited to light standards, benches, street trees, and news racks.

E. Insurance.

The permittee shall maintain general liability insurance for the benefit of the City of a type and amount as determined by the City Manager to be appropriate.

F. General Standards for Outdoor Dining.

1. Development Standards.
    a. Facilities and equipment must meet the quality and style standards set by the Covina Town Center Specific Plan and design guidelines, as well as any other applicable standards or policies. The design, materials, and colors of chairs, tables, lighting, and fixtures must complement the architecture and colors of adjacent buildings.

b. Outdoor dining areas with more than four tables or eight chairs must separate the dining area from the walkway using fencing, decorative plants, planters, or similar barriers to prevent encroachment into the required five-foot pedestrian pathway. Areas with more than eight tables or sixteen chairs must install permanent fencing between the dining area and the walkway. The Director may waive this requirement if there is no reasonable possibility that tables or chairs will encroach on the pedestrian pathway

c. Outdoor dining areas serving food must provide lighting during evening hours. Fixtures must be decorative and complement the building and area's architectural character. Building-mounted lights must not cause glare or visual obstruction for pedestrians or drivers, and should illuminate only the sidewalk area.

d. Portable umbrellas are permitted if they do not obstruct the public right-of-way or walkway and do not display advertising.

2. Operational Standards.

a. The primary business owner is responsible for the proper operation of the outdoor dining area. Management or employees must supervise outdoor dining at all times. Food establishments serving alcohol must have an on-site supervisor at least 21 years old during all operating hours. Any behavior that disturbs customers or passersby may result in permit revocation.

b. Establishments must keep all areas in and around the sidewalk dining area clean and free of litter and debris.

c. Outdoor dining hours of operation shall be limited to those of the associated food or beverage establishment.

d. All city-approved plans and permits for the outdoor dining area must be kept on the premises and available for public inspection whenever the establishment is open.

e. Outdoor dining areas shall operate in a manner that meets all requirements of the Los Angeles County Department of Health and all other applicable regulations, laws, ordinances, and standards. Food establishments serving alcoholic beverages shall also obtain all necessary permits required by the State Alcoholic Beverage Control Department.

G. General Standards for Outdoor Display.

1. Locational Standards.

a. Outdoor displays must not obstruct business entrances, pedestrian pathways, or driveways.

b. Outdoor displays may encroach up to 2 feet into the public right-of-way and must maintain at least 6 feet of clear sidewalk space on non-arterial streets and 8 feet on arterial streets.

c. Outdoor displays must not interfere with adjacent businesses' reasonable use of storefront windows for display.

d. Outdoor displays must not unreasonably obstruct the visibility of other businesses.

e. Outdoor displays must not create hazards for vehicles or pedestrians.

2. General Standards.

a. All outdoor displays shall be limited to artwork and pottery, flowers and plants, general merchandise related to the adjoining business, or other items determined by the director to be consistent with the intent of this code and the downtown redevelopment plan.

b. All outdoor displays must be portable and removed from public view at the end of each business day.

c. Outdoor displays must be kept clean, neat, attractive, and in good repair at all times.

d. Outdoor displays shall not include signs or contain advertising materials. However, restaurant menu signs will be allowed, provided they do not exceed 6 square feet (limit one per business).

e. Outdoor displays shall be limited to the hours of operation of the originating business.

f. Outdoor displays shall be limited to a maximum area of one-half square foot of display area for every foot of store frontage on the street.

g. The design and configuration of exterior displays shall be attractive, compatible with the building's architecture, and incorporate themes, colors, and materials consistent with the downtown redevelopment plan.

H. Application, Fees and Permits.

1. Outdoor dining and display require approval through a site plan review as described in CMC Chapter 17.04.

2. An encroachment permit must be obtained from the city before any outdoor display or dining is permitted.

3. Applications and fees shall be filed with the Planning Division in the format or checklists prescribed or issued by the Director.

I. Review Process, Approval Authority, and Appeal.

1. The Director has the authority to approve a minor site plan review for outdoor display areas that conform with CMC Section 17.24.170 G, and outdoor dining areas that have up to a maximum of eight tables or 16 chairs.

2. The Planning Commission has the authority to review and approve a site plan review as described in CMC Chapter 17.04 for outdoor dining areas with more than eight tables or more than 16 chairs.

3. Conditions of Approval. The Director or the Planning Commission, as applicable, may impose reasonable conditions of approval to ensure that outdoor dining and display areas operate in a manner that is not detrimental to

the public health, safety, and welfare, is consistent with all applicable codes, policies, and guidelines, and enhances the image, appearance, and vitality of the area where the use is located. This includes, but is not limited to, authority to regulate the design, layout, materials, colors, quality, and appearance of outdoor dining and display areas; to require security deposits, insurance, and other reasonable financial guarantees; and to prescribe operating terms that the permittee must comply with.

4. The appeal procedures shall comply with the requirements described in CMC Chapter 17.02.

5. Terms and Renewal.

   a. The Director may approve an outdoor dining or display area for a maximum of one year. Renewal permits may be granted for one-year periods.

   b. The Planning Commission may approve an outdoor dining or display area for periods of up to five years.

   c. The City reserves the right to temporarily suspend the permit upon seven days' notice because of anticipated or actual conflicts in the use of sidewalk areas due to street repairs, parades, festivals, and other similar events.

J. Enforcement.

1. Penalties. Any violation of this chapter shall be punishable as a misdemeanor pursuant to CMC Chapter 1.28. In addition, the City may seek civil remedies for any violation, including, but not limited to, the recovery of reasonable costs for enforcement and correction of the violation.

2. Revocation. Violation of any of the standards in this code or any of the conditions imposed under CMC Section 17.24.170 shall be grounds for revocation of the permit to operate an outdoor dining or display area. Such revocation shall require a majority vote of the Planning Commission at a regular meeting to which the permittee has been given at least 10 calendar days' notice. The Planning Commission's decision is final unless appealed to the City Council.

17.24.180 Public Storage Facilities

A. Submittal Requirements.

1. The applicant shall submit a report to the Director demonstrating the economic feasibility of the proposal relative to other similar facilities within a five-mile radius.

2. All leases submitted by the public storage facility to the tenants shall include the requirement for periodic safety inspections by the City.

B. Development Standards

1. No building or structure shall be located within 25 feet of any property line abutting a street unless otherwise noted in this section. All such required yards

shall be landscaped and irrigated in accordance with a plan approved by the Planning Commission.

2. All primary building materials shall be of masonry such as stucco, split-face block, concrete panels, bricks, natural stones, or a combination of the stated materials.
3. The roof element on all buildings fronting on all public streets shall be approved by the Director.
4. Each public storage facility shall have an office area and adequate public restrooms.

C. Permitted Signs.

1. One monument sign. The maximum sign area is 50 square feet per face, and the maximum sign height is 10 feet, measured from the finished ground to the top of the monument sign. The minimum monument sign setback is 10 feet from the property line.

   or,

   One wall sign. The maximum sign area is 100 square feet, and the sign is mounted flat against the building.
2. The architectural character of the proposed sign shall be based on durable materials and on the principles of harmony and proportion in the elements of the structures. The buildings shall always be maintained in their original condition.

D. Limitations

1. No uses permitted or conditionally permitted listed in the Industrial (I) zone will be allowed in the public storage facility other than that of the storage of goods by private parties or the storing of files or inventory by businesses. No storage facility will be used as a warehouse.
2. All limitations described above are to be written in the tenant lease. Failure by any tenant to adhere to the restrictions listed above may result in lease cancellation.
3. All utilities available on site are not for use by tenants except for electric lighting. Method of control of these utilities to be approved by the City.
4. All other police and fire department requirements not listed herein must be complied with.

E. Parking.

A total of six parking spaces, including one ADA parking space, shall be located at the project area's main entrance. Provide one loading space measuring 12 feet by 40 feet. All applicable provisions of CMC Section 17.22.090 shall apply.

17.22.190 Recycling Collection Facilities

A. Definitions

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

2. "Recycling facility" is a center for the collection and/or processing of recyclable materials. A certified recycling facility or certified processor means a recycling facility certified by the California Department of Conservation as meeting the requirements of the California Beverage Container Recycling and Litter Reduction Act of 1986. A recycling facility does not include storage containers or processing activity located on the premises of a residential, commercial, or manufacturing use and used solely for the recycling of material generated by that residential property, business or manufacturer. Recycling facilities may include the following:

   a. Collection Facility. A "collection facility" is a center for the acceptance by donation, redemption, or purchase, of recyclable materials from the public. Such a facility does not use power-driven processing equipment except as indicated in subsection (C) of this section, Criteria and Standards. Collection facilities may include the following:

      i. Reverse vending machine(s);

      ii. Small collection facilities which occupy an area of not more than 500 square feet, and may include:

         (A) A mobile unit,

         (B) Bulk reverse vending machines or a grouping of reverse vending machines occupying more than 50 square feet,

         (C) Kiosk-type units which may include permanent structures,

         (D) Unattended containers placed for the donation of recyclable materials;

      iii. Large collection facilities which may occupy an area of more than 500 square feet and may include permanent structures.

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

      i. A "light processing facility" occupies an area of under 45,000 square feet of gross collection, processing and storage area and has up to an average of two outbound truck shipments per day. Light processing

facilities are limited to baling, briquetting, crushing, compacting, grinding, shredding and sorting of source-separated recyclable materials and repairing of reusable materials sufficient to qualify as a certified processing facility. A light processing facility shall not shred, compact, or bale ferrous metals other than food and beverage containers.

ii. A "heavy processing facility" is any processing facility other than a light processing facility.

3. "Reverse vending machine" is an automated mechanical device which accepts at least one or more types of empty beverage containers including but not limited to aluminum cans, glass and plastic bottles, and issues a cash refund or a redeemable credit slip with a value not less than the container's redemption value as determined by the state. A reverse vending machine may sort and process containers mechanically; provided, that the entire process is enclosed within the machine. In order to accept and temporarily store all three container types in a proportion commensurate with their relative redemption rates, and to meet the requirements of certification as a recycling facility, multiple grouping of reverse vending machines may be necessary.

   A "bulk reverse vending machine" is a reverse vending machine that is larger than 50 square feet, is designed to accept more than one container at a time, and will pay by weight instead of by container.

4. "Mobile recycling unit" means an automobile, truck, trailer or van, licensed by the Department of Motor Vehicles, which is used for the collection of recyclable materials. A mobile recycling unit also means the bins, boxes or containers transported by trucks, vans, or trailers, and used for the collection of recyclable materials.

B. Permits Required.

The following table outlines the permit requirements for the operation of Recycling Facilities

Table 17.24.190-1

Permits Required for Recycling Facilities

A = Administrative Use Permit C = Conditional Use permit	Type of Required Permits
Reverse vending machines	A
Small and large collection facilities	C
Processing facilities	C

C. Criteria and Standards.

Recycling facilities permitted under an Administrative Use Permit shall meet all applicable criteria and standards. Facilities permitted under a conditional use permit or site plan review shall meet the applicable criteria and standards; however, the review authority (Director, Planning Commission, or City Council) may, at its discretion, relax such standards or impose stricter standards if it finds that modifications are reasonably necessary to implement the intent of this section.

1. Reverse Vending Machines. Reverse vending machines located inside a commercial structure do not require a discretionary permit or additional parking spaces. They may be permitted in all commercial and industrial zones with an Administrative Use Permit, provided they comply with the following standards:
    a. Shall be established in conjunction with a compliant commercial use or community service facility, located within 30 feet of the entrance, and shall not obstruct pedestrian or vehicular circulation;
    b. Shall not occupy parking spaces required by the primary use;
    c. Shall occupy no more than 50 square feet of floor space per installation, including any protective enclosure, and shall be no more than eight feet in height;
    d. Shall be constructed and maintained with durable waterproof and rustproof material;
    e. Shall be clearly marked to identify the type of material to be deposited, operating instructions, and the contact information or responsible person to call if the machine is inoperative;
    f. Shall have a maximum of four square feet per machine, exclusive of operating instructions;
    g. Shall be maintained in a clean, litter-free condition on a daily basis;
    h. Operating hours shall be at least the operating hours of the host use;
    i. Shall be illuminated to ensure comfortable and safe operation if operating hours are between dusk and dawn; and
    j. All outdoor storage shall be screened from view utilizing a screening fence or wall.
2. Small Collection Facilities. Small collection facilities may be sited in the Industrial (I) zone with a Conditional Use Permit and a Site Plan Review, provided they comply with the following development and operational conditions:
    a. Shall be established and operated entirely within the premises of an existing compliant industrial building;
    b. Shall be no larger than 500 square feet;

c. Shall accept only glass, metals, plastic containers, papers, and reusable items. Used motor oil may be accepted with permission of the local public health official;

d. Shall use no power-driven processing equipment except for reverse vending machines;

e. Shall use containers that are constructed and maintained with durable, waterproof and rustproof material, covered when the site is not attended, secured from unauthorized entry or removal of material, and shall be of a capacity sufficient to accommodate materials collected and collection schedule;

f. All recyclable material shall be stored in containers, and shall not leave materials or containers outside the premises;

g. Shall be maintained free of litter, and any other undesirable materials; must be removed at the end of each collection day; and shall be swept at the end of each collection day inside and outside the premises;

h. Shall not exceed noise levels of 60 dBA as measured at the property line of residentially zoned or occupied property; otherwise shall not exceed 70 dBA;

i. Attended or unattended facilities shall operate only during the hours of 9:00 a.m. and 7:00 p.m. Monday through Saturday;

j. The small recycling facility doors must be closed at the end of each operation day;

k. Containers shall be clearly marked to identify the type of material which may be deposited;

l. The facility shall be clearly marked to identify the name and telephone number of the facility operator and the hours of operation, and shall display a notice stating that no material shall be left outside the recycling enclosure or containers;

m. Signs may be provided as follows:

    i. Signs shall be subject to the provisions of Chapter 17.26 CMC;

    ii. Directional signs, bearing no advertising message, may be allowed with the approval of the director if necessary to facilitate traffic circulation, or if the facility is not visible from the public right-of-way;

    iii. The Director may require a sign program to be submitted for review and approval prior to the permit process and installation;

n. Shall install a video surveillance system for the business facility and shall meet with the police department prior to installation of the video surveillance system to ensure the system could deter and prevent public nuisances, and prior to the release of occupancy or the approval of the business license;

o. Two additional parking spaces will be required for a small collection facility;

p. Shall comply with Chapter 8.50 CMC, Storm Water Quality and Urban Runoff Control;

q. Occupation of parking spaces by the facility and the attendant may not reduce the number of available parking spaces below the minimum required for the primary industrial use;

r. Noncompliance with any conditions set forth in granting the Conditional Use Permit shall be cause for revocation and voiding of the permit, subject to CMC 17.04.030(G).

3. Large Collection Facilities. A large collection facility is one that is larger than 500 square feet, or is on a separate property not appurtenant to a primary use, and which may have a permanent building. A large collection facility is permitted in the Industrial (I) zone with a conditional use permit and a site plan review, provided the facility meets the following standards:

a. Facility does not abut a property zoned or planned for residential use.

b. Facility will be screened from the public right-of-way by operating in an enclosed building or:

i. Within an area enclosed by an opaque fence at least six feet in height with landscaping,

ii. At least 150 feet from property zoned or planned for residential use, and

iii. Meets all applicable noise standards in this section;

c. Setbacks and landscape requirements shall comply with those provided for the zoning district in which the facility is located;

d. All exterior storage of material shall be in sturdy, covered, secured containers that are maintained in good condition. Storage containers for flammable material shall be constructed of nonflammable material. Oil storage must be in containers approved by the San Gabriel Valley Fire Authority. No storage, excluding truck trailers and overseas containers, will be visible above the height of the fencing.

e. Site shall be maintained free of litter and any other undesirable materials, and will be cleaned of loose debris on a daily basis;

f. Space will be provided on-site for six vehicles or the anticipated peak customer load, whichever is higher, to circulate and to deposit recyclable materials, except where the city planner determines that allowing overflow traffic above six vehicles is compatible with surrounding businesses and public safety;

g. One parking space will be provided for each commercial vehicle operated by the recycling facility. Parking requirements will be provided for in the zone, except that parking requirements for employees may be reduced when it can be shown that parking spaces are not necessary, such as when employees are transported in a company vehicle to a work facility;

h. Noise levels shall not exceed 60 dBA as measured at the property line of residentially zoned property, or otherwise shall not exceed 70 dBA;

i. If the facility is located within 500 feet of property zoned, planned or occupied for residential use, it shall not be in operation between 7:00 p.m. and 7:00 a.m.;

j. Any containers provided for after-hours donation of recyclable materials will be at least 50 feet from any property zoned or occupied for residential use, shall be of sturdy, rustproof construction, shall have sufficient capacity to accommodate materials collected, and shall be secure from unauthorized entry or removal of materials;

k. Donation areas will be kept free of litter and any other undesirable material, and the containers will be clearly marked to identify the type of material that may be deposited; facility shall display a notice stating that no material shall be left outside the recycling containers;

l. Facility will be clearly marked with the name and phone number of the facility operator and the hours of operation; identification and informational signs will

m. meet the standards of the zone; and directional signs, bearing no advertising message, may be installed with the approval of the city planner, if necessary, to facilitate traffic circulation or if the facility is not visible from the public right-of-way;

n. Power-driven processing, including aluminum foil and can compacting, baling, plastic shredding, or other light processing activities necessary for efficient temporary storage and shipment of material, may be approved through a use permit process or at the discretion of the city planner if noise and other conditions are met.

4. Processing Facilities. A processing facility is permitted in the Industrial (I) zone with a conditional use permit and site plan review. A processing facility must meet the following conditions:

   a. Facility does not abut a property zoned or planned for residential or noise-sensitive use, such as a hospital or school;

   b. Processors will operate in a wholly enclosed building except for incidental storage, or:

      i. Within an area enclosed on all sides by an opaque fence or wall not less than eight feet in height and landscaped on all street frontages,

      ii. Located at least 150 feet from property zoned or planned for residential use;

   c. Power-driven processing shall be permitted, provided all noise level requirements are met. Light processing facilities are limited to baling, briquetting, crushing, compacting, grinding, shredding and sorting of source-separated recyclable materials and repairing of reusable materials;

d. A processing facility may accept used motor oil for recycling from the generator in accordance with Section 25250.11 of the California Health and Safety Code;

e. Setbacks and landscaping requirements shall be those provided for the zoning district in which the facility is located;

f. All exterior storage of material shall be in sturdy containers or enclosures which are covered, secured, and maintained in good condition. Storage containers for flammable material shall be constructed of nonflammable material. Oil storage must be in containers approved by the San Gabriel Valley fire authority. No storage, excluding truck trailers and overseas containers, will be visible above the height of the fencing;

g. Site shall be maintained free of litter and any other undesirable materials, and will be cleaned of loose debris on a daily basis and will be secured from unauthorized entry and removal of materials when attendants are not present;

h. Space shall be provided on-site for the anticipated peak load of customers to circulate, park and deposit recyclable materials. If the facility is open to the public, space will be provided for a minimum of 10 customers or the peak load, whichever is higher, except where the city planner determines that allowing overflow traffic is compatible with surrounding businesses and public safety;

i. One parking space will be provided for each commercial vehicle operated by the processing center. Parking requirements will otherwise be as mandated by the zone in which the facility is located;

j. Noise levels shall not exceed 60 dBA as measured at the property line of residentially zoned or occupied property, or otherwise shall not exceed 70 dBA;

k. If the facility is located within 500 feet of property zoned or planned for residential use, it shall not be in operation between 7:00 p.m. and 7:00 a.m. The facility will be administered by on-site personnel during the hours the facility is open;

l. Any containers provided for after-hours donation of recyclable materials will be at least 50 feet from any property zoned or occupied for residential use; shall be of sturdy, rustproof construction; shall have sufficient capacity to accommodate materials collected; and shall be secure from unauthorized entry or removal of materials;

m. Donation areas shall be kept free of litter and any undesirable material. The containers shall be clearly marked to identify the type of material that may be deposited. Facility shall display a notice stating that no material shall be left outside the recycling containers;

n. Sign requirements shall be those provided for the zoning district in which the facility is located. In addition, the facility will be clearly marked with the name and phone number of the facility operator and the hours of operation;

o. No dust, fumes, smoke, vibration or odor above ambient level may be detectable on neighboring properties.

17.24.200 R-TP Residential Zone

A. Intent.

This section provides regulations for the orderly development of new trailer parks and the maintenance of existing trailer parks, ensuring a safe and attractive residential environment and assuring compatibility with adjacent uses through the application of specific design standards.

B. Permitted Uses.

Uses not explicitly listed are prohibited. If a specific land use or activity is neither defined in the glossary nor listed in the land use tables, the Director shall classify it under a category substantially similar to the business's operations and characteristics, in accordance with CMC Section 17.04.080 Use Determinations. All land use activities must be conducted entirely within the building premises unless otherwise permitted under this section.

1. Residential trailers.
2. Incidental uses directly related to the needs of trailer park residents, including only the following:
   a. Office.
   b. Laundry and restroom facilities.
   c. Recreation facilities.
   d. Not more than two dwelling units per trailer park, for the owner, operator and/or one employee of the trailer park.
   e. Sales of items related to the maintenance and operation of trailers within the park shall be provided; there shall be no sign visible from a street advertising such sales.

C. Development Standards.

The following table sets the development standards for parcels within the residential Trailer Park (R-TP) zoning designation.

Table 17.24.200-1

Trailer Park Development Standards

Development Standards	R-TP	Additional requirements

1. Trailer park Minimum size (acres)	2.5	
2. Density	2,400 square feet per trailer space	Ratio shall include access, trailer parking, automobile parking, outbuilding space, and recreational areas.
3. Trailer spaces		
-each trailer space size (square feet)	1,500	
-each trailer space width (feet)	30	
4. Required Yard (feet)		
Front	25	Must be landscaped
Side	5 from each side of trailer	
Street side	15	Must be landscaped
Rear	25	May be used for access or parking
5. Height (feet)	Maximum 35	
6. Distance Requirements (feet)		
Between trailers and accessory structures	10	
Between trailers	10	
Between trailers and buildings	20	
Between trailers and vehicular access ways	10	
7. Walls, fences, hedges and screening	Comply with CMC Chapter 17.22.160 Walls, Fences, and Screening	
8. Parking	Comply with CMC Chapter 17.22.190 Parking and Loading	

D. Vehicular and Pedestrian Access.

1. The trailer park entry driveway shall be 30 feet wide and include a turning area.
2. The driveway width to trailers shall be 25 feet.

3. The five-foot pedestrian walkways shall be provided on either side of the vehicular way.
4. No parking shall be permitted in the required accessway.

E. Sewer Connections

All trailer parks shall be connected to an available sanitary sewer as determined by the public works director; trailers without such connection are prohibited.

F. Accessory Structures.

1. No accessory building shall be constructed as a permanent part of a trailer. Only a cloth awning or similar temporary device may be attached to a trailer.
2. Accessory structures such as but not limited to cabanas, patio covers, and other similar structures may be erected in conjunction with a trailer space; provided that in no case may any accessory structures be closer than 10 feet to any trailer other than the one it is designed to serve, or to any other cabana or ramada.

G. Site Plan Review.

The provisions of CMC Section 17.04.040 Site Plan Review shall apply.

17.24.210 Short Term Rentals

Reserved.

17.24.220 Smoke Shop and Tobacco Stores

A. Purpose.

The regulation of smoke shops and tobacco stores is necessary and in the interests of public health, safety, and general welfare because there is a substantial likelihood that such establishments will be established and operate in the City of Covina. The expansion of smoke shops and tobacco stores in the City would have undesirable impacts on the community. Among these impacts are increased potential for tobacco sales to minors, greater opportunity for the sale of illegal drug paraphernalia marketed as tobacco paraphernalia, and heightened risk of negative aesthetic impacts, blight, and loss of property values in residential neighborhoods and businesses in proximity to such uses. This chapter contains amendments consistent with good zoning and planning practices to address the negative impacts of smoke shops and tobacco stores while providing a reasonable number of locations and zones within the City of Covina for such shops/stores to locate.

B. Definitions.

1. "Ancillary sale" shall mean where a grocery store, supermarket, convenience store or similar market uses no more than two percent of its gross floor area, or 200 square feet, whichever is less, for the display, sale, distribution, delivery,

offering, furnishing, or marketing of conventional cigars, cigarettes or tobacco. For any grocery store, convenience market, retail kiosk or similar use consisting of 250 square feet or less, "ancillary sale" shall mean where no more than five square feet are used for the display, sale, distribution, delivery, offering, furnishing, or marketing of conventional cigars, cigarettes or tobacco. The display, sale, distribution, delivery, offering, furnishing, or marketing of e-cigarettes or any other tobacco products or tobacco paraphernalia, regardless of square footage used, is subject to the restrictions of this chapter and shall not constitute an “ ancillary sale" under any circumstances.

2. "E-cigarette" shall mean any electronically actuated device or inhaler intended to simulate cigarette smoking that uses a heating element to vaporize a liquid solution, commonly referred to as "juice," and that causes the user to exhale smoke, vapor, or any substance other than that produced by unenhanced human exhalation. The juice used in e-cigarettes typically contains nicotine, and for this reason e-cigarettes and their juice can be classified as both tobacco products and tobacco paraphernalia.

3. "Smoke shop and tobacco store" shall mean any premises dedicated to the display, sale, distribution, delivery, offering, furnishing, or marketing of tobacco, tobacco products, or tobacco paraphernalia; provided, however, that any grocery store, supermarket, convenience store, or similar retail use that sells only conventional cigars, cigarettes, or tobacco as an ancillary sale shall not be defined as a "smoke shop and tobacco store" and shall not be subject to the restrictions in this chapter.

4. "Tobacco" shall mean any preparation of the nicotine-rich leaves of the tobacco plant, which are cured by a process of drying and fermentation for use in smoking, chewing, absorbing, dissolving, inhaling, snorting, sniffing, or ingesting by any other means into the body.

5. "Tobacco paraphernalia" shall mean any paraphernalia, equipment, device, or instrument that is primarily designed or manufactured for the smoking, chewing, absorbing, dissolving, inhaling, snorting, sniffing, or ingesting by any other means into the body of tobacco, tobacco products, or other controlled substances as defined in California Health and Safety Code Section 11054 et seq. Items or devices classified as tobacco paraphernalia include but are not limited to the following: pipes, punctured metal bowls, bongs, water bongs, electric pipes, e-cigarettes, e-cigarette juice, buzz bombs, vaporizers, hookahs, and devices for holding burning material. Lighters and matches shall be excluded from the definition of tobacco paraphernalia.

6. "Tobacco product" shall mean any product in leaf, flake, plug, liquid, or any other form, containing nicotine derived from the tobacco plant, or otherwise derived, which is intended to enable human consumption of the tobacco or nicotine in the product, whether smoked, chewed, absorbed, dissolved,

inhaled, snorted, sniffed, or ingested by any other means. For the purposes of this chapter, the term "tobacco product" excludes any product that has been specifically approved by the United States Food and Drug Administration (FDA) for sale as a tobacco/smoking cessation product or for other medical purposes, where such product is marketed and sold solely for such an approved purpose.

C. Zoning and Land Use Standards.

1. Smoke shops and tobacco stores are conditionally permitted only in the Community Commercial (CC) and Regional Commercial (RC) zones.
2. Location Standards.
    a. Smoke shops and tobacco stores shall not be located within 300 feet, measured from property line to property line, of a school (public or private), family day care home, childcare facility, youth center, community center, recreational facility, park, church or religious institution, hospital, or other similar uses where children regularly gather.
    b. Smoke shops and tobacco stores shall not be located within 500 feet, measured property line to property line, from another smoke shop and tobacco store.
    c. It is unlawful for a smoke shop and tobacco store to knowingly allow or permit a minor, not accompanied by his or her parent or legal guardian, to enter or remain within any smoke shop and tobacco store.
    d. Smoke shops and tobacco stores shall post clear signage stating that minors may not enter the premises unless accompanied by a parent or legal guardian. At least one such sign shall be placed in a conspicuous location near each public entrance to the smoke shop and tobacco store. It shall be unlawful for a smoke shop and tobacco store to fail to display and maintain, or to fail to cause to be displayed or maintained, such signage.
3. Standard conditions of approval for any CUP shall, at a minimum, include the following:
    a. No smoking shall be permitted on the premises at any time.
    b. No sales may be solicited or conducted on the premises by minors.
    c. No self-service tobacco, tobacco product, or tobacco paraphernalia displays shall be permitted.
    d. No distribution of free or low-cost tobacco, tobacco products or tobacco paraphernalia, as well as coupons for said items, shall be permitted.

17.22.230 Temporary Uses

A. Purpose.

This section sets regulations and standards for temporary activities and land uses to protect the community’s health, safety, and general welfare.

B. Permit Requirements.

All temporary uses and activities require an Administrative Use Permit under CMC Section 17.04.010. Applicants must obtain this permit and meet all requirements before starting any temporary use or activity.

C. Temporary Uses Require Permits.

1. Promotional Sales Activities. The activities include, but are not limited to, parking lot, sidewalk, or other outdoor promotional sales of merchandise. The activities are sponsored by businesses or organizations for a temporary extension of the normal retail sales in a neighborhood, community, or regional commercial centers, and upon the same premises, subject to the following requirements:
    a. Each sale is limited to a maximum of 10 days per calendar year.
    b. No sale for any single business or any other businesses located on the same lot or parcel, or within a commercial center, shall be permitted within 30 days of another sale.
    c. The activity shall not present a hazard to pedestrians or encroach on a required building exit or emergency vehicle/fire access lanes.
    d. Ensure safe vehicle entry and exit at all times.
    e. Maintain adequate parking for the applicant's business and all other businesses on the same lot, parcel, or within the same commercial center during the activity.
2. Seasonal Sales Activities.
    a. Seasonal sales activities used as advertising for retail commercial businesses are limited to three days of operation within any three-month period.
    b. Holiday-themed product sales, such as Halloween, Christmas, or Easter, may operate for up to 30 consecutive days within any 12-month period on nonresidential properties.
3. Special Events. This category includes temporary commercial entertainment events, such as carnivals, circuses, fairs, car shows, and festivals, subject to the following regulations:
    a. All such uses shall be limited to not more than 15 days, or more than three consecutive weekends, of operation in any 180 days. Exceeding this time limitation shall require the review and approval of a conditional use permit.
    b. All such activities shall have a minimum setback of 100 feet from any residential use as measured from the property line. The planning director may waive this requirement if no adverse impacts, including, but not limited to, noise, traffic, odor, glare, and/or trash, would result.
    c. Restroom and trash facilities shall be made available during the operational hours of the event.

d. Submit a security plan to ensure the event does not pose a hazard to attendees or nearby residents for the director and Police Department for review and approval.

e. Submit a transportation management plan and a traffic control plan to ensure public safety for the director and traffic engineer review and approval.

f. Noise attenuation shall be provided to the satisfaction of the director.

4. Open-air “Pop-up” marketplace events. This category includes outdoor markets where street vendors or small-business entrepreneurs set up stalls in designated public or private spaces, such as private parking lots, streets, or common public areas.

   a. All such uses shall be limited to no more than 40 days within any consecutive six-month period. Exceeding this time limit shall require review and approval of a conditional use permit.

   b. All applicable provisions of CMC Section 17.24.230-C shall apply.

5. Other Temporary Activities. Other temporary activities that the Director deems to be similar in nature and intensity to those identified in this section may be approved with an Administrative Use Permit.

D. Temporary Uses Exempt from Permit Requirements.

1. Bingo games conducted by an eligible organization as described in and subject to all regulations in CMC Chapter 5.50 (Bingo).

2. Car washes of a temporary nature (e.g., school fundraisers).

3. Construction yards, storage sheds, and construction offices (on site) in conjunction with an approved construction project where the yard and/or shed are located on the same site as the approved project.

4. Emergency public health and safety facilities established by a public agency.

5. Entertainment and assembly events held within auditoriums, stadiums, or other public assembly facilities, provided the proposed use is consistent with the intended use of the facility.

6. Entertainment and assembly events as part of an allowed permanent use (e.g., gathering at an assembly use).

7. Events held exclusively on city property (city hall, city facilities, parks, etc.), not including events held exclusively in the public right-of-way (street, sidewalk, parkway, etc.), e.g., marathons.

8. Events held exclusively on school grounds, and which are in conjunction with a public school use.

9. Garage and yard sales held on private property and when occurring no more than four days per calendar year.

17.24.240 Vehicle Impound Yards

A. Screening. All vehicle storage areas shall be screened from view on adjacent property or public right-of-way with decorative block walls, landscaping, buildings or other structures.

1. The Planning Commission may permit or require that the height of any screen walls be greater than otherwise permitted by this code provided no such wall shall exceed eight feet in height.

2. Vehicles shall not be stored above one another unless they are screened by approved enclosures having a height in excess of any vehicle stored above another vehicle.

B. Prevention of Contamination.

Prior to or concurrent with the issuance of any conditional use permit for an automobile impound yard, the applicant shall prepare a plan and take appropriate action for prevention of soil and ground water contamination.

17.24.250 Wireless Communication Facilities

A. Intent and Purpose

This section establishes site planning and development standards for wireless communication facilities. The city permits these facilities as needed, consistent with the Telecommunications Act of 1996, while upholding state development standards and permit requirements.

B. Definitions.

For the purposes of this chapter, the following terms shall have the following meanings:

1. "Abandonment" means inoperative or unused for 180 or more calendar days.

2. "Antenna" means the part of a wireless communication facility designed to transmit or receive radio-frequency or electromagnetic signals, and includes panels, wires, poles, rods, dishes, or similar devices.

3. "Applicant" means a provider of wireless communication services who applies to the City to install a wireless communication facility within the City.

4. "Cell site" or "site" means a parcel of land (or portion thereof) or a public right-of-way location that contains one or more wireless communication facilities, including any antenna, support structure, accessory building, or other components associated with or ancillary to the use of the wireless communication facility.

5. "Co-location" means the sharing of a single site and infrastructure to host two or more wireless communication facilities.

6. "Mount" refers to the structure or surface on which antennas are mounted.

7. "Project site" means the site where an applicant proposes to construct a wireless communication facility, including any antenna, mount or support structure, accessory building, or other components associated with or ancillary to the facility's use.

8. "Roof- or top-mounted" means a wireless communication facility in which the antennas are mounted on the roof or top of an existing building or structure that is not primarily a standalone facility (i.e., a utility pole or water tank).

9. "Side-mounted" means a wireless communication facility where the antennas are mounted on the side of an existing building or structure that serves a purpose other than primarily as a standalone facility (i.e., utility pole or water tank).

10. "Site plan review" means the development review process as set forth in CMC Chapter 17.04.

11. "Standalone facility" means a wireless communication facility whose antennas are mounted on a dedicated ground-based structure primarily designed to elevate the antennas to a usable altitude (e.g., a monopole, cell tower, etc.). There shall be a rebuttable presumption that a newly constructed ground-based structure containing a wireless communication facility is a standalone facility, even if the structure serves other purposes (e.g., a light pole or flagpole).

12. "Stealthed" means: (1) camouflaged, concealed, or otherwise not identifiable as a wireless communication facility by a casual observer, and (2) aesthetically compatible and blending with the site and immediate surroundings. Stealth may be achieved by any state-of-the-art means or combination of means, including, but not limited to, the use of camouflage, textures, screening, painting, or architectural integration with the surroundings (e.g., a steeple or bell tower within a church, an unobtrusive penthouse on a roof, a false rock, a false structure, or a tree among other trees). For purposes of this definition, "stealth" or "stealthed" does not refer to and is not intended to be used as a trade name.

13. "Wireless communication facility" or "facility" means a facility that provides wireless communication services.

C. Applicability.

The standards set forth in this chapter apply to all wireless communication facilities built, installed, or modified in all zones of the City of Covina after the date the ordinance codified in this chapter takes effect, including all wireless communication facilities within all city public rights-of-way.

D. Permit Requirements and Exceptions.

1. No wireless communication facility may be built, installed, or modified without first applying for and obtaining the required permits as outlined in Table 17.24.250D-1.

	Table 17.24.250D-1 Permits Requirements				
Types of Wireless communication Facilities (WFC) ✓ - Required NA – Not applicable	Minor Site Plan Review	Major Site Plan Review (SPR)	Conditional Use Permit (CUP)	Encroachment Permit (EP)	Additional Requirements
New WFC (pole, stealth or camouflage) either free-standing, roof-mounted, or side-mounted	**NA**	✓	✓	**NA**	
Co-location to existing WFC with approved CUP and expand related ground-mounted equipment or shelter units	**NA**	✓	**NA**	**NA**	
Replacement of WFC, extend height, or expand the WFC	**NA**	✓	**NA**	**NA**	
Relocation of WFC to a different site	**NA**	✓	✓	**NA**	
Replace antenna panels (no increase in panel numbers)	✓	**NA**	**NA**	**NA**	
Replace and add antenna panels, or add microwave dishes	✓	**NA**	**NA**	**NA**	
Add new or expand related ground-mounted equipment or shelter units	✓	**NA**	**NA**	**NA**	
WFC within public-right-of-way (streetlights, utility poles)	**NA**	**NA**	**NA**	✓	Subject to CMC Chapter 11.08

2. Exempt from permit requirements:

    a. Sites where the construction, installation, or modification of a wireless communication facility is subject to a lease, license, or other agreement with the City.

    b. Public safety communications facilities owned or operated by the City or any other public agency (e.g., sheriff, fire, federal or state safety authorities).

    c. Approval for wireless communication facilities on city-owned property, including utility poles and streetlights, becomes effective only after the applicant and the City sign a written agreement specifying property use and maintenance. The terms of this agreement supplement the requirements of this section.

E. Application Requirements, Procedures, Review, and Approval Process.

1. All application submittal requirements, review procedures, approval authorities, and appeal processes are set forth in Chapters 17.02 and 17.04 of this Title. Applicants must consult those chapters for the detailed procedures and standards governing the processing and approval of development applications.

2. Noise. Provide a description of any facilities or equipment expected to generate noise, including anticipated noise levels.

3. Visual Impact Analysis. An applicant shall submit a visual impact analysis that includes a photomontage, photo simulation, or an equivalent technique, along with a building elevation plan. These documents shall demonstrate, from each of the four primary directions, the potential visual impacts of the proposed wireless communication facility, including views from both public and private property. The analysis shall evaluate the cumulative impacts of the proposed and existing wireless communication facilities. It shall also identify all feasible mitigation measures consistent with the technological requirements of the proposed wireless service. All costs shall be borne by the applicant. The applicant shall submit a signed certification stating that the completed facility will appear as presented in the visual impact analysis.

4. Justification for Location/Co-Location. The applicant must justify the selected site, assess at least two alternative locations with reasons for rejection, and provide written evidence of a good-faith effort to co-locate with an existing facility. If co-location is not possible, explain why.

5. Coverage Assessment. Submit a written report detailing how the proposed facility will improve coverage. The report must identify areas of improvement, areas lacking coverage or experiencing significant degradation, and include a capacity analysis, propagation analysis, or decibel level report to demonstrate service quality before and after installation.

6. Licenses. Provide documentation demonstrating that the applicant holds all required licenses or approvals for the proposed services. This may include

permits from the Federal Communications Commission, California Public Utilities Commission, or other relevant agencies.

F. Notices of Hearing/Determination.

If a public hearing before the planning commission is required, notice must be provided as specified in CMC Chapter 17.02 and mailed to all property owners within 500 feet of the site boundaries.

G. Location and Development Standards.

1. New standalone, roof-mounted, or side-mounted wireless communication facilities are conditionally permitted in the zones listed in the use tables in Chapter 17.06 Single-family Residential zones, Chapter 17.08 Multi-family Residential zone, Chapter 17.10 Commercial zones, and Chapter 17.12 Industrial zone, subject to the restrictions and requirements of this section.
2. Wireless communication facilities shall be located in the following order of preference:
    a. Co-locate with existing wireless community facilities.
    b. On existing structures such as buildings, community towers, or utility facilities.
    c. On existing power, light, or similar poles.
    d. In an Industrial zone.
    e. In Commercial zones.
    f. In Residential zones.
3. Co-location requirements.
    a. Co-Location. Where feasible, owners or operators shall share sites where wireless communication facilities are already located, thereby reducing the number of new facilities.
    b. Good Faith Effort. All applicants shall demonstrate a good-faith effort to co-locate with existing facilities. The city may deny approval to an applicant who has not demonstrated a good-faith effort to co-locate with an existing facility. Such a good-faith effort includes written evidence by the applicant of:
        i. Contact with all other licensed carriers for facilities within the area of proposed coverage.
        ii. Sharing nonproprietary technical information necessary to determine if co- location is feasible under the design configuration most accommodating to co- location.
    c. If the applicant determines that co-location is not feasible, a written statement of the reasons why co-location is not feasible shall be submitted. In the event the applicant determines that co-location is feasible, the applicant shall include provisions for co-location of its facility.

d. All co-located facilities on a site shall be architecturally coordinated and maintained as stealth consistent with each other.

4. Setbacks/Noninterference. Except for wireless communication facilities within public rights-of-way, no facility shall be located within or extend into required setbacks of the applicable zone. All new standalone facilities must be set back at least 150 feet from the nearest residential zone line, measured from the branch end closest to the residential zone line.

5. Lot Coverage. All wireless communication facilities shall comply with all applicable lot coverage and building separation standards in the applicable zone.

6. Lights and Signals. Wireless communication facility signals or lights must meet, but not exceed, the minimum requirements of the Federal Aviation Administration (FAA) or other applicable federal or state regulations. Beacon lights shall not be included in the facility's design unless required by the FAA. Any required lighting shall be shielded as much as possible to minimize impact on surrounding areas. Any other lighting not otherwise required is prohibited.

7. Signs. No facility or its supporting equipment shall bear any sign, graphic, or advertising device other than warning/safety signage or those required by this code or other applicable law.

8. Dish Antennas. Dish or parabolic antennas serving a wireless communication facility shall be situated so as to minimize visual impact without compromising their function.

9. Equipment Structures. Ground-level equipment, shelter units, and bases shall be concealed from public view.

    a. Accessory Equipment. All accessory equipment for wireless communication facilities shall be located within an existing building, shelter unit, or underground vault. If not technically feasible (cost alone is not a factor), equipment may be placed in a separate above-ground enclosure. On private property, such enclosures may not exceed six feet in height unless a greater height is needed for stealth or architectural integration. All equipment and enclosures must comply with the applicable zone's development standards.

    b. Security. Accessory equipment shall be equipped with tamper-proof cabinets and/or locks to mitigate safety siting issues and shall be designed to minimize opportunities for unauthorized access, climbing, vandalism, graffiti, visual blight, and other hazardous conditions. Barbed wire or razor wire fencing is prohibited.

10. Building Codes. Wireless communication facilities shall comply with all applicable building codes.

11. Height. Wireless communication facilities may not exceed the height limitations set forth below:

a. Roof-mounted facilities (new or co-located) placed on an existing building, or top-mounted facilities (new or co-located) placed on an existing utility pole, water tank, or other similar structure, may not exceed eight feet above the roof or top of the building or structure.

b. Side-mounted facilities (new or co-located) that are installed on an existing building, utility pole, water tank, or other similar structure may not extend beyond the height of that structure.

c. Facilities co-located on an existing standalone facility may not extend beyond the height of the existing standalone facility.

d. The maximum height for a new standalone facility is 55 feet. The Planning Commission may grant a waiver of the height restriction if the applicant demonstrates that the restriction prohibits, or has the effect of prohibiting, wireless communication services. The City may retain an independent consultant at the applicant's expense to evaluate the request for a height waiver.

12. Signal/Power Cables. All wireless communication facility cables, wires, or similar electrical transmission devices must be placed underground, within the existing building or structure or shelter units, or in cableways, and must be properly stealth to the maximum extent possible.

13. Parking. Any wireless communication facility and its associated accessory equipment shall not reduce the number of parking spaces below the required amount, nor shall it obstruct any drive aisle or corner cutback (i.e., line-of-sight) area.

14. FCC Requirements. All existing and future wireless communication facilities shall comply with all applicable FCC emissions and exposure standards for electromagnetic (EM) radiation, and all required notices and signs shall be posted on the site in accordance with FCC and PUC requirements.

15. Noise. All wireless communication facilities must comply with all existing city noise ordinances, but in no case shall any facility generate sound in excess of 50 dB CNEL at the property line of the nearest residential use or 65 dB CNEL at the property line of the nearest nonresidential use.

H. Design Standards.

1. Preexisting Character. Wireless communication facility location and development shall preserve the preexisting character of the site as much as feasible.

2. Landscaping and screening. Where possible, existing landscaping, including trees and shrubs, shall be preserved in place. Additional landscaping shall be planted to provide screening or block the line of sight between a facility and adjacent residentially zoned properties. The removal of any trees to install the wireless communication facility shall require replacement at a 1-to-2 ratio, with trees of a minimum 36-inch box size.

3. Stealth. All wireless communication facilities shall be hidden from view to the greatest extent feasible, considering technological requirements, and shall be placed, camouflaged, colored, and architecturally compatible with the surroundings. The applicant shall use the smallest, least visible antennas and supporting equipment to achieve the coverage objectives. The applicant shall also integrate the wireless communication facility to ensure it is as compatible as possible with the site and nearby buildings.

4. Camouflage and Stealthing Methods.

    a. All standalone facilities and supporting equipment shall use nonreflective materials and colors that minimize visibility, unless the FCC, FAA, or another government agency requires a different color. If a facility cannot be camouflaged otherwise, it shall be camouflaged as a tree (i.e., monopalm or monopine), flagpole, light pole, architectural tower, or similar structure. Visible ground-level equipment, structures, or shelter units shall be screened from view by landscaping and by treating decorative walls with graffiti-resistant paint or coating.

    b. Roof-mounted, top-mounted, or side-mounted facilities shall be constructed, painted, finished, and fully stealth to match the building or structure's architectural style. Facade-mounted equipment shall be camouflaged by incorporating the antenna into the building's design elements and shall be painted and textured to match the existing structure. If possible, antennas shall be located entirely within an existing or newly created architectural feature and not extend more than 24 inches out from the building face. Equipment buildings or enclosures mounted on a roof shall be architecturally consistent with the building or located within the building on which the antenna is mounted.

I. Standard Conditions of Approval.

In addition to conditions of approval which may be included to ensure compliance with this code, the following standard conditions shall be included in any conditional use permit, site plan review or encroachment permit issued pursuant to this chapter:

1. The applicant shall defend, indemnify and hold harmless the city and its officers, agents and employees from any claim, action or proceeding against the city or its officers, agents or employees to attack, set aside, void or annul any approval under this chapter. The applicant shall further defend, indemnify and hold harmless the city, its officers, agents and employees from any damages, liabilities, claims, suits, or causes of action of any kind or form, whether for personal injury, death or property damage, arising out of or in connection with the activities or performance of the applicant, its agents, employees, licensees, contractors, subcontractors or independent contractors, pursuant to the approval issued by the city.

2. For all wireless communication facilities within the public right-of-way, the applicant shall remove or relocate, at applicant's expense and without expense to the city, when required for public improvements.
3. Existing sites where a wireless communication facility site is capable of accommodating a co-location must allow another carrier to co-locate its facilities on reasonable terms.
4. Within 90 days after commencing wireless communication facility operations, a qualified engineer shall submit compliance report and certifying that the facility continues to comply with all applicable federal, state and local regulations.
5. The applicant shall submit a written report to the city within 30 days after termination of any FCC, PUC or other federal or state operating license for the wireless communication facility.
6. Prior to commencing operations of a wireless communication facility, the owner or operator shall file and maintain a bond or other sufficient security in an amount covering the cost of removing the wireless communication facility and all related equipment on the site, as determined by the chief planning official or director of public works, whichever is applicable. In setting the amount of the bond or security, the official shall take into consideration the applicant's estimate of removal costs.

J. Revocations.

a. At any time, the City may initiate proceedings to revoke an approval issued pursuant to this chapter.
b. In addition to those provisions applicable to conditional use permits, site plan review and encroachment permits, the following shall also constitute grounds for revocation of an approval issued pursuant to this chapter:
    i. The owner or operator has abandoned the wireless communication facility; or
    ii. The wireless communication facility is no longer in compliance with its respective conditions of approval, with the requirements of this chapter, or with any other applicable law; or
    iii. The wireless communication facility is no longer in compliance with applicable FCC or FAA regulations.
    iv. Decision of the planning commission or director may be appealed pursuant to CMC Chapter 17.04 General Provisions and Administration.

K. Maintenance Requirements

All wireless communication facilities shall comply at all times with the following operation and maintenance standards:

1. Equipment. All facilities, including antennas, mounts, wires, conduit, lighting, fences, shields, cabinets, poles and stealthing materials (including artificial foliage), shall be kept in good repair, free from trash, debris, litter and graffiti

and other forms of vandalism, and any damage shall be repaired as soon as practicable to maintain the facility's original appearance and to minimize occurrences of visual blight. All trash, debris, litter, and graffiti shall be removed by the owner/operator within 48 hours following notification from the city.

2. Landscaping. Each facility and site containing landscaping elements, whether or not used as concealment, must always be maintained. The owner or operator is responsible for replacing any damaged, dead, or decayed landscaping in accordance with the approved landscape plan and within 60 days of the City's notice.

3. Inspections. Each owner or operator of a facility must regularly inspect the site to ensure it meets the standards outlined in this chapter. The City may, with prior notice to the owner or operator, perform an inspection to verify compliance.

4. The facility shall display, in a prominent location, a sign that clearly identifies the facility and provides contact information for reporting any damage, destruction, graffiti, or vandalism to the property.

5. Backup Generators. Backup generators shall be operated only during outages. Testing is prohibited on weekends, holidays, and between 10:00 p.m. and 7:00 a.m.

L. "Cells on Wheels" prohibited—exceptions.

"Cells on wheels" or other mobile wireless communication facilities are prohibited in all zones, except for the following:

1. Telecommunications Emergency. Throughout the duration of a telecommunications emergency declared by the city, or

2. Special Events. During a special event within the city that requires enhanced telecommunications coverage, provided that the event does not last longer than three days in any three-month period and that the applicant first obtains an Administrative Use Permit pursuant to CMC Section17.04.020.

M. Abandonment and Removal

1. Notice of Abandonment. The owner or operator shall notify the city by certified mail of the proposed date of abandonment or discontinuation of operations and the date on which the facility shall be removed, not less than 60 days prior to abandonment. Failure to give notice does not exempt the owner or operator from their obligation to remove an abandoned facility.

2. Removal Due to Utility Undergrounding. Any facilities located on a utility pole or structure shall be removed at the owner's or operator's expense if a utility is scheduled for undergrounding.

3. Removal. Upon abandonment, revocation, or other lawful order from any federal, state, or local agency to terminate facility operations, the owner or operator shall complete removal within 30 days, including but not limited to:

a. Removal of antennas, mounts, equipment cabinets, and security barriers; and

b. Transportation of the antennas, mounts, equipment cabinets, and security barriers to an appropriate repository; and

c. Restoring the site to its prior condition, retaining the landscaping improvements and any improvements as determined by the Director.

4. Stay. Removal may be delayed if, upon written request and evidence submitted by the owner or operator, another wireless provider is in reasonable negotiations to acquire and use the wireless communication facility.

5. If an owner or operator fails to physically remove the facility and all related equipment within the time frames set forth, the city may do so at the owner/operator's expense and recover costs from all or a part of any bond or other security posted by the owner/operator pursuant to CMC Chapter 17.02.

P. Violation—Penalty.

1. Any owner or operator of a wireless communication facility that violates the terms of this chapter shall be guilty of a misdemeanor, punishable in accordance with Chapter 1.16 CMC.

2. Civil Action/Nuisance Abatement. In addition to the above, if an owner or operator of a wireless communication facility violates the terms of this chapter, the City may pursue any and all civil remedies available, including but not limited to injunctive relief or initiation of a nuisance abatement action pursuant to Chapter 8.40 CMC.

3. Costs of Action. All costs of taking action to enforce the terms of this chapter shall be the responsibility of the owner or operator of the wireless communication facility.

Chapter 17.26
Sign Regulations

17.26.010 Intent and Purpose
17.26.020 Definitions
17.26.030 Applicability and General Provisions
17.26.040 Permits, Review Process and Procedures, Approval and Appeal
17.26.050 General Requirements and Design Standards for all Signs
17.26.060 Signs for Residential Zones
17.26.070 Signs for Commercial and Industrial Zones
17.26.080 Painted Signs and Murals
17.26.090 Exempt Signs
17.26.100 Prohibited Signs
17.26.110 Temporary Signs
17.26.120 Nonconforming Signs
17.26.130 Enforcement and Violations

17.26.010 Intent and purpose.

The City recognizes that signs and other graphics are essential to the community's visual appearance. Therefore, this Chapter aims to establish regulations for signs on private property that provide a means to identify and promote businesses and provide useful information to the public. The intent of these regulations is as follows:

A. Promote signs and graphics that are aesthetically pleasing and identify businesses in a fair and equitable manner.

B. Ensure that signs safely attract and direct persons to various destinations.

C. Reduce hazards to motorists and pedestrians that result from excessive, confusing, and distracting signs.

D. Promote and maintain economically viable commercial businesses.

E. Preserve and enhance the aesthetic quality of the entire community.

17.26.020 Definitions.

1. **“Alcoholic beverage”** means any beverage in liquid form that contains not less than one-half of one percent of alcohol by volume and is intended for human consumption.
2. **“Animated or rotating signs”** means any sign or device designed to attract attention by visual means through the movement or semblance of movement of the whole or any part of the sign, including rotation, special lighting, or wind-

activated devices.

3. **"Banner"** means a sign generally made of flexible material, usually cloth, paper, or plastic, temporary in nature.

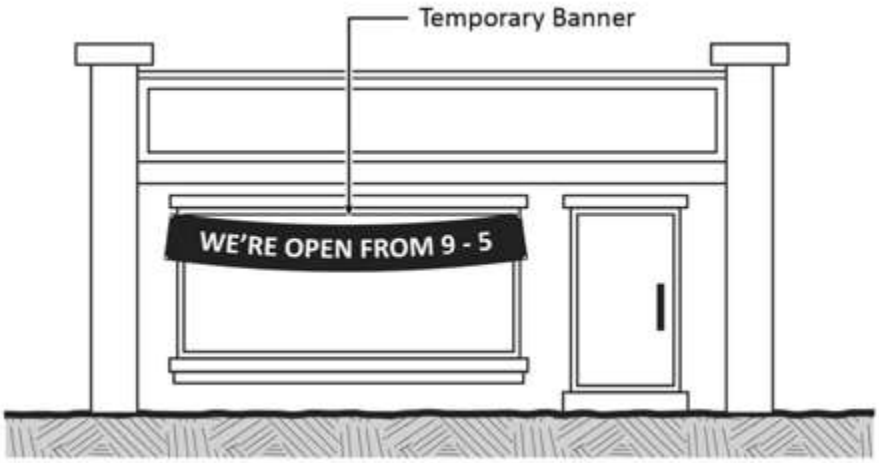


Figure 17.26-1 Banner Sign

4. **"Billboard"** means a sign usually designed for use with changing advertising copy and which is normally used for the advertisement of goods produced or services rendered at locations other than the premises on which the sign is located.

5. **"Building face"** means the vertical and horizontal dimensions at any one side of a building elevation, extending from the base of the building to the roof line and between the main building walks, exclusive of any architectural features, extensions, or projections.

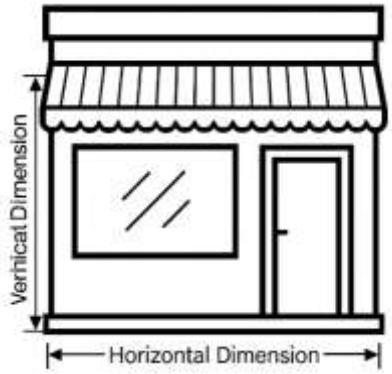


Figure 17.26-2 Building Face

6. **"Building frontage"** means those building elevations which face upon a dedicated street or public parking area between such building and street.

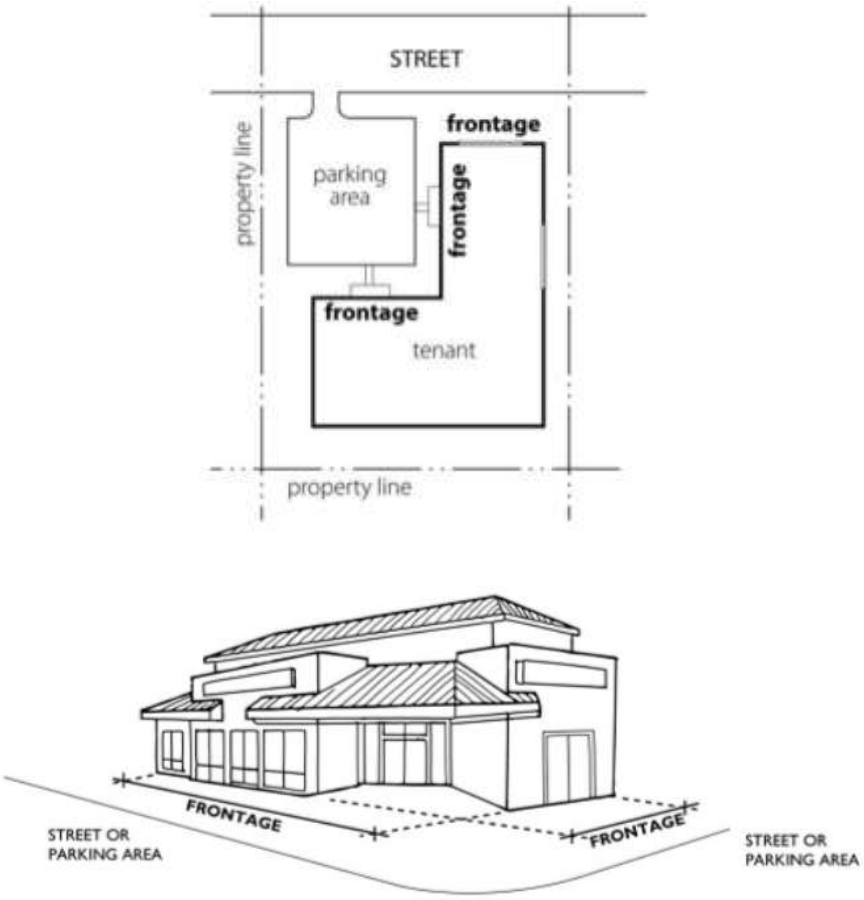


Figure 17.26-3 Building Frontage

7. **"Bunting"** means flags or strips of cloth or fabric which are suspended from a standard or building to form a decorative sign or attention-getting device.

8. "**Cabinet Sign**" means a type of sign that contains all the text and/or logo symbols within a single enclosed cabinet that is mounted to a wall or other surface. Cabinet signs typically use a slide-in panel to display the message to the public, and may be referred to as a canister sign, a can sign, or a panel sign.

9. "**Channel Letter Sign**" means a sign composed of three-dimensional, individual letters or figures, with an open back or front, illuminated or non-illuminated, that are affixed to a building or to a freestanding sign structure.



Figure 17.26-4 Channel Letter Sign

10. **“Church”** shall mean a development or facility maintained and used exclusively for religious worship, including customary incidental education and social activities in conjunction therewith, whether such use is within or outside the incorporated area of the City.

11. **“Contractor’s sign”** means a sign stating the names of those individuals or firms directly connected with a construction project at the site on which such work is taking place.

12. **“Directional sign”** means a sign erected for the purpose of informing the viewer of the approximate route, direction, or location of a given goal, not including advertising.

13. **“First story height of buildings”** means, for purposes of computing sign area, the first story height of the area from the base of the building to its roof line or to the top of the parapet, if any, for single-story structures up to a maximum of 16 feet for all buildings.

14. **“Flag”** means a piece of fabric, usually rectangular, that is displayed hanging freely from a staff or pole, to which it is attached by an edge so that it will float, play, or shake in an air current.

15. **“Flashing sign”** means a sign that contains or is illuminated by lights intermittently on and off, changes in intensity, or creates the illusion of flashing in any manner.

16. **“Freestanding sign” means** a sign supported on the ground, not attached to a building. A freestanding sign that extends through a building or an architectural feature attached to the building, or that extends above the roof, shall be considered a roof sign and is prohibited**.**

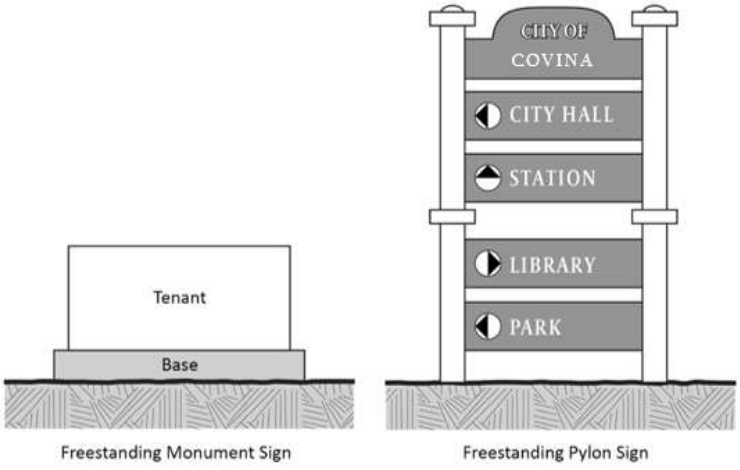


Figure 17.26-5 Freestanding Signs

17. **“Identification sign”** means a sign attached to the building face that displays only the name of the owner, the occupant, or the address.

18. **“Illuminated sign”** means a sign that uses a light source to make the message legible. This definition includes internally and externally lighted signs, as well as reflectorized, glowing, or radiating signs.

19. **“Lot or street frontage”** means the linear front footage of a parcel of property abutting a dedicated public street.

20. **“Monument sign”** means a lower profile freestanding sign which is located entirely within or adjacent to a landscaped area of a front yard or side yard setback and which utilizes architectural forms, structural support, and materials that complement the style of the appurtenant building(s).

21. **“Mural”** means a picture or representation, in any medium, on an exterior surface of a structure that does not contain the name of the business, product, or service on the premises.



Figure 17.26-6 Mural

22. **“Nonconforming sign”** means any sign existing on the ordinance's effective date codified herein that does not conform to the provisions of this title.

23. **“Off-premises sign”** means a sign identifying a business or product at a location other than the property on which the sign is displayed.

24. **“On-premises sign”** means a sign located on the same property as the business or product being identified or advertised.

25. **“Painted signs”** means any on-premises sign painted or silk-screened onto a building wall.

26. **“Park”** shall mean any park, playground, ball field, or grounds under the control, direction, or management of a public entity, whether such use is within or outside the incorporated area of the City.

27. **“Pedestrian-oriented sign”** means a sign specifically located to be viewed from a pedestrian right-of-way. A sign of this type is often suspended beneath a pedestrian weather protection structure or attached to and projecting from the building wall.

28. **“Pennant”** means devices or flags, generally made of flexible materials such as cloth, paper, or plastic, that are under one square foot in size and are

suspended from lengths of string or rope.

29. **“Permanent sign”** means every sign except a “temporary sign," as defined in this section.

30. **“Principal building”** means the building which contains, in area, 50 percent or more of the principal use permitted upon the property.

31. **“Projecting sign”** means any sign suspended from or supported by a building or wall and projects 12 inches or more outward.

32. **“Promotional sign”** means a temporary sign intended to direct attention to a special event or product.

33. **“Recreational facility”** shall mean any recreational center or facility under the control, direction, or management of a public entity, whether such use is within or outside the incorporated area of the City.

34. **“Roof Sign.”** All signs projecting above the highest roof line of the building to which the sign is mounted. Roof signs are not permitted in any zone in the City.

35. **“Safety sign”** means a sign that may be necessary to facilitate the safe movement of vehicles served by a public parking area, not including advertisements.

36. **“School”** shall include any public or private elementary or secondary school, and any private educational facility offering instruction or other activities to persons 17 years of age or younger.

37. **“Shopping center”** means a group of four or more businesses which function as an integral unit on a single parcel and which utilize common off-street parking and access.

38. **“Sidewalk sign” and “pennant/flag”** means any sign not permanently attached to, mounted upon, or affixed to a building, structure, or the ground. Such signs may include, but are not limited to, A-frame signs, sandwich board signs, signs on wheels, signs on pedestals, and flag signs.



Figure 17.26-7 Sidewalk A-Frame Sign

39. **"Sign"** means any form of visual communication intended for public viewing. The definition includes all parts, portions, units, and materials composing it, together with illumination, frame, background, structure, support, and anchorage.

40. **"Sign area"** means the total surface space of a sign devoted to content or advertising as conveyed by any words, letters, figures, or symbols within a single continuous perimeter containing words, letters, figures, or symbols, together with any frame, material, or color forming an integral part of the display. The total space as measured to the outer extreme of any words, letters, figures, or symbols shall be computed as copy area.

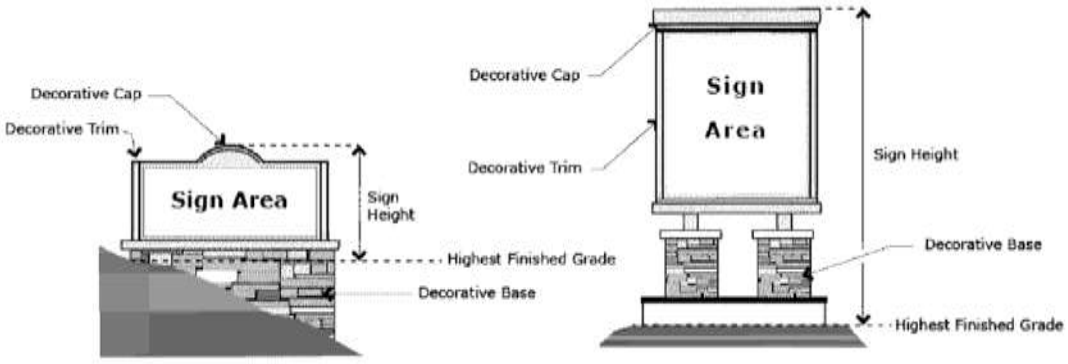


Figure 17.26-8 Sign Area

41. **"Street setback"** means the line which defines the depth of the required yard setback, parallel with the existing or future street right-of-way, and removed by the perpendicular distance prescribed for the yard in that particular zone.

42. **"Temporary sign"** means a sign constructed of paper, cloth, canvas, or other similar lightweight material, with or without frames, including painted windows. Gold-leaf or silver-leaf letters and permanent decal transfers shall be considered permanent signs.

43. **"Tobacco product"** shall mean any substance containing tobacco leaf, including but not limited to cigarettes, cigars, pipes, tobacco, snuff, chewing tobacco, and dipping tobacco. (For purposes of this subsection, this definition supersedes all other "tobacco product" definitions under this title.)

44. **"Wall sign"** means a sign that is painted on or attached to the exterior wall of a building or structure with the display surface of the sign approximately parallel to the building or structure wall.

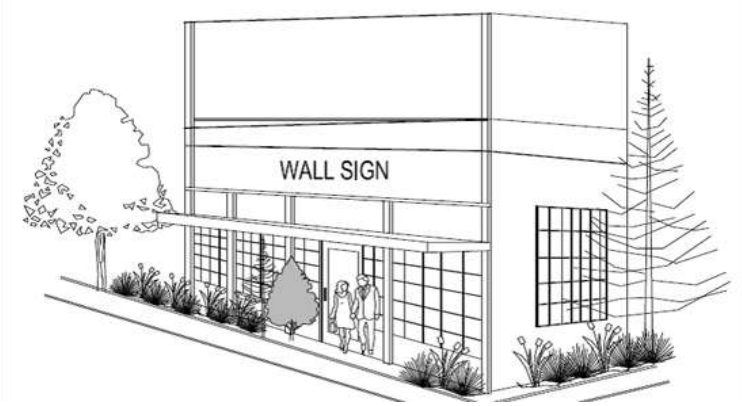


Figure 17.26-9 Wall Sign

45. **"Window sign"** means a sign of a permanent nature which is placed or hung near a window and designed to be viewed from adjoining public streets or highway rights-of-way, including gold leaf or silver leaf letters and decals affixed to the window.



Figure 17.26-10 Window Sign

46. **"Youth center"** shall mean any indoor public, private, or parochial facility—excluding private residences and multi-dwelling units—that regularly provides programs or services for individuals under 18. These may include educational support, counseling, vocational training, recreational, cultural, and fitness programs, as well as violence- or substance abuse-prevention programs, whether located within or outside the City's incorporated area.

17.26.30 Applicability and General Provisions.

A. The requirements of this Chapter shall apply to all signs in all zoning districts.

B. Content Neutrality. It is the City of Covina's policy to regulate signs in a constitutional, content-neutral manner with respect to both noncommercial and commercial messages. For purposes of this Chapter, a content-neutral regulation is a "time, place,

or manner" regulation that does no more than limit the number of signs and specify when, where, and how a message may be displayed or conveyed, regardless of the message's content.

C. Permission of Property Owner. No sign shall be placed on public or private property without first obtaining permission from the property owner.

D. Maintenance. The permit holder or property owner shall always maintain each sign in the City in good structural condition. If painted signs, they shall be kept neatly painted, including the metal parts and supports. The Code Enforcement Officer shall inspect and have the authority to order the painting, repair, alteration, or removal of signs that become dilapidated, are abandoned, or pose a hazard to public safety.

E. Building Permits Required. A building permit is required for any sign that requires an electrical connection.

F. Design Guidelines. Any signs shall comply with the adopted Design Guidelines, which are to be consistent with the General Plan Land Use Plan policies.

17.26.040 Permits, Review Process and Procedures, Approval and Appeal.

It is unlawful for any person to install, construct, relocate, replace, or alter a sign unless a Sign Permit and, where applicable, a Sign Program is first approved in compliance with this chapter.

A. Sign Permit application. An application, with accompanying fees, for a Sign Permit, a Temporary Sign Permit, or a Sign Program shall be submitted using the form (s) and checklists prescribed or issued by the Director.

B. Review authority. The Director or designee shall review all sign permits, temporary sign permits, and Sign Programs. The approval, approval with conditions, or denial of a sign permit or Sign Program shall be determined by the following review criteria:

1. The sign is consistent with the intent and purpose of this Chapter.
2. The sign does not constitute a detriment to public health, safety, and welfare.
3. The sign's size, shape, color, and placement are compatible with and harmoniously relate to the building it identifies and other signs in the area.
4. The location of the proposed sign and the design of its visual elements (lettering, words, figures, colors, decorative motifs, spacing, and proportions) are legible under normal viewing conditions prevailing where the sign is to be installed.
5. The proposed signs are in conformance with the sign standards of the City’s Design Guidelines.

C. Sign Program Requirements. A sign program integrates a project's signage with the structure's design to achieve a unified architectural statement and to establish common sign regulations for the defined multi-tenant projects.

1. A sign program shall be required for all new or existing multi-tenant commercial centers, office or medical parks, mixed-use projects, or other integrated developments with three or more separate tenants or uses that share buildings, public spaces, landscaping, and/or parking facilities.

2. A sign program shall be required for multi-family residential developments with eight units or more.

3. A sign program shall comply with all provisions of this Chapter, except that a sign program for commercial centers exceeding 10 acres in land area and/or containing a major anchor building exceeding 150,000 square feet in gross floor area may establish special or additional signage. The sign program shall establish standards for the size, number, location, and types of signs permitted, in the format and checklists prescribed or issued by the Director.

4. The Director or designee shall review the sign program against the criteria in CMC Section 17.26.040B.

D. Timely Decision. The decision shall be rendered in writing within 30 days from the date the application is deemed complete.

E. Approval Period, Appeal, Expiration, and Time Extension of Sign Permits and Sign Programs. A sign permit approval shall expire one year from the date of issuance or approval unless the sign is installed within that period. Before expiration, the applicant may apply to the Director for an extension of up to one additional year. The appeal process shall comply with CMC Chapter 17.04.

17.26.050 General Requirements and Design Standards for All On-Premise Signs.

A. Sign copy and sign area measurements. The sign area shall be measured as the smallest rectangle (with no more than eight sides), circle, or ellipse that encloses all elements of the sign, including text, graphics, logos, and any background color or material that distinguishes the sign from its surroundings, but excluding incidental supports or bracing. Backing plates are included in the sign area unless the sign is transparent. For double-sided, multi-sided, or 3D signs, the area is based on the largest single surface visible from any ground position. Logos or advertising content may not exceed 40% of the total sign copy area.

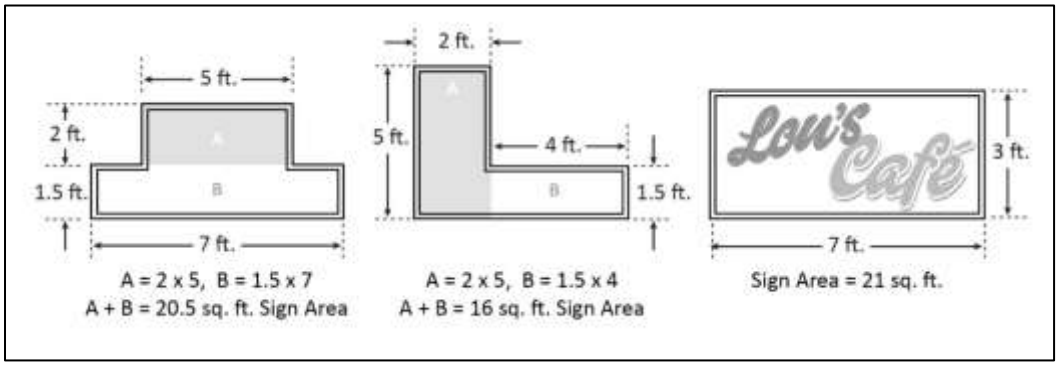


Figure 17.26-11 Measuring Sign Copy and Sign Area

B. Sign height measurements. The height of a sign shall be measured from the highest point of the sign, including any decorative features, to the height of the adjoining finished grade directly beneath the sign.

C. Measuring sign clearance. Sign clearance shall be measured as the smallest vertical distance between the finished grade and the lowest point of the sign, including any framework or other embellishments.

D. Measuring building frontage. Building frontage is the leased storefront width or the leased width of the building for a tenant.

E. Freestanding sign height measurement. The height of a freestanding sign shall be measured from the sign's highest point, including any decorative feature, to the adjoining finished grade directly beneath the sign.

F. Sign placement and safety.

1. Signs shall not endanger health and safety by causing distractions to motor vehicle operators on the streets and highways. Signs shall not simulate in color or design a traffic sign or signal, or make use of words, symbols, or characters in such a manner to interfere with, mislead, or confuse pedestrian or vehicular traffic No blinking, flashing, or animated signs visible from any street or highway shall be permitted.

2. Signs shall not be located within any public right-of-way.

3. Freestanding or monument signs must be set back 5 feet from the street frontage.

4. Freestanding or monument signs must not be placed within the corner cut-off area of any two intersecting streets or of any two intersecting driveway entries.

5. Clearance from public utility facilities. The person installing a sign and the premises owner shall maintain any legally required clearance from communications and electrical facilities.

6. Materials and Mounting Requirements.

   a. Underground utilities shall serve all signs or sign structures requiring utility service.

   b. All permanent signs shall be constructed from high-quality, low-maintenance materials such as metal, concrete, natural stone, glass, and acrylics. Techniques shall be incorporated during construction to reduce fading and damage caused by exposure to sunlight or other environmental factors.

7. Sign Illumination.

   a. Lighting shall be arranged to reflect the light away from adjoining premises.

   b. Light source shall utilize energy-efficient fixtures to the greatest extent possible and comply with Title 24 of the Code of Regulations.

c. Signs shall not have blinking, flashing, or fluttering, or other illumination devices that have a changing light intensity, brightness, or color.

8. Sign Design Standards.

a. No sign shall consist of more than four colors.

b. A sign message shall be easily recognized and designed in a clear, unambiguous, and concise manner so that a viewer can understand what appears on the sign.

c. The sign copy area for the canister type sign shall not exceed 40% of the sign copy length.

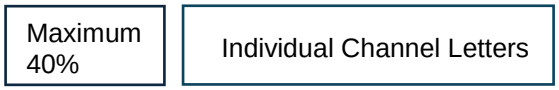


Figure 17.26-12 Sign Copy

d. The sign height, individual channel letters, figures, or canister type sign shall follow the letter or figure height listed in the Design Guidelines.

e. Monument sign or freestanding sign. The design, colors, and materials of either monument signs or freestanding signs must integrate with the building's exterior architectural features. The columns of freestanding signs or the base of monument signs must include decorative materials and a decorative cap. Examples of decorative materials include stacked stones, cultured stones, authentic (not cultured) river rocks, concrete, split-face blocks, and similar materials approved by the director. The design and shape of the freestanding sign or monument sign must maintain proper balance and proportion with the building design.

f. Freestanding or monument signs must be within a landscaped area.

17.26.060 Signs for Residential Zones.

The following sign types are permitted for residential zones, subject to all applicable provisions of this Chapter.

TABLE 17.26-A: RESIDENTIAL SIGNS PERMITTED IN RESIDENTIAL ZONES			
ZONES & STANDARDS BY SIGN TYPE	Residential Zones, Single-Family	Residential Zones, Multiple Family (1) (2)	R-TP Trailer Park and Mobile Home Park Zone
Building Address Signs			
Number of signs	One per dwelling unit	One per building	NA
Maximum sign area	1 sq. ft.	6 to 8 inch number/letter height	NA

Height Placement	N/A	15 – 20 ft., no higher than second-story plate	NA
Monument Signs			
Number of signs	N/A	One per street frontage; maximum two per project	One per street frontage; maximum two per project
Maximum sign area	N/A	24 sq. ft.	24 sq. ft.
Maximum height (3)	N/A	6 ft.	6 ft
On-Site Directional Signs			
Number of signs	NA	Per Sign Program and as approved by director	NA
Maximum sign area	NA	12 sq. ft.	NA
Maximum height	NA	4 ft.	NA
Temporary Yard Signs			
Number of signs	2 per lot	2 per unit	1 per unit
Maximum sign area	6 sq. ft.		
Maximum sign height	6 feet		
Number of days allowed for display	Ninety (90) days in twelve (12) consecutive months.		
Additional Regulations			
(1) Additional sign regulations for multi-family residential uses per CMC 17.28.080. (2) Signs for model home complex per CMC 17. 62.190F. (3) Maximum sign height is measured from the finished grade of the base to the top of the monument sign.			

TABLE 17.26-B: NON-RESIDENTIAL SIGNS PERMITTED IN ALL RESIDENTIAL ZONES				
Type of signs	**No. Of signs**	**Maximum sign area (square feet)**	**Maximum sign height (feet)**	**Minimum setback from property line (feet)**
Monument Sign	1	50	2 feet letter height	NA
Wall Sign	1 per street frontage (building frontage); maximum 2	16	4	5
Additional Regulations (1) All signs shall be designed in harmony with the surrounding residential area. (2) The monument or freestanding sign must comply with the 5-foot setback from the property line and must not be placed within the corner cut-off area of two intersecting streets or intersecting driveway entries. (3) The maximum sign height is measured from the finished grade of the base to the top of the monument or freestanding sign.				

17.26.070 Signs for Commercial and Industrial Zones

The following sign types are permitted in commercial and industrial zones, subject to all applicable provisions of this Chapter. These permitted signs are for standalone buildings on individual parcels that do not have an approved Sign Program. Tenants and businesses in commercial or industrial zones must comply with the sign standards established by the approved Sign Program.

TABLE 17.26-C: SIGNS PERMITTED IN COMMERCIAL & INDUSTRIAL ZONES				
SIGN TYPES & REGULATIONS	NCO Neighborhood Commercial Office Zone)	CC (Community Commercial Zone)	RC (Regional Commercial Zone)	I (Industrial Zone)
Wall signs – Front Elevation				
Number of sign (2)	1	1	1	1
Maximum sign area	10% of first story building face and up to a maximum 50 square feet, whichever is greater	15% of first story building face and up to a maximum 100 square feet, whichever is greater	15% of first story building face and up to a maximum 150 square feet, whichever is greater	15% of first story building face and up to a maximum 50 square feet, whichever is greater
Wall Signs - Rear Elevation (1)				
Number of signs	1	1	1	1
Maximum sign area	6% of first story rear building face	10% of first story rear building face	10% of first story rear building face	10% of first story rear building face
Monument Sign (3)				
Number of signs	1	1	1	1
Maximum sign area	15 sq. ft.	20 sq. ft.	20 sq. ft.	20 sq. ft.
Maximum height (4)	4 sq. ft.	6 ft.	6 ft.	6 ft.
Minimum Street frontage	45 ft	45 ft - 100 ft	45 ft - 150 ft	45 ft - 100 ft
Sign setback	5 ft. from property line			
Distance Requirements	50 ft. from another monument sign on same side of street			
Freestanding Sign				
Number of signs	1	1	1	1
Maximum sign area	75 sq. ft.	75 sq. ft.	100 sq. ft.	50 sq. ft.
Maximum height (4)	30 ft.	30 ft	30 ft.	18 ft.

Minimum Street Frontage	100 ft.	100 ft.	100 ft.	100 ft.
Distance Requirements	100 ft. from another freestanding sign on same side of street			
Additional signage for property having more than 300 feet street frontage	NA	N/A	1 additional freestanding sign; **OR** Increase existing freestanding sign from 100 sq. ft. to 250 sq. ft. **must choose one**	NA
Maximum number of signs per business	3, combination of wall signs or either a sign panel of a monument sign or a freestanding sign			
Multi-tenants and/or multi-buildings	Require a Sign Program. The sign program shall establish the standards of size, number, location and types of signs permitted for each type of tenants from major anchor, freestanding building pad, to in-line tenants.			
Pedestrian-oriented sign				
Number of signs	1 per business	1 per business	1 per business	1 per business
Maximum sign area	6 sq. ft.	6 sq. ft.	6 sq. ft.	6 sq. ft.
Permanent window sign				
Number of signs	2 per business	2 per business	2 per business	2 per business
Maximum sign area	20% of window space			
Awning border sign				
Maximum letter height per awning	8 inches	8 inches	8 inches	8 inches
Maximum sign area per awning	Must not exceed 40% of border of awnings			
Additional Regulations				
(1) Rear elevation signs must face a public alley or parking lot that serves the tenant/business. (2) The tenant/business located at the end side of a building with a street side elevation may request a wall sign for the street side elevation. (3) The Monument or freestanding sign must comply with 5 feet setback from property line and must not place within the corner cut-off area of two intersecting streets, intersecting driveway entries. (4) Maximum sign height is measured from the finished grade of the base to the top of the monument or freestanding sign.				

TABLE 17.26-D: ADDITIONAL SIGN REGULATIONS				
SIGNS TYPES & REGULATIONS	NO. OF SIGNS	MAXIMUM SIGN AREA (SQUARE FEET)	MAXIMUM SIGN HEIGHT (FEET)	MINIMUM SETBACK FROM PROPERTY LINE (FEET)
Service Stations and Car Washes				
Monument Sign	Maximum 2	26	10	5
Freestanding Sign	Maximum 2	26	18	5
Price Sign	Maximum 2	20	10	5
Wall Sign	1 at building entry (front) elevation	10% of first story building face and up to a maximum 30 square feet, whichever is greater	Maximum letter height 2 feet	NA
Car wash sign	1	15	Maximum letter height 18 inches	NA
Canopy Sign	1 per street frontage, maximum 2	15	Maximum letter height 18 inches and must fit proportionally on fascia of canopy structure	NA

Additional Regulations for Service Stations and Car Washes

- Must choose either maximum 2 monument signs, 2 freestanding signs, or 1 monument sign and 1 freestanding sign.
- Freestanding sign: must have a clearance between 8 and 10 feet above ground and a maximum height of 18 feet.
- **The total area of all miscellaneous signs cannot exceed 100 square feet, excluding required legal signs, directional signs, and two logos on each pump.** No single sign can be larger than 20 square feet. Miscellaneous signs are price signs, wall signs, car wash signs, logos or signs for services and sales.
- No advertising materials shall be displayed in windows or any building other than those advertising service or merchandise incidental to the operation of the automobile service station.

Tobacco product and alcoholic beverage advertising prohibited on billboards

1. Except as herein stated, no person shall, after the effective date of the ordinance adopting this section, place or cause to be placed or permit to remain in place any advertisement for tobacco products or alcoholic beverages on any billboard within any residential zone or within 1,000 feet of the premises of any school, park, recreational facility, youth center, or church.
2. The distances specified in this subsection shall be measured in a straight line, without regard to intervening structures, from the nearest property line of a use listed above.
3. The definitions of the following terms are in this Chapter 17.74B: Tobacco product, alcoholic beverage, billboard, school, park, recreation facility, youth center, and church.
4. This subsection shall be administered and enforced by the department of community development/planning division. The department/division shall create and update a detailed

map of the city, showing the location and boundaries of all schools, parks, recreational centers, youth centers, and churches, and the corresponding 1,000-foot radii within which tobacco product and alcoholic beverage advertising is prohibited. The department/division shall also develop guidelines, as appropriate, to ensure proper implementation and enforcement of this subsection. Nothing contained in this subsection shall be interpreted or enforced in such a manner as to constitute a compensable limitation on the use of any advertising display pursuant to Business and Profession Code Section 5412. The department/division may enter into agreements with appropriate city departments to enforce this subsection.

17.26.080 Painted Signs and Murals.

A. Murals.

1. No more than 15 percent of the mural may contain the name of the artist, sponsor, and/or product likeness.

2. If a mural is on the side of a building that would not normally qualify as an eligible wall for a sign under the design guidelines, the approval of a mural makes that side of the building eligible under the design guidelines. This does not increase the maximum signage allowed, and a new sign permit is still required.

3. Murals cannot be mere extensions or enlargements of a sign. Sign wrap or vinyl wrap is not accepted as a mural.

4. Murals become the property of the property owner, and their maintenance is the property owner's responsibility.

5. Property owner(s) must provide written permission prior to the commencement of a mural. Such permission shall include an acknowledgment of the property owner’s responsibility to remove the mural if it is not maintained or if removal is required.

6. Murals must be maintained by the property owner, or the City may require removal with 90 calendar days' written notice to the artist (if available) and the property owner. If the mural is not repaired or removed within the 90-calendar-day period, the City may abate the mural at the property owner's expense.

7. Murals must be reviewed and approved by the ad hoc mural committee, which consists of the City Manager or designee, the Mayor or designee, and a member of the Planning Commission. The Director or designee serves as staff to the ad hoc mural committee. The ad hoc mural committee will meet as needed. After the ad hoc mural committee approves or rejects a mural, there will be a 10-day period during which anyone may appeal the decision to the City Council. In considering murals for approval, the ad hoc mural committee must consider the significance of the project’s location, the artist’s ability, the artist’s ability to complete the project

in a timely manner (typically within two months), and the property owner's ability and willingness to maintain the mural.

8. A completed sign permit is required for a mural to be forwarded to the ad hoc mural committee. The sign permit fee for public art commissioned by nonprofit organizations, service clubs, and/or governmental agencies, the city council, and their commissions or committees is waived.

B. Painted Signs.

1. Painted signs are permitted only within the Covina Town Center Specific Plan area and on Shoppers Lane.

2. Painted signs shall be limited to the name of the business, the type of business, and/or the principal product of the business, together with a logo or decoration(s) compatible with the architectural style and colors of the building.

3. Painted signs may be provided with exterior illumination, provided the illumination complies with all applicable city codes, including the electrical code, and that the required permit is obtained.

4. Any painted signs shall be in lieu of conventional cabinet signs, channel-letter signs, or principal wall signs.

5. Painted signs shall be professionally painted or applied.

6. Permanent painted window signs shall not exceed 25 percent of the window surface area.

7. A sign permit is required.

8. Written permission from the property owner along with an acknowledgment of the property owner's responsibility to remove the sign if it is not maintained is required.

9. All applicable standards pertaining to wall signs shall apply.

10. Painted signs must be maintained or the City has the right to require removal with two- week written notice. If the sign is not repaired or removed within the two-week period, the City can abate the painted sign at the property owner's expense.

17.26.090 Exempt Signs

The following sign types are exempt from the sign permit requirements of this Chapter. Exempt sign types must comply with the following limitations on size, height, duration, and the maximum number of non-illuminated signs. When necessary, certain exempt sign types must satisfy any and all other applicable permit requirements, such as building, electrical, plumbing, grading, and encroachment. Any exception to the limitations for exempt signs listed herein shall require a variance pursuant to CMC Chapter 17.04.

A. One Nameplate or identification sign, not exceeding one square foot in area, and displaying only the address of the owner or the occupant.

B. Directional or safety signs with the following requirements:

1. Each such sign has first been reviewed and approved by the Director.

2. Such signs do not exceed 16 square feet per face.

C. Flags meeting the following criteria:

1. A maximum vertical dimension of 5 feet;

2. A maximum horizontal dimension of 8 feet;

3. A maximum cumulative square footage of a flag on a parcel of 40 feet per side.

4. A maximum of 1 flag pole per developed site; and

5. A maximum height of 35 feet in the commercial and planned development zones and a maximum height of 25 feet in the residential and open space-restricted zones. Flagpoles are subject to a building permit.

D. Temporary signs not exceeding 16 square feet in area, conforming to the provisions of Chapter 17.26.110D Incidental and Event Signs.

E. Governmental or other legally required posters, notices or signs.

F. Signs on City-owned properties.

G. Utility or telephone pay station signs.

H. Signs on property for sale, rental or lease as follows:

1. Only one such sign is displayed per occupancy or street frontage on the property to which it refers.

2. Each sign does not exceed 16 square feet per face.

3. Each such sign is removed from the premises upon completion of the sale, rental, or lease activity to which it pertains.

I. One sign is permitted for property undergoing construction or remodeling, provided it does not exceed 16 square feet in area and 6 feet in height, or one construction directory sign for all contractors, provided it does not exceed 32 square feet per face and eight feet in height. Such sign shall be removed within 30 calendar days of the earliest of the following events: final building inspection approval, issuance of a valid certificate of occupancy, or expiration of the building

permit.

17.26.100 Prohibited Signs.

The signs listed in this section are expressly prohibited in all zones.

A. Hot air or helium balloons larger than three and one-half cubic feet in volume.

B. Light- or sound-emitting devices.

C. Signs in the public right-of-way, except as permitted in the temporary on-site signs CMC Section 17.26.110.

D. Windblown devices except as permitted in the temporary on-site signs CMC Section 17.26.110.

E. Roof signs or any signs placed above the roofline.

F. Portable signs, including trailers and A-frame signs, except as permitted in the Covina Town Center Specific Plan area and Shoppers Lane.

G. Flashing signs.

H. Signs that are mobile, rotate, or move.

I. Signs that block a pedestrian path of travel.

J. Mobile billboard advertising display, as defined under Section 395.5 of the California Vehicle Code. A “mobile billboard advertising display” means an advertising display attached to a mobile, nonmotorized vehicle, device, or bicycle that carries, pulls, or transports a sign or billboard, and is used primarily for advertising.

K. Signs affixed to a structure or property not owned by the person installing the signs without the written consent of an owner.

L. Signs that are dilapidated, abandoned, in disrepair, or in a dangerous condition.

M. Fence signs.

17.26.110 Temporary On-Site Signs.

A. Temporary on-site signs are permitted in commercial, office, and industrial zones. All temporary signs require a temporary sign permit, subject to the Director's review and approval, before installation. The Director may impose reasonable conditions as a condition of the issuance of a sign permit. All temporary signs shall comply with the following regulations, standards, and conditions of use.

1. Temporary signs are permitted for the following types of occasions:

    a. Opening of new business.

    b. Special or seasonal sales.

c. Promotional events.

2. Conditions of use.

a. All temporary signs shall be maintained in good repair.

b. No temporary signs shall be designed, installed, or placed so as to constitute a potential hazard to pedestrian or vehicular traffic.

c. All temporary signs shall be of professional-quality printing, painting, or manufacture and shall comply with all applicable ordinances, policies, and design guidelines.

TABLE 17.26-D: TEMPORARY SIGNS
NA – Not Applicable

TEMPORARY SIGN TYPE	No. of Signs	Maximum Sign Area (square feet)	Maximum Sign Height (feet)	Minimum Setback from property line (feet)	Maximum Display Period per Calendar Year
Banner Signs					
Banners (1) affixed to building fascia above tenant's leased store front; or, mounted over a landscaped areas within yard areas	1 per tenant or business	50	3	5	90
Banners – for business or tenant with more than 100 feet leased store front or building frontage (1)	1 per tenant or business	100	4	NA	90
Temporary Window Signs					
Window painting and display of posters	NA	50% of window area	NA	NA	90
Inflatable Signs					
Inflatable Figure (2)	1	NA	Not to exceed		60

			height restrictions of the zone		
Sidewalk Signs (3), (4), (5), (6), (7)					
Sidewalk signs	1 per tenant or business (to be removed at the end of each business day)	6 sq. ft. per sign face with a minimum 50% permanent text	3 – 5	May be located upon the premises adjacent to the business provided they are not in the public right-of-way and do not obstruct any required walkway or entry, public seating areas, or impede the view of vehicular traffic.	No limit, but must be removed at the end of each business day.
Pennant Signs	1 per tenant or business (to be removed at the end of each business day)	15 sq. ft. per sign face	9	May be located upon the premises adjacent to the business provided they are not in the public right-of-way and do not obstruct any required walkway or entry, public seating areas, or impede the view of vehicular traffic.	

Additional Requirements

(1) Each building shall not have more than 3 banners display at any one time.
(2) Inflatable figure shall be allowed for events with an administrative conditional use permit, and issuance of a building permit. The balloon shall not display higher than 50 feet in building height measure from the finished floor.
(3) All temporary signs must obtain property owner's approval signature prior to submitting for a sign permit.
(4) Sidewalk signs are only permitted in the Covina Town Center Specific Plan area and the Shoppers Lan District.
(5) Sidewalk signs and pennant/flags may not have attachments to them, such as banners, balloons, lights, streamers, or other attention-getting devices.
(6) The use of chalk boards, white boards, or similar written-on devices are not acceptable except for restaurant, coffee/tea shop, and bakery menus.
(7) The use of paper or cardboard signs is prohibited. Pennant/flags composed of plastic materials are further prohibited.

B. Temporary on-site signs for outdoor uses.

1. Businesses must meet the following criteria to have this option of temporary signs:

   a. Business is located on a site exceeding 60,000 square feet of net site area.

   b. Businesses such as auto, motorcycle, mobile homes, and boat sales or rental (new or used), building materials sales, and plant nurseries, which land uses have been approved by the City.

   c. Obtain an annual permit, subject to the director's review and approval, before installing any temporary sign. An application with accompanying fees for an annual sign permit shall be made on the forms(s) and checklists prescribed or issued by the director.

C. Off-Site Subdivision Signs. The following regulations shall apply to all off-site subdivision signs:

1. All signs shall be placed on private property or city right-of-way with written consent of the property owner filed with the planning department or a city encroachment permit obtained and filed with the city engineer prior to the issuance of a sign permit.

2. No sign structure shall be located within 600 feet from any existing or previously approved subdivision sign.

3. Any such sign approved for a particular subdivision within the City shall not be changed to advertise another subdivision without approval of the planning director.

4. There shall be no additions, tag signs, streamers, devices, display boards or appurtenances added to the signs as originally approved. Further, no other directional signs may be used, such as posters or trailer signs.

5. Said signs shall be allowed until a subdivision is sold out or for a period of 12 months, whichever first occurs. Extensions of the 12-month time limit may be approved by the planning director upon presentation of sufficient justification for the extension.

6. Said signs may contain directions to public buildings and facilities.

D. Incidental and Event Signs: Incidental and event signs include handbills, or posters advertising or announcing specific events not held on the premises.

1. Posting prohibited. Signs may not be painted, posted, or affixed to public infrastructure such as sidewalks, poles, benches, hydrants, trees, utility equipment, traffic signs, or any object in the public right-of-way not designated for public messaging.

2. Size.

a. For properties with ≤100 linear feet of frontage: max sign area is 32 sq. ft.

b. For properties with >100 linear feet: add 0.5 sq. ft. per additional foot of frontage.

3. Method of affixing. Signs may not be attached to permanent structures using glue, mastic, tape, or fasteners penetrating more than ½ inch. This does not apply to signs on portable or freestanding devices.

4. Location. Signs must not:

   a. Be within the public right-of-way;

   b. Create hazards or obstruct visibility; and

   c. Be placed within 5 feet of any property line.

5. Exceptions. These regulations do not apply to:

   a. Official government postings required by law.

   b. Traditional public messaging structures (e.g., kiosks, bulletin boards, approved benches, newspaper racks, or permitted billboards).

   c. City-sponsored events or activities.

6. Removal.

   a. General Removal:
      i. Legal signs must be removed within 14 calendar days after the event.
      ii. Hazardous or obstructive signs may be removed immediately without notice.

   b. Post Removal Handling:
      i. Removed signs will be taken to the Community Development Department per CMC 17.75.080–090.
      ii. Owners may retrieve signs within 15 calendar days; after that, signs may be discarded.

   c. Notice of Violation: Written notice must state:
      i. Statement of intention to remove the sign.
      ii. Reason for removal.
      iii. Contact information for the enforcement officer.
      iv. Retrieval process and cost.

   d. Retrieval and fees:
      i. To retrieve a sign, the owner must either pay a fee (not exceeding the removal cost) or sign a promise to appear for a citation.

ii. If contested, an administrative hearing may be requested. If the sign is found lawful, it will be returned without a fee or citation.

7. Cleanup deposit.

   a. A deposit must be made with the City Clerk before posting signs. A receipt will be issued that must be presented for a refund.

   b. Within 30 days of the event, the deposit (minus cleanup costs) will be refunded. If the depositor cannot be reached within 90 days, the balance goes to the City's general fund.

   c. No signs may be posted before the deposit is made. The City Clerk's duties under this section are ministerial, not discretionary, except for enforcement of the deposit requirement.

17.26.120 Nonconforming Signs.

A. Except for copy changes and normal repair or maintenance, no sign existing upon the adoption of the ordinance codified herein shall be modified, altered, moved, or replaced unless it is made to comply with the provisions of this title.

B. Nonconforming signs made of paper, cloth, canvas, or other similar nondurable materials, including painted wall signs or freestanding signs not affixed to a building or the ground, shall be removed within six months of the effective date of the ordinance codified herein.

C. Whenever a business use within any commercial zone is discontinued or sold, the sign owner, his agent, or the property owner shall remove all temporary and permanent nonconforming signs from the premises.

D. Identification signs that do not conform to this title but lawfully existed and were maintained on the effective date of any ordinance making them nonconforming shall, within five years after the effective date of that ordinance, be removed or made to conform.

E. Billboards that do not conform to this title but that lawfully existed and were maintained on the effective date of any ordinance making them nonconforming shall, within three years after the effective date of that ordinance, be removed or made to conform.

F. During the interim period, the nonconforming signs and billboards shall be kept in good repair and visual appearance, and no structural alteration shall be made thereto.

17.26.130 Enforcement and Violations.

Enforcement and violations of this Chapter shall be administered pursuant to Chapter 17.02 of this Title, and Chapter 1.16 through 1.28 of the Covina Municipal Code.

Chapter 17.28
Glossary

17.28.010 Purpose.
17.28.020 Universal Definitions

17.28.010 Purpose.

The purpose of this chapter is to provide definitions for unique terms used throughout this title that are general in nature.

17.28.020 Universal Definitions

"Abut" means contiguous to; for example, two adjoining lots with a common property line are considered to be abutting.

"Access" and/or "accessway" means the place, means or way by which pedestrians and vehicles shall have safe, adequate and usable ingress and egress to a property and/or use as required by this title.

"Accessory building" means a building, part of a building, or structure which is subordinate to and the use of which is incidental to that of the main building, structure, or use on the same lot.

"Accessory dwelling unit" or "ADU" has the meaning set forth in Government Code § 66313, as amended from time to time. See CMC Section 17.20.080 Accessory Dwelling Units and Junior Accessory Dwelling Units. "Second dwelling unit," or "granny flat" is the same as "accessory dwelling unit."

"Accessory use" means a use that is incidental, appropriate, subordinate, and devoted exclusively to the main use of the lot or building.

"Adjacent" means next to, close, contiguous, abutting, or adjoining. For example, an industrial zone across a street or highway from a residential zone shall be considered "adjacent."

"Adult-oriented businesses" refers to CMC Section 17.24.010, Adult-Oriented Businesses.

"Advisory agency" means the planning commission which is herein designated as the advisory agency to the city council on all matters related to the zoning and use of land and structures.

"Aisle" means an accessway to required vehicular parking spaces within a private, public or semipublic parking lot.

“Alley” means a public or private way at the rear or side of property, permanently reserved as a means of secondary vehicular access to abutting property.

“Alter” means the same as “structural alterations.”

“Alternative transportation” means modes of transportation other than single-passenger motor vehicles, such as vanpools, bus pools, rideshare, public transit, walking, and bicycling.

“Amendment” means an addition, deletion, or a change in the wording, context, or substance of this title or the zoning map made a part of this title.

“Ancillary use” means the same as “accessory use.”

“Animal hospital” means a place where animals or pets receive medical or surgical treatment and are cared for during the time of such treatment. Use as a kennel shall be incidental only to such animal hospital use.

“Antique shop” means a place that specializes in selling items that are at least 100 years old. The items may include, but are not limited to, furniture, collectibles, and decorative arts. These items are typically unique, reflecting historical styles and craftsmanship. An antique shop may also offer vintage items, which are generally between 20 and 99 years old.

“Antenna” means a device used in communications that radiates or captures electromagnetic waves, digital signals, analog signals, radio frequencies, wireless telecommunication signals, or other communication signals.

“Assessor” means the county assessor.

“Assisted living facility” means a residential building, complex, or group of buildings that provide housing and limited personal and health care services for residents and are designed for individuals who need some assistance with daily activities but do not require nursing home care. Assisted living facilities may include a kitchen, private bathroom, and living area within individual rooms.

“Automobile and trailer sales lot” means an open area used for the display, sale and/or rental of new or used automobiles and trailer coaches, but not for repair, repainting or remodeling.

“Automobiles impound” means a business operated in conjunction with automobile towing that provides temporary storage for operable and inoperable vehicles. Automobile impound does not include stacking, dismantling, long-term storage, crushing or dumping of vehicles or trailers, or the sale of parts thereof.

“Automobile repair services, minor” means a limited scope of mechanical and electrical repair and maintenance for automobiles, motorcycles, trucks, trailers, or similar vehicles. Examples of minor repair services include muffler and radiator shops, quick-lube, battery charging, smog checks, brake and tire sales and shops. All uses are conducted within an enclosed building or structure.

“Automobile repair services, major” means the repair, alteration, restoration, towing, painting, or finishing of automobiles, trucks, recreational vehicles, boats, and other vehicles as a primary use, including the incidental wholesale and retail sale of vehicle parts as an accessory use. This use includes major engine and/or transmission repair and bodywork repair facilities that handle entire vehicles; such establishments typically provide towing, collision repair, other bodywork, and painting services, as well as tire sales and repair. All uses are conducted within an enclosed building or structure.

"Automobile service station" or “gas station” means the same. An automobile service station means buildings or structures on the same property/parcel that are used for fueling operations and may include ancillary and accessory services such as a car wash, a convenience store, minor automobile repair, and towing. The development of a new automobile service station or the redevelopment of an existing automobile service station shall comply with CMC Section 17.24.030, Automobile Service Stations.

“Automobile wrecking” means dismantling, storing, selling, or dumping wrecked or obsolete vehicles or their parts. For zoning enforcement, the presence of three or more inoperable vehicles for more than 30 days constitutes automobile wrecking, except for vehicles undergoing legitimate repair at a licensed repair shop.

“Basement” means a space that is wholly or partly underground and has more than one-half of its height, measured from its floor to its ceiling, below the average adjoining grade. If the finished floor level directly above a basement is more than six feet above grade at any point, that basement shall be considered a story.

“Battery Energy Storage System (BESS) Facility.” A battery energy storage system facility is an electrochemical device that charges or collects energy from the grid or a distributed generation system (e.g., a power plant) and then discharges that energy at a later time to provide electricity or other grid services when needed. Small-scale battery energy storage facilities are stationary storage systems less than 5 acres that are connected to the distribution system. Large grid-scale battery energy storage facilities, comprising more than 5 acres, developed in combination with energy generation facilities such as power plants, wind farms, or solar parks are prohibited.

“Block frontage” refers to all properties on one side of a street between intersections, a right-of-way, a waterway, a cul-de-sac end, or a city boundary. An

intersecting street defines the block frontage only on the side it intersects. If a city boundary intersects a block, the block ends at that boundary.

“Bona fide eating establishment” means an establishment that primarily sells food and nonalcoholic beverages for on- or off-site consumption. It may serve alcohol incidentally, provided that no more than 30% of the floor area is dedicated to alcohol service and at least 50% of revenue comes from food sales. Patrons typically order while seated, are served by staff, and pay after dining. Takeout and delivery may be offered, but serving only snacks, salads, or sandwiches does not qualify as a bona fide eating establishment.

“Breezeway” means a roofed passageway, open on at least one side, with a roof that is in keeping with the design and construction of the main building. A breezeway shall be considered an inner court created by a roof structure connecting two buildings. The space between buildings connected by a breezeway shall be at least six feet in length, as required in Distance between buildings.

“Building” means any structure built and maintained for the support, shelter, or enclosure of persons, animals, chattels, or property of any kind. No building shall be located within any future widening of an existing right-of-way set forth in the City’s General Plan. “Building,” as used in this title, includes “structure.”

“Building height” means the vertical distance to the highest point of the building, exclusive of chimneys, ventilators, and other exceptions to building height permitted in the zones. Where buildings are not setback from the street line, the height shall be measured from the adjoining curb level. Where buildings are set back from the street line, the height shall be measured from the average elevation of the finished grade at the front of the building.

“Building line” means a line on private property that regulates the location of buildings and/or structures in relation to rights-of-way, including alleys, streets, highways, railways, and drainage channels.

“Building setback line” means the minimum distance, as prescribed by this Title, between the property line of a lot or parcel of land and any point on a building or structure related to that lot or parcel, excluding architectural features permitted to extend into the required yards or open spaces.

“Building site” means the ground area of a building, together with all the open space required by this title.

“Business” means the same as “commerce.”

“Business support services” means a wide range of services designed to assist businesses in their day-to-day operations. These services can include administrative support, specialized consulting, repair, testing, and servicing

buildings and dwellings. Examples of business support services include administration, finance and tax, human resources, information, maintenance, and business service centers.

“California Environmental Quality Act (CEQA)” is a statute, codified at Public Resources Code 21000–21189, that, together with the implementing regulations known as the CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15000–15387) requires the state and local agencies to disclose and evaluate the significant environmental impacts of proposed projects.

“Carnival” means an operation within a common perimeter featuring rides, entertainment, food service, and games of skill.

“Carport” means a permanent, roofed structure used for automobile shelter and storage.

“Cell Site” means an area containing both transmitting and receiving antennae and associated equipment.

“Centerline” means the same as “Street centerline.”

“Colleges, Professional and Vocational Training Facilities” are institutions of higher education that provide general, religious, or professional curricula and grant degrees. They include junior colleges, business and computer schools, management training, and technical and trade schools.

“Co-Location” means the locating of wireless communication facilities from more than one provider on a single site or building.

“Commerce” means the purchase, sale, or transaction of goods and services for livelihood or profit, excluding industrial activities. It includes businesses such as motels, offices, garages, advertising, stables, recreational enterprises, personal service shops, and retail establishments, but excludes dumps, junkyards, and temporary charity-based carnivals. Commerce is used interchangeably with business.

“Congestion management program (CMP) network” is a system of highways and roadways within the county of Los Angeles that includes all state highways and principal arterials and has been designated under the county’s congestion management program for the purpose of monitoring traffic congestion.

“Convalescent home” means the same as “rest home.”

“Corner cutback” refers to designated open space at intersections that ensures safe visibility for vehicles and pedestrians. It must remain free of visual obstructions, and any permitted landscaping or structures must not exceed three

feet above street grade. Refer to CMC Section 17.22.020C-3 for the corner cutback area in residential zones, and 17.22.020J-3 for the corner cutback area in non-residential zones.

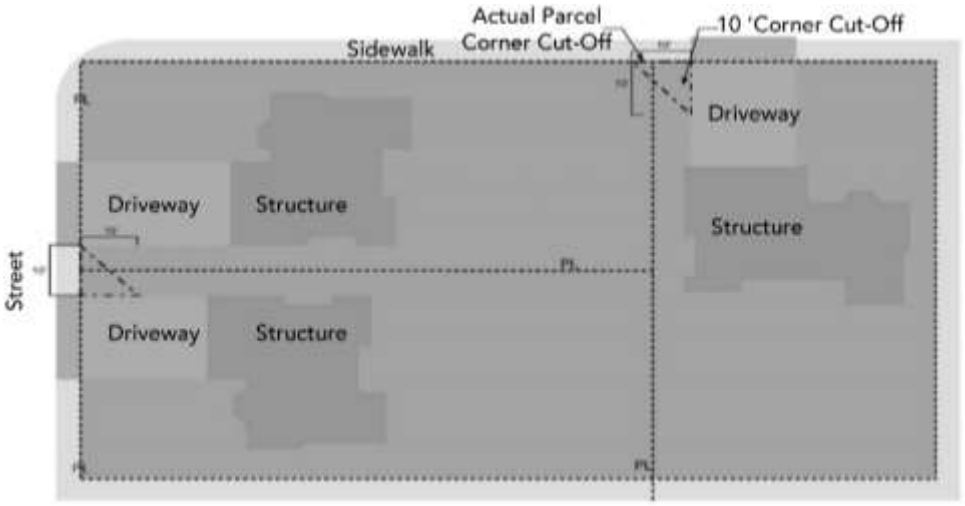


Figure 17.22.020-D Corner Cutback in Residential Zones.

“Cottage food operations” shall have the same meaning as “cottage food business” set forth in Health and Safety Code § 113758, as may be amended from time to time.

“Court” means an open, unoccupied space, other than a yard, on the same lot with the building or buildings and bounded on two or more sides by such building and/or buildings.

A. “Inner court” means a court enclosed on all sides by exterior walls of a building or by exterior walls and lot lines on which walls are allowable.

B. “Outer court” means a court enclosed on no more than three sides by exterior walls and lot lines, with walls allowable, and with one side or end open to a street, driveway, alley, or yard.

“Coverage” means that portion of a lot or building site which is occupied by any building or structure, regardless of whether the building or structure is intended for human occupancy.

“Crankcase oil tanks” means aboveground tanks with a capacity of less than 500 gallons that are used for the temporary collection and storage of motor drain oil from engine crankcases. All such tanks shall be subject to Site Plan Review and, with city approval, screened from view in an attractive, architecturally compatible manner.

“Cul de sac” is a street with a single common ingress and egress and with a turnaround at the end.

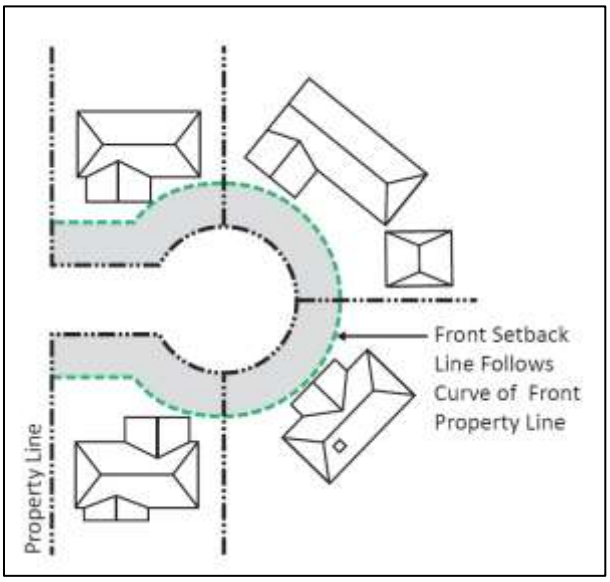


Figure 17.28.020-2 Front Setback for Curved Property Lines

“Cultural Institutions” means an institution and/or associated facility engaged in activities that promote aesthetic and educational interests among the community and that are open to the public on a regular basis. This classification includes performing arts centers for performances and events; spaces for the display or preservation of objects of interest in the arts or sciences; libraries, museums, and historical sites, all of which are public or private. This does not include schools or institutions of higher education providing curricula of a general nature.

“Decks” are defined in CMC Section 17.22.010, Accessory Structures.

“Developer” means the person responsible for the planning, design, and construction of a development project.

“Development” means the construction, remodeling, or expansion of buildings, structures, or parking lots intended for residential, commercial, industrial, or other uses in appropriate locations.

“Drainage channel” means any existing or proposed open ditch, open culvert, or open channel created, designed, or constructed to transmit water for flood control or irrigation purposes, and which existing or proposed ditch, culvert, or channel is delineated on county flood control district plans or on drainage plans prepared by the City. This term also includes “flood control channel.”

“Dripline” means a vertical line extending from the outermost portion of a tree canopy to the ground.

“Driveway” means a permanently (all-weather) surfaced area providing direct access for vehicles between a street and a permitted off-street parking or loading area.

“Drive-up kiosk” is secondary to the primary use on the site but not necessarily related to it. A drive-up kiosk is a permanent use and a small, standalone structure with one side open, usually manned by one or two individuals serving customers who drive up in their cars.

“Drive-through facilities” are designed to serve and accommodate patrons or customers while they remain in their automobiles. New drive-throughs and expansions of existing drive-through facilities shall be designed to ensure compatibility with adjacent uses, enhance the streetscape frontage, provide adequate buffers, ensure safe pedestrian access, and include outdoor amenities to serve patrons.

“Dwelling” means a building or portion thereof designed and used exclusively for residential occupancy, including one-family, two-family and multiple dwellings, but not including hotels.

“Dwelling unit” means a single unit providing complete, independent living that includes facilities for sleeping, one dedicated kitchen, and sanitation facilities for a single household. Examples of common structures that fit this description include single-family homes, individual apartments, condominiums, and townhouses.

“Easement” means a grant of one or more of the property rights by the property owner for the use by the public, a corporation, or another person or entity.

“Eating and drinking establishments” means establishments primarily engaged in providing food and beverage services, including the sale of alcoholic beverages to patrons for immediate consumption on the same premises. Examples of such establishments include restaurants, bars, standalone bars or taverns, nightclubs, and microbreweries.

“Electrical or mechanical games” means any pinball machine or similar device where any sum is charged by means of coin or slug in a slot or otherwise.

“Emergency shelter” means housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less as defined in Section 50801 of the California Health and Safety Code. Medical assistance, counseling, and meals may be provided. No individual or household may be denied emergency shelter because of an inability to pay.

"Enclosed" means a covered space fully surrounded by walls, including windows, doors, and similar openings or architectural features.

“Erect” means to build, construct, attach, hang, place, suspend or fix, and also includes suspending of wall signs.

“Fair housing laws” means the “Fair Housing Act” (42 U.S.C. § 3601 et seq.), the “Americans with Disabilities Act” (42 U.S.C. § 12101 et seq.), and the “California Fair Employment and Housing Act” (California Government Code § 12900 et seq.), as these statutes now exist or may be amended from time to time, and the implementing regulations for each of these statutes.

“Family Day Care” refers to a day care facility licensed by the State of California, located in a residential unit where residents of the dwelling provide care and supervision for children under the age of 18 for periods of less than 24 hours a day.

A. “Small Family Day Care” refers to a facility that provides care for eight or fewer children, including children who reside at the home and are under the age of 10.

B. “Large Family Day Care” refers to a facility that provides care for nine to 14 children, including children who reside at the home and are under the age of 10.

“Farmers Market” or “Street Fair” means a temporary outdoor market or event featuring vendors selling or displaying agricultural products, food and beverages, crafts, artwork, merchandise, and other goods, and may include entertainment and community activities customarily associated with such events.

“Federal government” means the government of the United States.

“Fence” means any structure forming a physical barrier that is constructed so that at least 50 percent of the vertical surface is open to permit the transmission of light, air, and vision through the surface in a horizontal plane, but that is impenetrable to persons and animals. This includes decorative wire mesh, decorative steel mesh, louvers, stakes, and other similar materials. Fences and walls, regardless of height or location, require a building permit. Building Plans for the structure must be prepared, and the plans must be checked for structural safety by the city. The City Building Officials may issue a Building Permit.

“Floor area, *gross*” means the total gross horizontal area of all building floors, measured from the exterior walls. When used for off-street parking requirements, floor area includes all stories and floors, including basements unless otherwise stated.

“Floor Area Ratio” The floor area ratio (FAR) regulates the amount of use (the intensity) allowed on a building lot. FAR is the measurement of a building’s floor area relative to the size of the lot/parcel on which the building is located. FAR is

expressed as a decimal number and is derived by dividing the total area of the building by the total area of the parcel (building area divided by lot area).

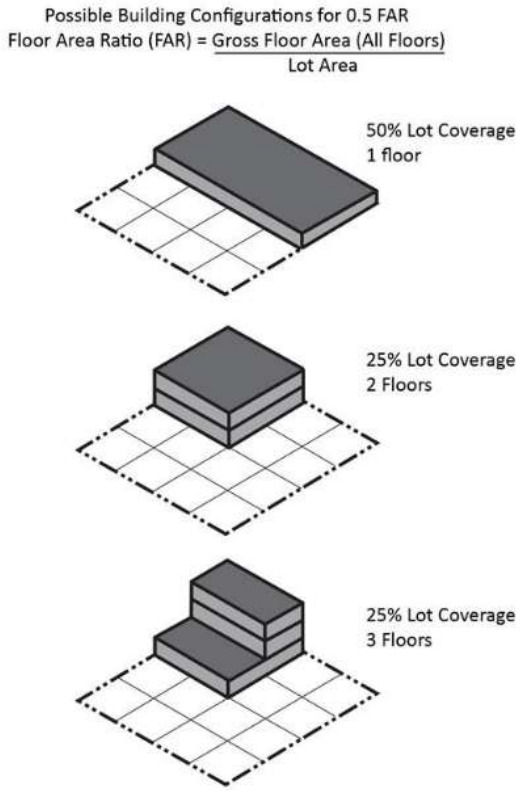


Figure 17.28.020-3 Building Area Ratio

“Floor space index” means the ratio of gross building floor area to total lot area, expressed as a fraction.

“Freeway” means a freeway as indicated on the general plan or designated by the State Division of Highways.

“Frontage” means the line where a lot abuts a frontage and is expressed in lineal feet and is measured along the right-of-way line.

“Front wall” means the wall of the building or structure nearest the street on which the building fronts, but excluding certain architectural features such as cornices, canopies, eaves, or embellishments.

“Gasoline service station” means the same as “automobile service station.”

“Government Offices” refers to administrative, clerical or public contact offices of a government agency, including but not limited to postal facilities and courts, along with the storage and maintenance of vehicles. This classification excludes

corporate yards, equipment service centers, and similar facilities that require maintenance and repair services, as well as storage facilities for related vehicles and equipment (see Public Utilities).

“Grade” means the gradient, the rate of incline or decline expressed as a percent. For example, a rise of 25 feet in a horizontal distance of 100 feet would be expressed as a grade of 25 percent.

"Grading" means any stripping, cutting, filling, or stockpiling of earth or land, including the land in its cut or filled condition.

“Group Residential” means shared living quarters without a separate kitchen or bathroom in each room or unit, offered for rent on a weekly or longer basis. Group Residential includes rooming and boarding houses, dormitories, other types of organizational housing, private residential clubs, and extended-stay hotels intended for long-term occupancy (30 days or more). It excludes hotels and motels and residential care facilities.

"Guesthouse" means an attached or detached accessory structure used as sleeping quarters for guests of the occupants of the main dwelling and: (a) contains no kitchen or cooking facilities; (b) is clearly subordinate and incidental to the principal residence on the same site; and (c) is not rented or leased, whether compensation is direct or indirect.

“Health spa” means any use, whether primary or incidental to the main use, that offers health-related programs on a commercial basis, either individually or in organized groups, and provides physical therapy, access to a gymnasium or exercise equipment, solariums, yoga, dance exercise, swimming, or other similar health or recreational activities.

“Hedge” means a plant or a series of plants, shrubs, or other landscape material, arranged to form a physical barrier or enclosure.

“Hospitals and Clinics” refers to State-licensed facilities that provide medical, surgical, psychiatric, or emergency medical services to sick or injured persons. This classification includes facilities for inpatient or outpatient treatment, including substance-abuse programs, as well as training, research, and administrative services for patients and employees. This classification excludes veterinarians and animal hospitals.

“Hotel” refers to an establishment that provides overnight lodging to transient patrons, with rooms accessible only from the interior of the building. Hotels may also offer additional services, such as conference and meeting rooms, restaurants, bars, or accessory guest facilities (e.g., indoor athletic facilities and swimming pools) available to guests or the public.

“Housing Product Types” means the general classification of residential housing forms, encompassing all permitted dwelling types used for the purpose of categorizing and regulating housing across land use and zoning provisions. The following are Housing Product Types found throughout the code:

> “Apartment” means a self-contained housing unit typically rented or leased, that occupies part of a building, generally on a single floor.
>
> “Apartment hotel” means a building or portion thereof that contains a combination of at least six apartments and hotel units, with a ratio of three hotel units for each apartment unit, within a single structure.
>
> “Apartment house” means a building or portion thereof designed or used for three or more dwelling units, or a combination of three or more dwelling units, with no more than five guest rooms or suites of rooms.
>
> “Condominium” means an undivided interest in common in a portion of real property coupled with a separate interest in space called a unit, the boundaries of which are described on a recorded final map, parcel map or condominium plan in sufficient detail to locate all boundaries thereof. Typically, the unit is owned by the occupant.
>
> “Duplex” means the same as “two-family dwelling.”
>
> “Multiple Family Dwelling” means three or more attached or detached dwelling units on a single lot. Types of multi-unit residential properties include triplexes, townhouses, apartments, and condominiums.
>
> “Single-family dwelling” means a dwelling unit that is designed for occupancy by one household. This classification includes individual manufactured housing units. See also “Manufactured housing unit.”
>
> “Stock cooperatives” means corporations that own real property and grant shareholders exclusive occupancy rights to specific units. These rights can be transferred only with the corresponding shares of stock in the corporation.
>
> “Townhouse” means a dwelling unit that is designed for occupancy by one household located on a separate lot from any other unit (except a second dwelling unit, where permitted), and is attached through common walls to one or more dwellings on abutting lots. An attached single-unit dwelling is sometimes called a “townhouse” or a “condominium”.
>
> “Triplex Dwelling” means a building designed or used exclusively for the occupancy of three families living independently of each other and having separate kitchen facilities for each family.

“Two-family dwelling” or “Duplex” means a building designed or used exclusively for the occupancy of two families living independently of each other and having separate kitchen facilities for each family. Notwithstanding the above, “two-family dwelling” shall not include the combination of a single-family dwelling and a second unit upon the same lot.

“Indoor vertical farming” means growing crops in vertically and horizontally stacked layers. It operates entirely within industrial or warehouse buildings. It relies on controlled-environment agriculture, in which light, temperature, humidity, airflow, and nutrients are regulated to ensure consistent crop growth. Indoor vertical farms primarily produce edible crops, including leafy greens, herbs, microgreens, and fruits such as strawberries and tomatoes. Marijuana or hemp cultivation is not permitted. Common vertical farming systems include, but are not limited to, hydroponics, aeroponics, and aquaponics.

“Indoor virtual recreation spaces” means an indoor facility that offers digital, electronic, or technology-based recreational activities, including virtual reality, augmented reality, simulation games, esports, interactive gaming, and similar entertainment uses.

“In-home businesses, or home occupations” means minor commercial activities that do not distract from the quiet and private characteristics of a residential neighborhood and are incidental to the residential use of a dwelling, including cottage food businesses.

“Junior accessory dwelling unit” or “JADU” has the meaning ascribed in Government Code § 66313(d), as the same may be amended from time to time.
“Junk” means any worn out, cast off or discarded article or material which is ready for destruction or has been collected or stored for salvage or conversion to some use. Any article or material which, unaltered or unchanged and without further reconditioning can be used for its original purpose as readily as when new, shall not be considered junk.

“Junkyard” means any lot, or the use of any portion of a lot, for the dismantling or wrecking of automobiles or other motor vehicles or machinery, or for the storage or keeping for sale of parts and equipment resulting from such dismantling or wrecking, or for the storage or keeping of junk, including scrap metals or other scrap materials.

“Kennel” means any lot or premises on which four or more dogs or other animals, at least four months of age, are kept, boarded or trained.

“Kitchen” means any room intended or designed to be used or maintained for the cooking and/or preparation of food.

“Landscape space” indicates the relationship of lot size to landscaping area, designated by a percentage of the parcel area.

“Liquor” means alcoholic beverages including but not limited to beer, wine and distilled spirits.

“Liquor establishments – Off-sale” means any retail facility which requires a Type 20 or Type 21 off-site retail license from the California Department of Alcohol Beverage Control.

“Liquor establishments – On-sale” means a bar or cocktail lounge where the principal business is the sale of alcoholic beverages for consumption on the premises whether or not accompanied by the sale, dispensing or consumption of food.

“Live-work Unit or Space” means a rental or ownership unit consisting of both living spaces and work areas, where the live-work unit is the primary dwelling of the occupant. Typical uses include artist lofts, studio spaces, small offices, or similar low-intensity uses.

“Loading space” means an off-street space or berth on the same lot with a main building, or contiguous to a group of buildings, for the temporary parking of commercial vehicles while loading or unloading, which space shall abut a street, alley or other appropriate means of ingress and egress. A loading space shall be not less than 12 feet in width, 40 feet in length, and with 14 feet of vertical clearance.

“Lot” means:

A. A parcel of real property with a separate and distinct number or other designation shown on a plat recorded in the office of the county recorder; or

B. A parcel of real property delineated on an approved record of survey, lot split or sub-parceling map as filed in the office of the city clerk and abutting at least one public street; or

C. A parcel of real property containing not less lot area than required by the zone in which it is located, abutting at least one public street and held under separate ownership from adjacent property prior to the effective date of the ordinance codified in this title.

“Lot area” means the total area, measured in a horizontal plane, within the lot lines of a lot. Portions of a lot which have a slope of four to one (four feet horizontal to one foot vertical) or steeper shall not be included in the computation of lot area.

“Lot Coverage” means the percentage of the lot area covered by structures or buildings, including all accessory buildings such as detached recreation buildings, laundry buildings, carports or garages and other similar detached structures. Lot coverage does not include trellises, patios, patio covers within common open spaces, or trash enclosures areas. (see Figure 17.22.040-16 Calculating Lot Coverage)

“Lot depth” means the average horizontal distance between the front and rear lot lines measured in the mean direction of the side lot line.

“Lot line” means any line bounding a lot.

A. “Front lot line” means on an interior lot, the property line abutting a street. On a corner or reversed corner lot, the “front lot line” is the shorter property line abutting a street. On a through lot or a lot with three or more sides abutting a street.

B. “Rear lot line” means a lot line not abutting a street which is opposite and most distant from the front lot line. In the case of an irregular, triangular or gore-shaped lot, a line within the lot, parallel to and at a maximum distance from the front lot line, having a length of not less than 10 feet.

C. “Side lot line” means any lot line not a front lot line or rear lot line. On a lot with three or more sides abutting a street, all lot lines abutting a street, other than the front lot line, may be side lot lines.

“Lot of record” means a parcel of land as shown on the records of the county assessor.

“Lot types” are defined by the placement of a parcel in relation to the surrounding parcels on a block as defined and illustrated below.

A. “Corner lot” is a lot situated at the intersection of two (2) or more streets which have an angle of intersection or not more than one hundred thirty five degrees (135°).

B. “Interior lot” is a lot with only one frontage, situated between lots on each side and to the rear.

C. “Key lot” is the first lot to the rear of a reversed corner lot, whether or not separated by an alley.

D. “Reversed corner lot” is a corner lot, the street side of which is substantially a continuation of the front lot line of the lot upon which it rears.

E. “Through lot” is a lot having frontage on two parallel or approximately parallel streets.

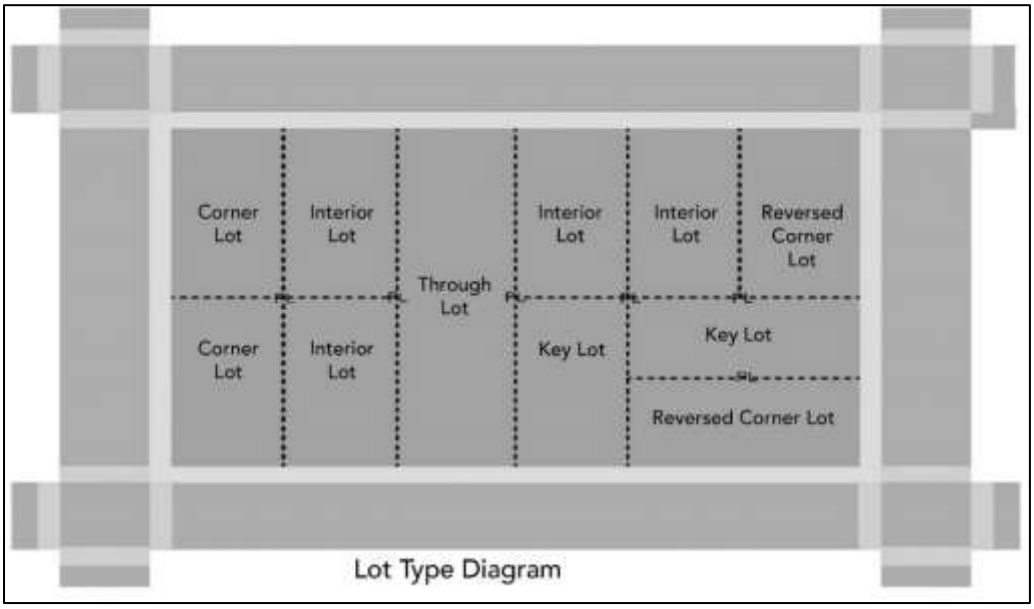


Figure 17.28.020-4 Lot Types

“Lot width” means the horizontal distance between the side lot lines, measured at right angles to the lot depth at a point midway between the front and rear lot lines.

“Low barrier navigation center” means a Housing First, low-barrier, service-enriched shelter focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing.

A. “Low barrier” means best practices to reduce barriers to entry, and may include, but is not limited to, the following: The presence of partners if it is not a population-specific site, such as for survivors of domestic violence or sexual assault, women, or youth. Also allows for those staying in facility to have pets, store possessions, and maintain privacy, designed to remove barriers to housing in accordance with CMC Section 17.20.040

“Maker space activities and uses” mean uses include artist studios and galleries, incubator industrial uses, 3-D printing services, wholesale and retail coffee with on-site roasting and cafe, and research and technology (invention, design and improvement of products and equipment) uses such as artificial intelligence, software, audio and visual technology.

“Manufactured housing” means a housing unit constructed primarily or entirely off-site at a factory before being moved to its intended location.

“Massage establishment” shall have the meaning set forth in CMC Section 5.36.010(C).

“Medical and dental offices” means facilities, often a clinic or private practice, where medical professionals like doctors, provide out-patient medical care, including but not limited to examinations, treatments, minor procedures, surgical centers, or oral health services. Examples include physicians, dentists, chiropractors, optometrists, podiatrists, dermatologists, occupational, speech, and physical therapists and other similar health practitioners.

“Micro-Cell Facility” a small low power radio transceiver contained in less than 100 cubic feet or less, and mounted on a single pole, existing utility pole, or similar support structure. The facility may include up to four directional panel antennas (each no larger than two feet by two feet or one foot by four feet) or one cylindrical antenna no more than six inches in diameter and five feet in height.

“Mixed use” means development that integrates compatible commercial or retail uses, or both, with residential uses, and that, because of its proximity to jobs, shopping, and residences, will minimize new trip generation.

“Mixed Use Development” are projects that combine residential uses with other types of uses such as commercial, office, light industrial, and institutional uses, as well as pedestrian amenities and connections in a single cohesive project. Both horizontal and vertical mixed-use development will be allowed as follows:

A. “Horizontal Mixed Use” Horizontal mixed-use projects allow a range of uses in a single development project area where uses are adjacent to one another, either in separate buildings or on separate parcels included in a single project application. Internal streets and drives connect the separate but adjacent uses with pedestrian connections and pathways. The buildings and individual project components may have common features and support services such as parking, servicing, loading, and utility areas.

B. “Vertical Mixed Use” Vertical mixed-use projects allow for a mix of uses in the same building where nonresidential uses occupy the ground floor and residential uses occupy the upper levels. A vertical mixed-use project may have a surface parking lot, subterranean parking decks, and/or aboveground parking decks.

“Mobile food facility” means any self-propelled, motorized device or vehicle by which any person or property may be propelled or moved upon a highway (excepting a device moved exclusively by human power), or which may be drawn or towed by a self-propelled, motorized vehicle, from which food or food products are sold, offered for sale, displayed, bartered, exchanged or otherwise given.

“Mobile home” is a vehicle, other than a motor vehicle designed or used for human habitation, for carrying persons and property or its structure and for being drawn by a motor vehicle.

“Monopole” A single pole wireless facility.

“Motel” means a place wherein road travelers, or tourists can stay overnight and take a rest by paying a charge. The features of a motel are: designed for short stays; offers quick, basic breakfast; economical places to stay, and one or two floors with outdoor room entrances.

“Net Acre” means the total land area after the land dedication for a public street, alleys, rights-of-way, and other areas dedicated or reserved for public use.
"Nonconforming" means a building, structure, or portion thereof, or use of building or land which does not conform to the regulations of this code and which lawfully existed at the time the regulations became effective through adoption, revision, or amendment.

"Nonconforming parcel" means a lot, the area, dimensions, or location of which was lawful prior to the adoption, revision, or amendment of this code, but which fails by reason of such adoption, revision, or amendment to conform to the present requirements of the district.

"Nonconforming structure" means a structure or building, the size, dimensions, or location of which was lawful prior to the adoption, revision, or amendment to this code, but which fails by reason of such adoption, revision, or amendment, to conform to the present requirements of the district.

"Nonconforming use" means a use or activity which was lawful prior to the adoption, revision, or amendment of this code, but which fails by reason of such adoption, revision, or amendment, to conform to the present requirements of the district.

“Oak tree” means valley oak, coast live oak, or any other tree of the Quercus genus, except scrub oak (Quercus demosa).

"Open space, common" means open space within a project owned, designed, and set aside for use by all occupants of the project or by occupants of a designated portion of the project. Common open space is not dedicated to the public and is owned and maintained by a private organization made up of the open space users. Common open space includes common recreation facilities, open landscaped areas, greenbelts, but excludes pavement or driveway areas or parkway landscaping within the public right-of-way.

"Open space, private" means open space directly adjoining the units or building which is intended for the private enjoyment of the occupants of the unit or building. Private open space shall in some manner be defined such that its boundaries are evident. Private open space includes private patios or balconies and front, rear, or side yards on a lot designed for single-family detached or attached housing.

“Parking space” means a space for the parking of a motor vehicle within a public or private parking area.

“Pilasters” means shallow decorative pillars that are typically rectangular in plain view that are attached to a wall. The pilaster helps to break up or disrupt the visual monotony of lengthy walls.

“Places of Assembly” means any indoor or outdoor location, or portion thereof, where people gather for various reasons, including civic, social, worship, recreational, or educational purposes. These gatherings often involve 50 or more people. Examples include theaters, banquet facilities, conference centers, auditoriums, stadiums, places of worship, fraternal organization event centers.

“Preferential parking” means parking spaces reserved for carpool and vanpool vehicles, usually in a place more convenient to a work site than parking spaces for single occupant vehicles.

“Primary dwelling” means the existing or proposed single-family dwelling or multifamily dwelling on the lot where an ADU would be located.

“Primary structure” means the principal structure on a lot that accommodates the main permitted use of the property, as established by this title. This distinguishes it from accessory structures that support but do not constitute the primary land use.

“Private garage” means a detached accessory building or a portion of a main building on the same lot as a dwelling used for the housing of vehicles of the occupants of the dwelling, including carports.

“Private parking area” means an open area, other than a street, used for the parking of automotive vehicles and restricted from general public use. Such areas shall have frontage on or access to a dedicated street or alley.

“Private schools” are non-governmental educational institutions that provide instruction at the elementary, secondary, or higher education level. They are funded primarily through tuition, donations, or endowments rather than public funding. Private schools may offer specialized curricula, religious instruction, or alternative educational approaches and operate independently while adhering to applicable accreditation and regulatory standards.

“Professional, scientific, and Technical Services” means businesses that provide specialized knowledge and expertise to clients, often on an as needed basis. Examples include legal, accounting, tax preparation, bookkeeper, management, scientific and consulting services, architectural, engineering and related services, and interior and specialty design services.

“Property owner” means the individual, group, partnership, corporation or other legal entity which holds lawful title and legal right of possession to real property.

“Public facilities” means buildings, services or spaces owned and operated by a government or public entity, designed for the use of the general public. They provide essential services, recreation, transportation, and safety, improving quality of life and promoting social equity. Examples include senior centers, parks, cultural facilities, Public Safety Facilities, libraries, museums, and public auditoriums.

“Public parking area” means an area, other than a private parking area or street, used for the parking of vehicles and available for public or quasi-public use, either free or for remuneration. Such areas shall have frontage on or access to a dedicated street or alley.

“Public garage” means any parking garage other than a private garage.

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

“Public stable” means a stable other than a private stable.

“Public storage facility” means a place for storing personal goods and materials of private individuals and companies. The goods and materials thus stored are not intended for redistribution, resale or other commercial activity. No other activity other than the storage described above is intended for a public storage facility.

“Public transit” means a public transportation system providing regularly scheduled bus, rail, or other shared passenger service, as defined in California Public Utilities Code § 99211, as the same may be amended from time to time.

“Quasi-public organization” means any nongovernmental, nonprofit organization that is devoted to public service and welfare.

“Quick-service/Take-out restaurant” means a type of eatery that specializes in fast, inexpensive, and convenient meals, often with a limited menu, served with minimal wait times. Customers typically order at a counter, drive-thru, or kiosk, and take their food to-go, and may have no more than six seats in the customer waiting area.

“Reasonable accommodation” means any deviation requested and/or granted from the City’s zoning and land use laws, rules, regulations, policies, procedures, practices, or any combination thereof, that may be reasonable and necessary for a disabled person to have an equal opportunity to use and enjoy a dwelling.

“Recreation Facility” means a dedicated space, building or site designed and managed for leisure, recreational activities, and community engagement.

A. “Indoor Recreation” means any building designed for recreational activities to occur indoors. These facilities often include areas for sports, exercise, games, or other leisure activities. Examples include billiards, pool halls, bowling alleys, escape rooms, virtual rooms, ice rinks, and roller rinks. They may offer snack bars and beverages, but establishments with alcohol sales are considered separate uses and require additional permits.

B. “Outdoor Recreation” means a space designed for leisure and recreational activities that occur outdoors, such as parks, playgrounds, and sports fields. These uses encompass both public and private facilities and examples include amusement parks, athletic fields, miniature golf courses, standard golf courses and driving ranges, and batting cages.

“Research and Development” is work and activities directed toward innovation, introduction, and improvement of products and processes.

“Residence” means a building used, designed or intended to be used as a home or dwelling place.

“Residential Care Facilities” refer to facilities licensed by the state of California to provide living accommodations, 24-hour care for persons requiring personal services, supervision, protection or assistance with daily tasks, or treatment of substance dependency. Amenities may include shared living quarters, with or without a private bathroom or kitchen facilities. This classification includes those both for and not-for-profit institutions but excludes Supportive Housing and Transitional Housing.

A. “Small Residential Care Facility” is a facility that is licensed by the state of California to provide care for six or fewer persons.

B. “Large Residential Care Facility” is a facility that is licensed by the state of California to provide care for more than six persons.

“Retail store” means a business selling goods, wares or merchandise directly to the ultimate consumer.

“Residential trailer” means a vehicle with or without motive power, designed and constructed to travel on the public thoroughfare in accordance with the provisions

of the State Vehicle Code and to be used for human habitation. No trailer shall be used as a place of human habitation except in regularly established trailer parks.

“Restaurants” means a place where people pay to eat meals prepared on the premises. Examples include traditional dine-in restaurants, drive-through and drive-in restaurants, quick service or limited service restaurants, delicatessens, cafeterias, buffets, and fast-food restaurants.

“Room” means an unsubdivided portion of the interior of a dwelling unit, excluding bathrooms, closets, hallways and service porches.

“Schools” refers to facilities for primary or secondary education, including public schools, charter schools and private and parochial schools having curricula comparable to that required in the public schools of the State of California.

“Service bay” means an enclosed area capable of holding one vehicle for greasing, tire repair, washing, lubrication or minor mechanical repairs.

“Services to buildings and dwellings” means activities related to the upkeep and maintenance of both residential and commercial structures. Examples include pest control, janitorial, carpet and upholstery cleaning, plumbing and repair services.

“Shared-space commercial establishment” means a development that combines retail, food service, office, or personal services (excluding personal massage) within a single building or multiple small structures on one parcel. Tenants share common facilities such as restrooms, storage, dining areas, workstations, and utilities. This does not include multi-tenant retail arcades.

“Single Room Occupancy” means a residential facility where living accommodations are individual secure rooms, with or without separate kitchen or bathroom facilities for each room, are rented to one- or two-person households for a weekly or monthly period of time. This use classification is distinct from a Hotel or Motel, which is a commercial use.

“Slope” means a natural or artificial incline, as a hillside or terrace. Slope is usually expressed as a ratio. For example, a horizontal distance of 100 feet with a rise of 50 feet would be expressed as a 2:1 slope.

“Stable” means a detached accessory building for the keeping of horses.

“Stealth Facility” A wireless facility designed to blend into the surrounding environment, typically architecturally integrated into a building or other concealed structure. Mounding structures may include but are limited to, clock towers, bell steeples, and other similar structures designed to camouflage or conceal the presence of the tower or antenna.

“Storage garage” means any premises used exclusively for the storage of vehicles.

“Stored” means the placing of one or more objects for the purpose of storage.

“Story” means a space in a building between the surface of any floor and the surface of the floor next above, or if there is no floor above, then the space between such floor and the ceiling or roof above.

A. “Half story” means a story under a gable, hip or gambrel roof, plates of which are not more than three feet above the floor of such story.

“Street” means any public or private thoroughfare which affords the principal means of access to abutting property and includes all major and secondary highways, freeways, traffic collector streets and local streets.

A. “Street centerline” means the centerline of a street or right-of-way as established by official surveys.

B. “Street line” means the boundary line between street and abutting property.

C. “Local street” means any street, dedicated, deeded or condemned as such, serving as the principal means of access to property, which street is not shown as a major or secondary highway or traffic collector street on the general plan.

D. “Side street” means that street bounding a corner or reversed corner lot and which extends in the same general direction as the line determining the depth of the lot.

"Street, public" means a street owned and maintained by the city, the county, or the state. The term includes streets offered for dedication which have been improved or for which a bonded improvement agreement is in effect.

"Street, private" means a street in private ownership, not dedicated as a public street, which provides the principal means of vehicular access to a property and not to be construed to mean driveways, alleys, or parking areas.

“Structural alterations” mean any change in the supporting members of a building, such as in a bearing wall, column, beam or girder, floor or ceiling joists, roof rafters, roof diaphragms, roof trusses, foundations, piles or retaining walls or similar components.

“Structure” means anything constructed or built, any edifice or building of any kind or any piece of work artificially built up or composed of parts joined together in some manner, which requires a building permit and which requires location on the ground, or is attached to something having a location on the ground, excepting

outdoor areas such as patios, paved areas, walks, swimming pools, tennis courts and similar recreation areas. This includes billboards and outdoor advertising structures.

“Substandard lot” means a lot whose area, width or depth is less than that required in the zone in which it is located.

“Supportive housing” means housing with no limit on length of stay, that is occupied by the target population, and that is linked to an on-site or off-site service that assists the supportive housing resident in retaining the housing, improving their health status, and maximizing their ability to live and, when possible, work in the community. Supportive housing is a residential use subject to the same regulations and procedures that apply to other residential uses of the same type in the same zone, except that supportive housing shall be a use by right in zones where multifamily and mixed uses are permitted, including nonresidential zones permitting multifamily uses, if the proposed development satisfies all of the requirements set forth in Government Code Section 65650 et seq.

“Supportive services” include, but are not limited to, a combination of subsidized, permanent housing, intensive case management, medical and mental health care, substance abuse treatment, employment services, and benefits advocacy.

“Swimming pool” A structure, basin, or excavation designed to contain water for swimming, wading, or recreational use, having a depth of more than 36 inches and intended for permanent or semi-permanent installation.

“Tandem parking” means two or more automobiles parked on a driveway or in any other location on a lot, lined up behind one another.

“Target population” means persons with low incomes who have one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health condition, or individuals eligible for services provided pursuant to the Lanterman Developmental Disabilities Services Act (Division 4.5 (commencing with Section 4500) of the Welfare and Institutions Code) and may include, among other populations, adults, emancipated minors, families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, and homeless people.

“Thrift shop, secondhand and used merchandise stores” means a retail store and related donation facilities engaged primarily in the sale of second-hand clothing, shoes, apparel, toys, and standard household goods, including furniture, fixtures, and small household appliances, and the collection of those goods for resale. It does not include the sale of large household appliances such as refrigerators or stoves and does not include the sale of cars or anything automotive-related.

“Toe of slope” means that point or line of initial break where the terrain changes to an upward direction.

“Top of slope” means that point or line of initial break where the terrain changes to a downward direction.

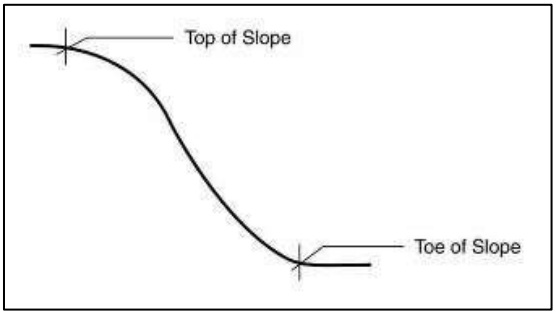


Figure 17.28.020-5 Top and Toe of Slope

“Trailer park” or “mobile home park” means any area or tract of land where space is rented or held for rent to two or more owners or users of residential trailers or mobile homes.

“Trailer space” means a plot of ground within any trailer park designed for the accommodation of one residential trailer and related facilities.

“Transient” means a person who receives dwelling accommodations for a price, with or without meals, for a period of not more than 180 consecutive days.

“Transient lodging facilities” means a building or part of a building that offers sleeping accommodations primarily for short-term stays, typically less than 30 days. These facilities include hotels, motels, resorts, bed-and-breakfast inns, and residence inns. Transient lodging excludes residential dwelling units, medical facilities, and long-term care facilities.

“Transitional housing” means buildings configured as rental housing developments but operated under program requirements that require the termination of assistance and recirculating of the assisted unit to another eligible program recipient at a predetermined future point in time that shall be no less than six months from the beginning of the assistance. Transitional housing is a residential use subject to the same regulations and procedures that apply to other residential uses of the same type in the same zone.

“Transportation demand management” means the alteration of travel behavior, usually on the part of commuters, through programs of incentives, services, and policies. Transportation demand management addresses alternatives to single occupant vehicles such as carpooling, vanpooling, bicycling, use of public transit,

and walking; and changes in work schedules that move trips out of the peak period or eliminate them altogether (such as telecommuting or compressed work weeks).

“Truck and/or trailer sales lot” means an open area where trucks and/or trailers are sold, leased or rented and where no repairs, repainting or remodeling is done.

“Tutoring Facilities” refers to facilities offering academic instruction to individuals or to groups in a classroom setting.

“Use” means the purpose for which land and/or building is erected, arranged, designed or intended, or for which land and/or building is or may be occupied or maintained.

“Vanpool” means a group of seven to 15 persons who regularly use a van for commuting together to and from work.

“Variance” means a permit for deviation from the provisions established in the zone in which the property is located, granted by the commission pursuant to CMC Section 17.04.050, and intended to permit the fair use of property in cases where the strict enforcements of the law would, because of exceptional conditions on the land, such as the location, size, shape or slope of the lot, work an unnecessary hardship on the subject property which would not apply to other properties in the same zone.

“Vehicle” means a motorized form of transportation, such as an automobile, van, bus, truck, or motorcycle.

“Visual obstruction” means fencing, hedges, trees, shrubs and walls or any combination thereof which materially limits the visibility of persons at intersecting or intercepting streets and alleys.

“Vocational, trade, technical, and instructional schools” means post-secondary educational institutions focused on providing practical training for specific jobs or careers. They differ primarily in their scope and depth of training, with vocational and trade schools often emphasizing hands-on skills for immediate employment, and technical schools providing a comprehensive, longer-term education, sometimes including academic work. Examples include computer training, cosmetology and barber, apprenticeship, fine arts, language, auto driving and sports and recreation.

“Wall” A wall means any structure or device forming a physical barrier, which is so constructed that 50 percent or more of the vertical surface is closed and prevents the passage of light, air and vision through the surface in a horizontal plane. This includes concrete, concrete block, wood or other materials that are solids and are so assembled as to form a solid barrier. Walls shall be constructed to conform to the standards of the City’s Building Code.

“Warehouse and Distribution”

A. Traditional warehouse distribution facility is an industrial building primarily focused on storing goods. Its functions include receiving, organizing, safeguarding, and preparing goods for future distribution. The characteristics of a typical warehouse distribution facility are: focus on shelving and storage systems for organizing goods, and with climate-controlled if the goods are perishable; store goods over an extended period until they are needed for distribution or further processing; handle goods in containers, such as boxes, barrels, and/or drums, using equipment, such as forklifts, pallets, and racks; and they do not sell the goods they handle

B. Distribution centers are industrial buildings built or used for short-term, high-cube storage characterized by fast intake and rapid shipment of goods driven by customer demand. A typical distribution center has high on-site automation and logistic movements. The primary aim of distribution centers is to get goods out to customers as soon as possible and, therefore, may involve a high level of activity, working around the clock daily to process, pack, and send orders. Distribution centers are not traditional warehouse facilities because their operations do not fit the characteristics of static, long-term storage of manufactured goods. Distribution centers do not include "big box" discounts or warehouse stores that sell to the general public. Distribution centers shall be subject to conditional use permits to ensure the operation of the use will not have adverse impacts on the public peace, health, and safety of the City's residents. Examples of distribution centers include e-fulfillment centers, parcel hubs and sortation centers, parcel delivery centers, urban logistics depots, fast delivery hubs, and last-mile delivery centers. Examples of distribution centers are: E-fulfillment centers, parcel hubs and sortation centers, parcel delivery centers and urban logistics, and fast delivery hubs and last-mile delivery centers.

“Wireless Communications” Personal wireless services as defined in the Telecommunications Act of 1996 including cellular, personal communication, specialized mobile radio, enhanced specialized mobile radio, and similar.

“Wireless Communication Facility” a structure, including towers, poles, monopoles, lattice towers, water towers, buildings, or other structures that support antennas and related equipment used to send or receive radio frequency signals.

“Yard sale" is the sale of tangible personal property in a residential zone or residentially used premises, advertised as a "yard sale," "garage sale," or similar.

“Yard” refers to open and unoccupied space on a lot.

A. “Yard, Front” is the area between the primary structure and the front lot line.

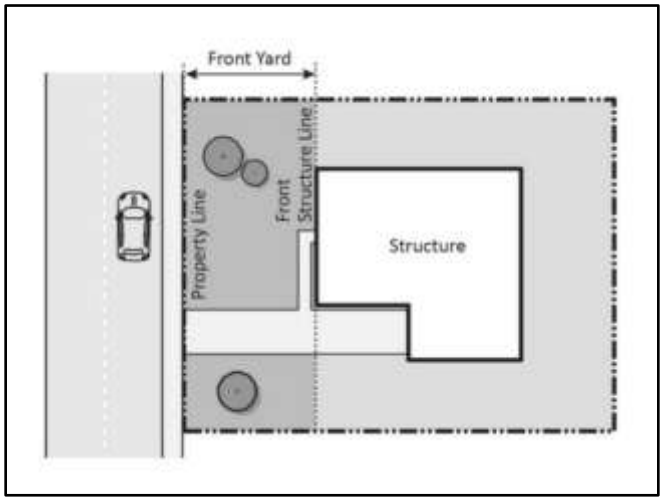


Figure 17.28.020-6 Front Yard

B. “Yard, Required Front” is the area between the front lot line and the front setback line.

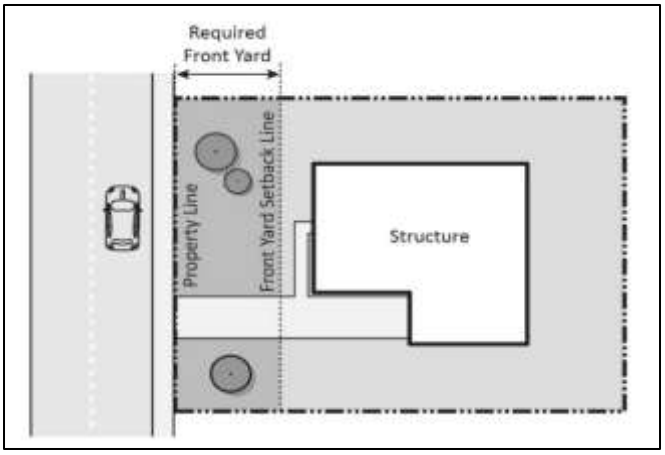


Figure 17.28.020-7 Required Front Yard

C. “Yard, Rear” is the area between the rear of the primary building on a lot and the rear property line.

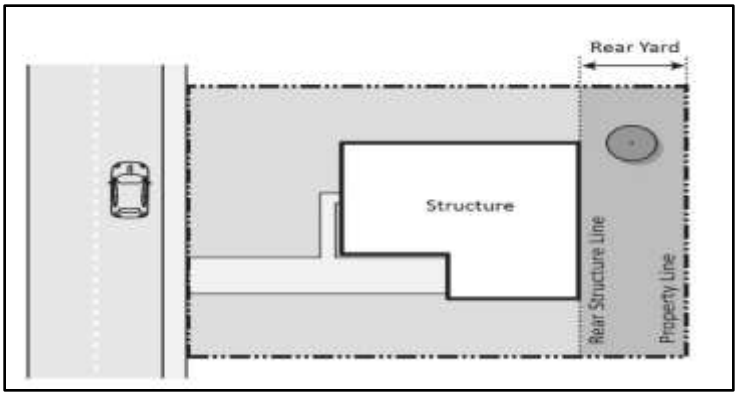


Figure 17.28.020-8 Rear Yard

D. “Yard, Required Rear” is the area lot line and the rear property line.

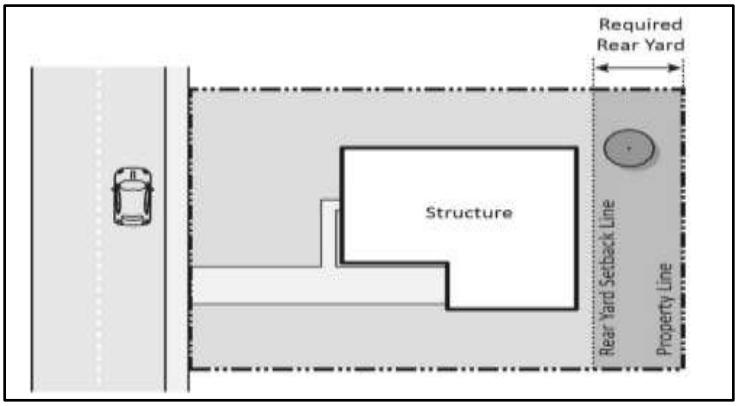


Figure 17.28.020-9 Required Rear Yard

E. “Yard, Side” is the area between the primary structure and each side lot line.

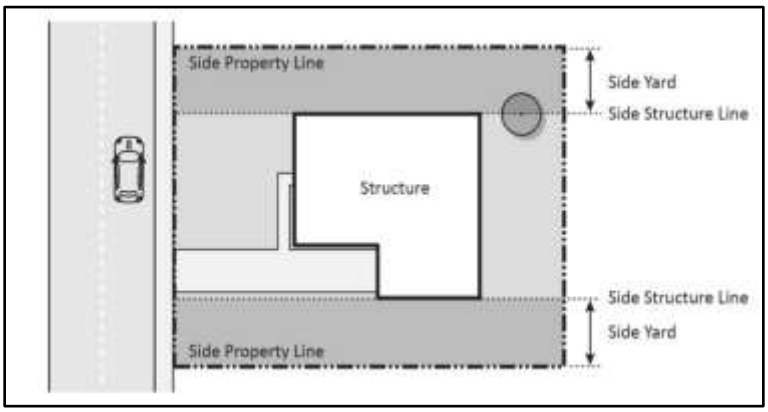


Figure 17.28.020-10 Side Yard

F. “Yard, Required Side” is the yard along each sideline of the lot to a width required by the district in which the lot is situated and extending from the front yard setback line to the rear yard setback line.

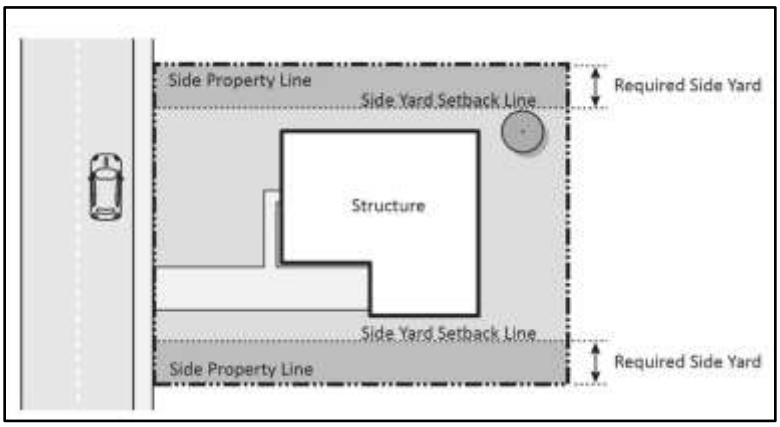


Figure 17.28.020-11 Required Side Yard

“Zone” means a land area shown or described in the land use zoning map and as set forth and described in this title.